



## DRAFT

### Pre-Application Conference Notes

*PA-19-01: Oregon City Police Station*

Pre-Application Conference Date: **1/29/2019**

#### General Information:

Location: Clackamas County 3-2E-06DB – 00100, 02000, 02003

- Site Address: 1232 Linn Avenue, Oregon City, OR
- Zoning: "I" Institutional
- Proposed Development: 65,000 sf police station, public plaza, and associated parking lots
- Applicable overlay districts: None
- Applications anticipated:
  - Type II Site Plan Design Review with Traffic Study
  - Conditional Use Review
  - Code Interpretation (if submitted before code amendments in place)
  - Potential Variance

#### Previous Approvals:

PZ 17-01: Comprehensive Plan Amendment

ZC-17-04: Zone Change

SP 17-114: Minor Site Plan and Design Review

#### Review Process:

Conditional Use review is a Type III decision. Type III decisions require a minimum of one public hearing before the Planning Commission and involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the city commission, except upon appeal. This is a Type III process defined in [17.50.030 - Summary of the city's decision-making processes.](#)

The applicant is entitled to a decision from the city for a decision of approval, approval with conditions or denial within 120 days of deeming the application complete, by state law.

Type III decisions are rendered by the Planning Commission, with appeal on the record to the City Commission, and then onto LUBA.

#### Upcoming Potential Code Changes

The City is in the process of significantly amending the development code, which may include removal of many standards. These amendments will be effective mid-May 2019 or later. The draft versions and an

estimated timeline may be found at <https://www.orcity.org/planning/housing-and-other-development-and-zoning-code-amendments>

### Approval Criteria:

#### Chapter 17.39 – Institutional District

- Minimum height: Within one hundred feet of any district boundary, not to exceed thirty-five feet; elsewhere, not to exceed seventy feet.
- Minimum required setbacks: Twenty-five feet from property line except when the development is adjacent to a public right-of-way. When adjacent to a public right-of-way, the minimum setback is zero feet and the maximum setback is five feet. The maximum setback is discussed later in the notes
- Fire station is a conditional use; police station is not listed. A code interpretation is needed to find that police station is similar to fire station. Provide a narrative explanation of why this should be considered similar. The code amendments add police station as a conditional use; if your application is submitted after code amendments are in place, a code interpretation is not needed.

#### Chapter 17.56 Conditional Uses

You will need to show compliance with the following criteria:

The planning commission may allow a conditional use, provided that the applicant provides evidence substantiating that all the requirements of this title relative to the proposed use are satisfied, and demonstrates that the proposed use also satisfies the following criteria:

1. The use is listed as a conditional use in the underlying district;
2. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;
3. Development shall demonstrate compliance with Chapter 12.04, Streets, Sidewalks and Public Places;
4. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district;
5. The proposal satisfies the goals and policies of the city comprehensive plan which apply to the proposed use. *See attached comprehensive plan goals and policies that apply.*  
*Conditions of approval related to the Mt. Pleasant school demolition will be tied to Comprehensive Plan goals for historic preservation.*

Permits for conditional uses shall stipulate restrictions or conditions which may include, but are not limited to, a definite time limit to meet such conditions, provisions for a front, side or rear yard greater than the minimum dimensional standards of the zoning ordinance, suitable landscaping, off-street parking, and any other reasonable restriction, condition or safeguard that would uphold the spirit and intent of the zoning ordinance, and mitigate adverse effect upon the neighborhood properties by reason of the use, extension, construction or alteration allowed as set forth in the findings of the planning commission.

#### Chapter 17.60 Variances

A variance may be granted only in the event that all of the following conditions exist:

- A. That the variance from the requirements is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access or other desirable or necessary qualities otherwise protected by this title;
- B. That the request is the minimum variance that would alleviate the hardship;
- C. Granting the variance will equal or exceed the purpose of the regulation to be modified.
- D. Any impacts resulting from the adjustment are mitigated;
- E. No practical alternatives have been identified which would accomplish the same purpose and not require a variance; and
- F. The variance conforms to the comprehensive plan and the intent of the ordinance being varied.
  - *The intent of the standard is often explained by the purpose statement at the beginning of the code section or chapter. Otherwise, it may be found indirectly stated in the Comprehensive Plan.*

#### Chapter 17.62 - SITE PLAN AND DESIGN REVIEW (17.62.050, 17.62.055, 17.62.065, 17.62.085)

A few key sections of the 17.62 standards are included below:

- Parcels larger than three acres shall provide streets as required in [Chapter 12.04](#). The streets shall connect with existing or planned streets adjacent to the site. Chapter 12.04 contains block length requirements with a maximum of 530 feet per block. If streets are not provided to meet this standard, pedestrian accessways are required every 330 feet. A variance to this standard may be required based on the proposed plan, including:
  - East-west connection: sidewalk along building can provide an alternative to an accessway. Width should be 7 feet minimum.
  - Possible condition of approval for full connection (through field) when the field portion of the site is developed in the future.
  - North-south connection: there is no street or accessway to connect to north of the site. Should provide connection from Warner Parrott to east-west connection.
- Building entrances must face the street. A variance to this standard may be required based on the proposed plan.
- The most architecturally significant façade must face the street. A variance to this standard may be required based on the proposed plan.
- Note Pedestrian Circulation requirements in Chapter 17.62.050.A.9.
  - Pedestrian connections to other areas of the site, such as parking areas, recreational areas, common outdoor areas, and any pedestrian amenities are required. Include connection to recreation field over driveway.
  - Pathways between the street and buildings fronting on the street shall be direct.
- Note building materials requirements in Chapter 17.62.050.A.21. Chain link is prohibited in visible locations.
- Outdoor lighting ([OCMC Section 17.62.065](#)). A photometric demonstrating compliance with lighting standards is required.
- Mechanical equipment should be screened (rooftop and ground mounted)
- Refuse and recycling enclosures ([OCMC Section 17.62.085](#))

Commercial/Institutional Requirements (17.62.055):

- Note wall articulation and modulation requirements (code amendments will alter these standards). A variance can be pursued, or a modification per 17.62.015. Current standards include but are not limited to the following, which the proposal appears not to meet:
  - All facades are required to have wall plane projections or recesses with depth of at least 3% of the length of the facade and extending at least 20% of the length of the facade
  - Facades shall have an expression of architectural or structural bays through a change in plane no less than twelve inches in width, such as an offset, reveal or projecting rib
  - Texture, color, or material changes shall repeat at intervals of no more than thirty feet along all facades
  - All facades shall have a recognizable "top" consisting of, but not limited to:
    - a. Cornice treatments, other than just colored "stripes" or "bands," with integrally textured materials such as stone or other masonry or differently colored materials; or
    - b. Sloping roof with overhangs and brackets; or
    - c. Stepped parapets;
    - d. Special architectural features, such as bay windows, decorative roofs and entry features may project up to three feet into street rights-of-way, provided that they are not less than nine feet above the sidewalk

The standards in the code amendments which the proposal does not appear to meet are:

- All front and side facades shall provide a design element or architectural feature that add interest and detail such that there are no blank walls of thirty feet in length or more
  - Street facing facades shall include additional design features. For every thirty feet of facade length, three elements are required (see full list in code amendments)
  - The maximum length of any continuous roofline on a street-facing facade shall be seventy-five feet without a cross gable or change in height of at least two feet
- Note transparency requirements. It is not clear if the building meet the standard for 60% transparency on the front (Linn Ave) facade.
  - Entrances must face the street and placed a maximum of 5 feet from the property line. A variance may be required based on the proposal. The proposal does not appear to meet entryway elements in 17.62.055.D.3.
  - On sites with one hundred feet or more of frontage at least sixty percent of the site frontage width shall be occupied by buildings placed within five feet of the property line, unless a greater setback is accepted under the provisions of Section 17.62.055D. A variance may be required based on the proposal. Approximately measurements are:
    - Frontage length along Linn Avenue: 752 feet. 60%: 451 feet
    - Comm Dev Building: 71 feet
    - Building wall length: 113 feet.
    - Frontage length will be reduced by future roundabout
    - The plaza can serve as mitigation for this variance

## Chapter 17.52 - Off-Street Parking and Loading

- Vehicular parking

- Must be behind or to the side of buildings
- Up to 35% of spaces may be compact spaces
- City code does not have minimum or maximum vehicular parking space standards for police stations, so your application should propose a ratio based on other jurisdictions or similar uses.
- Include the Community Development Building in your calculations: the annex structure is approximately 6,850 square feet and for the purposes of parking is being considered office use
- Fleet storage will not count toward parking requirements; however, parking lot landscaping requirements apply in fleet storage areas.
- On-street parking can be credited toward off-street parking minimums (22 feet of curb length is one space).
- New developments with seventy-five or more parking spaces, and new hospitals, government offices, group homes, nursing and retirement homes, schools and transit park-and-ride facilities with fifty or more parking spaces, shall identify the spaces available for employee, student and commuter parking and designate at least five percent, but not fewer than two, of those spaces for exclusive carpool and vanpool parking. Carpool and vanpool parking spaces shall be located closer to the main employee, student or commuter entrance than all other employee, student or commuter parking spaces with the exception of ADA accessible parking spaces. The carpool/vanpool spaces shall be clearly marked "Reserved - Carpool/Vanpool Only."
- Bicycle Parking
  - City code does not have minimum or maximum bicycle parking ratio for police stations, so your application should propose a ratio based on other jurisdictions or similar uses.
  - Outdoor bicycle parking should be no farther from the main building entrance than the distance to the closest vehicle space, or fifty feet, whichever is less
  - Note bicycle parking location requirements in 17.52.060.
- Parking Lot Landscaping
  - There are some zoning incentives for LID treatments written into the design review code that allows pervious and LID type treatments to be credited towards landscaping requirements.
  - At least 10% of the interior of parking lots must be landscaped.
  - Building buffer landscaping is required (5 feet wide, or widen sidewalk to 7 feet and add tree wells)
  - A landscape island is required between every 8 parking spaces. The site plan shows 9 spaces in a row in some locations.
  - The applicant may propose an alternative LID solution for the parking lots, in which case dimensional landscaping standards may be altered.
  - Use alternative parking landscaping plan for covered areas – see 17.52.070.

#### Chapter 17.41 - TREE PROTECTION STANDARDS

- A tree plan is required which indicates the location of all trees on the site with a diameter of 6" DBH or greater. The applicant may select one or more of four options for how trees will be protected, removed and / or mitigated if removed from the site.
- Trees that are dead/diseased/dying/hazardous as determined by an arborist are exempt from mitigation requirements.

- Tree protection during construction is required per 17.41.130.

#### Chapter 17.54 – Supplemental Zoning Regulations and Exceptions

- Fences: maximum height is 8 feet and no chain link is permitted.

### Transportation

The applicant will need to have a traffic engineer conduct a transportation study in conformance with the City's Guidelines for Transportation Impact Analyses available on the Oregon City website.

Based on the information provided by the applicant, it appears the transportation analysis associated with this development proposal can be satisfied by submittal of a Transportation Analysis Letter (TAL). This option is available when specific criteria are met. These include a determination that the development generates 24 or fewer AM and PM peak hour trips and fewer than 250 daily trips after accounting for the existing or prior use of the site. Details for a TAL can be found in Section 3.1 of the Guidelines. It is the applicant's responsibility to verify the trip generation characteristics of the proposed development.

The applicant should be aware that the entire site under the ownership of the city has a trip cap. This trip cap was established when the zoning of the property was changed as part of the land use process for PZ17-01. The trip cap for the site was defined as: 238 AM peak hour trips and 143 PM peak hour trips. For the purposes of PA19-01, the applicant may assume that the existing government office space that will remain on site (the Community Development offices) have the following trip generation characteristics: 40 AM peak hour trips and 8 PM peak hour trips. The applicant may conduct traffic counts to determine whether the trip generation of the Community Development offices differ from those values and use those values as an option.

If the applicant's calculation of trip generation from the existing Community Development offices and the proposed new uses on the site result in the trip cap being exceeded, the applicant will be required to perform additional analysis to show compliance with the Transportation Planning Rule (OAR 660-12-0060).

Key issues to be addressed in the TAL include site access, potential interference with operations of nearby intersections or driveways, site circulation, safety for users of all modes. The applicant is advised to review the conditions of approval associated with PZ17-01 in the development of the TAL and the site plan.

The applicant's traffic engineer is welcome to contact the city's traffic engineering consultant, John Replinger, at [Replinger-Associates@comcast.net](mailto:Replinger-Associates@comcast.net) or at 503-719-3383.

### Applicant Questions:

1. Are we meeting city requirements for the additional 15' of setback with the current plan? As indicated in the SD narrative, the site plan shows the following in an effort to meet the Institutional Building Standards larger front yard setback:
  - o Benches
  - o Pedestrian scale lighting (light bollards; we have minimized the quantity of these for budget considerations)

o Enhanced landscaping: bermed earth, larger diameter street trees, garden-esque planting design

*These elements are enough to allow for the increased setback shown; however, the building frontage requirement and entryway requirements are still not met. A variance is likely to be required.*

2. Will the city accept our trees that are within the property line as public street trees? Code indicates they will allow street trees located within the property line in certain instances. Per city code, the plan indicates 1 tree per every 35' of frontage (within the limit of work on Linn Avenue). Street trees are placed on both sides of the improved sidewalk. This layout of street trees will provide an enhanced pedestrian experience to create a Civic scale presence on the street.

*Trees must be in the planter strip unless you can show it is not feasible to place them there. Trees in the planter strip are preferred because they will better shade the street. Trees are not necessarily required in between the sidewalk and building. The City will accept a larger planter strip to accommodate larger trees if desired.*

3. Will the city require additional street trees on Warner Parrott or Linn Avenue? We are only indicating street trees on Linn Avenue within our limit of work, as this is our new development frontage.

*Yes, but the applicant can eliminate the future roundabout area from the frontage length calculation. Some existing trees may be counted as street trees for these locations. The sidewalk is curb tight and any new street trees should be located behind the sidewalk. The applicant may pay a fee in lieu instead of planting street trees; this is preferred.*

#### **Neighborhood Meeting Required:**

A meeting with the [Rivercrest Neighborhood Association](#) is required for a complete application per [Chapter 17.50.055](#). OCMC 17.50.055 requires that you contact the Neighborhood Association and Citizen Involvement Committee(CIC). Contact info for the CIC is here: <https://www.orcity.org/bc-cic>

You may schedule your own meeting per 17.50.055: the meeting must be after six p.m. or on the weekend, with notice to the neighborhood association, citizen involvement committee, and all property owners within three hundred feet. If the applicant holds their own meeting, a copy of the certified letter requesting a neighborhood association meeting shall be required for a complete application. The meeting held by the applicant shall be held within the boundaries of the neighborhood association or in a city facility.

Chair: Ed Lindquist, [ed-lindquist@msn.com](mailto:ed-lindquist@msn.com)

Vice Chair: Karin Morey, [Karin.morey@gmail.com](mailto:Karin.morey@gmail.com)

Secretary/Treasurer Violet Stephenson, [hvmstephenson@gmail.com](mailto:hvmstephenson@gmail.com)

CIC Primary Representative: Karin Morey, [karin.morey@gmail.com](mailto:karin.morey@gmail.com)

#### **Meeting Information:**

Steering Committee Meeting: February 14th, May 16th, October 17th.

Located: First Presbyterian Church, 1321 Linn Avenue, Oregon City, 7:00 PM

General Meeting: March 21st, June 20th, September 19th, November 21st.

Located: First Presbyterian Church, 1321 Linn Avenue, Oregon City, 7:00 PM



**Other Notes:**

- Notice of the proposed development has been provided to the State Historic Preservation Office (SHPO) and affected tribes. Responses and comments received have been provided.
- Please exclude signage from the development application, as they are reviewed through a separate over-the-counter process.
- Demolition of existing buildings may be reviewed separately though Type I Site Plan and Design Review

**Applications Anticipated and Fees:**

- Planning application anticipated:
  - Code Interpretation: \$1,131
  - Variance: \$2,693 (per variance)
  - Conditional Use: \$4,091
  - Site Plan and Design Review (based on construction cost). A form is provided to document the construction costs.

Project Cost	Fee
Less than \$500,000	\$2,231 plus 0.007 x project cost
\$500,000 to \$3,000,000	\$3,717 plus 0.005 x project cost
Over \$3,000,000	\$12,642 plus 0.003 x project cost
Maximum Site Plan and Design Review Fee	\$59,302

- Mailing Labels: \$17 or provided by applicant
- Transportation Analysis Letter: \$506/Traffic Study: See fee schedule
- [2019 Planning Fee Schedule](#)

**Applications, Checklists and Links:**

- [Type III Review Process](#)
- [Land Use Application](#)
- [Site Plan and Design Review Construction Cost Form](#)
- [Site Plan and Design Review Checklist](#)
- [Oregon City Adopted Street Tree List](#)
- [Oregon City Municipal Code](#)

**Planning Division**

Kelly Reid, Planner with the Oregon City Planning Division reviewed your pre-application. You may contact Kelly at 503.496.1540 or [kreid@oregoncity.org](mailto:kreid@oregoncity.org).

**Development Services Division**

Jeremy Tamargo, Development Project Engineer with the Oregon City Development Services Division reviewed your pre-application. You may contact Jeremy at 971.204.0423 or [jtamargo@orc.org](mailto:jtamargo@orc.org).

**Building Division:**

You may contact Mike Roberts, our Building Official at 503.496.1517 or by email at [mroberts@orc.org](mailto:mroberts@orc.org).

**Clackamas Fire District:**



Questions can be directed to Mike Boumann, Lieutenant Deputy Fire Marshal of Clackamas Fire District #1. You may contact Mr. Boumann at (503)742-2660 or michaelbou@ccfd1.com.

**Oregon City Municipal Code Criteria:**

The following chapters of the Oregon City Municipal Code (OCMC) may be applicable to this proposal:

*OCMC 12.04 - Streets, Sidewalks and Public Places*

*OCMC 12.08 - Public and Street Trees*

*OCMC 13.12 – Stormwater Management*

*OCMC 15.48 – Grading, Filling and Excavating*

*OCMC 17.39 – “I” Institutional District*

*OCMC 17.41- Tree Protection Standards*

*OCMC 17.50 – Administrative Processes*

*OCMC 17.52 – Off-Street parking and Loading*

*OCMC 17.54.100 – OCMC 17.54 – Supplemental Zoning Regulations and Exceptions (Fences/Retaining Walls)*

*OCMC 17.60 - Variances*

*OCMC 17.62 – Site Plan and Design Review*

*A template for your submittal with the applicable criteria will be emailed by the City.*

***Pre-application conferences are required by Section 17.50.050 of the City Code, as follows:***

*A. Preapplication Conference. Prior to submitting an application for any form of permit, the applicant shall schedule and attend a preapplication conference with City staff to discuss the proposal. To schedule a preapplication conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans. The purpose of the preapplication conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the preapplication conference. Notwithstanding any representations by City staff at a preapplication conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.*

*B. A preapplication conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant must schedule and attend another conference before the City will accept a permit application. The community development director may waive the preapplication requirement if, in the Director's opinion, the development does not warrant this step. In no case shall a preapplication conference be valid for more than one year.*

**NOTICE TO APPLICANT:** *A property owner may apply for any permit they wish for their property. HOWEVER, THERE ARE NO GUARANTEES THAT ANY APPLICATION WILL BE APPROVED. No decisions are made until all reports and testimony have been submitted. This form will be kept by the Community Development Department. A copy will be given to the applicant. IF the applicant does not submit an application within six (6) months from the Pre-application Conference meeting date, a NEW Pre-Application Conference will be required.*