



CITY OF OREGON CITY - PLANNING DIVISION NOTICE OF DECISION (NOD) MAILING LIST

DATE: November 14, 2014

FILE #: SP 14-01: Beaver Creek Live-Work / Apartments

IN-HOUSE DISTRIBUTION

- ☒ BUILDING OFFICIAL *email*
- ☒ ENGINEERING MANAGER
- ☒ CCFD#1
- ☒ PUBLIC WORKS DIRECTOR
- ☒ CITY ENGINEER
- ☐ TECHNICAL SERVICES (GIS)
- ☒ PARKS MANAGER
- ☐ ADDRESSING
- ☒ TRANSPORTATION CONSULTANT
- ☒ ENGINEERING CONSULTANT

MAIL-OUT DISTRIBUTION

- ☒ APPLICANT(S) *Email*
- ☒ OWNER(S) *Email*
- ☐ REPRESENTATIVE(S)
- ☐ CICC
- ☒ NEIGHBORHOOD ASSOCIATION (N.A.) CHAIR - *CAUFIELD NA Email & Mail*
- ☒ N.A. LAND USE CHAIR - *CAUFIELD*
- ☒ OC SCHOOL DISTRICT *Email*
- ☒ TRI-MET *Email*
- ☒ ODOT
- ☐ DLCD
- ☐ APPLICANT
- ☐ PROPERTY OWNER
- ☐ REPRESENTATIVE
- ☒ *Clackamas County - Email*

☒ PEOPLE WHO TESTIFIED OR WROTE IN

mailed
Ron and Wendy Carter
Caufield NA (See above) – Mike Mermelstein
Elizabeth Graser / Lindsay
Carina DeOliveira
Stephen Gufreda
Hamlet of Beaver Creek
Christine Kosinski
Mary Johnson

Application Submitted: January 22, 2014

Application Complete: July 11, 2014

First Public Notice: July 24, 2014

Second Public Notice: October 17, 2014

Notice of Decision: November 14, 2014

120-Day Deadline: November 8, 2014

120-Day Deadline Extension: February 4, 2015



EXHIBIT 1.

CONDITIONS OF APPROVAL

SP 14-01

Public Works / Engineering Development Services Division

1. The Applicant is responsible for this project's compliance with Engineering Policy 00-01, and for design of facilities in compliance with City design standards. The policy pertains to any land use decision requiring the Applicant to provide any public improvements. This includes attending a pre-design meeting with the City.
2. Prior to final plat approval, the Applicant shall sign a Non-Remonstrance Agreement for the purpose of making sanitary sewer, storm sewer, water and/or street improvements in the future that benefit the Property and assessing the cost to benefited properties pursuant to the City's capital improvement regulations in effect at the time of such improvement.
3. Prior to final construction plan approval, the Applicant shall provide an Erosion Prevention and Sedimentation Control Plan suitable to the Public Works Department to meet the Public Works requirements for erosion control. The Applicant shall provide a Preliminary Grading Plan to the City for review prior to the approval of construction plans. A final site Grading Plan shall be required as part of the final construction plans per the City's Grading Criteria and the International Building Code. If significant grading is required due to its location or the nature of the site, rough grading shall be required of the developer prior to the acceptance of the public improvements. There shall not be more than a maximum grade differential of two (2) feet at all site boundaries. Grading shall in no way create any water traps, or other ponding situations. Prior to final construction plan approval, provide final geotechnical report.
4. The water system shall consist of a master meter assembly owned by CRW capable of accurately providing and metering domestic and fire flow quantities. Following the master meter the distribution system shall be constructed as a standard City system with main lines, services, meters and fire hydrants. The water distribution system shall be designed to meet City design standards.
5. The proposed water line within the easement in the alley loops behind buildings A1 and A3 shall be deleted, and all the water services to the buildings fronting Beaver Creek Road shall be from the proposed new water line in Beaver Creek Road.
6. All water services shall comply with the City's standards for backflow prevention, including the larger buildings, community center and pool shall have appropriate back flow prevention devices on the water services.
7. Water service for the proposed development shall be provided by the City through a master meter owned by CRW. The specific terms and provisions for water service shall be provided through an intergovernmental agreement (IGA) between the City and CRW. Requirements for water service include:
 - a. Prior to submitting construction plans to the City, an IGA between the City and CRW providing the terms and provisions for water service to the development must be executed.
 - b. Prior to construction plan approval and after the execution of the proposed IGA, the applicant shall receive CRW's written approval of design plans and specifications for the water facilities agreed upon through the IGA.

- c. The applicant shall be responsible for all costs associated with the design and construction of a water line and meter sized to meter domestic and fire flows. The cost would include hydraulic modeling by CRW as well as review and inspection.
 - d. Once constructed and accepted the water distribution system would be donated to the City to be maintained and operated.
 - e. The master meter and vault assembly would be donated to CRW to be operated and maintained.
- 8. Prior to construction plan approval, the Applicant shall submit the proposed development plans to Clackamas County Fire District No. 1 for review and incorporate all Fire District requirements in the construction plans as applicable, and prior to final plat approval the Applicant shall install any required fire hydrants. (Clackamas Fire District #1)
- 9. The sanitary sewer collection system shall be designed to meet City design standards.
- 10. The proposed 8-inch sanitary sewer line within the easement in the alley loops behind buildings A1 and A3 shall be deleted, and relocated to Beaver Creek Road. All the services to the buildings fronting Beaver Creek Road shall be from the proposed new sanitary sewer line in Beaver Creek Road. This pipe shall be designed with consideration for connection to a future 15-inch pipe in Beaver Creek Road to allow for future transfer to the Beaver Creek basin.
- 11. A final stormwater drainage report which reflects the final design shall be completed and submitted. The final report shall address downstream impacts in more detail taking into account the change in discharge location. The final report shall also reflect the final site plan, potential for over-detention and potential changes to the storm facilities on Beaver Creek Road.
- 12. The applicant shall sign a standard "Maintenance Covenant and Access Easement". The developer will be responsible for operating and maintaining the private stormwater facilities including collection piping, detention and treatment facilities. The City will be given access to inspect the storm water facilities, and require maintenance and/or repairs be done.
- 13. Treatment of stormwater runoff from the two private parking lots (behind buildings A2 and A3) shall be required prior to discharge into the public storm system. This could be in the form of LID methods or a cartridge filter.
- 14. Stormwater treatment is not provided for Meyers Road. The applicant will need to provide treatment such as an LID method prior to discharge to the public system. This would be consistent with the Beaver Creek Concept Plan. (DS)
- 15. The applicant has indicated that they may construct a stormwater swale along Beaver Creek Road located between the proposed on-street parking and sidewalk. This will cause people to either walk through the stormwater swale or on Beaver Creek Road until they can access a crosswalk. The applicant will need to address this issue through modifying the swale design to incorporate pedestrian egress zone with sidewalk connectors across the stormwater swale. If stormwater swales are not constructed, , the applicant shall meet the requirements of providing stormwater detention and treatment through the other proposed stormwater facilities and over detention within the proposed stormwater pond as may be determined through the final stormwater management plan.
- 16. The final solution for the storm water facilities on Beaver Creek Road shall be coordinated with the City and the County. Drainage facilities shall be in conformance Tri-City Service District #4 regulations and Clackamas Roadway Standards, Chapter 4 . Any surface water runoff from the site to the Beaver Creek Road right-of-way shall be detained outside of the right-of-way in conformance with Clackamas Roadway Standards. Any surface water runoff discharged to the Beaver Creek Road right-of-way will only be allowed if it can be shown that the existing system has the capacity to accept the runoff and no adverse downstream impacts will be created.
- 17. Ten-foot public utility easements along all street frontages and all easements required for the final engineering plans shall be dedicated to the public on the final plat. All existing and proposed utilities and easements shall be indicated on the construction plans. Any off-site utility easements required for this

project, such as for work on the storm outfall, shall be obtained and submitted to the City prior to approval of the construction plans.

18. Street "A" and Street "B" shall be local streets that are similar to the Beaver Creek Road Concept Plan for a neighborhood "greenstreet". There shall be a 62-foot right-of-way dedication.
19. The street section for Street "A" and "B" shall include, but is not to be limited to, base rock, paved street width of 40-foot of pavement, curb and gutter, a 5.5-foot planter strip and a 5-foot sidewalk, curb return radii, curb (handicap) ramps, centerline monumentation in monument boxes, traffic control devices, street trees, and street lights. There shall be parallel parking on both sides of the street. There shall also be curb extensions at the street intersections.
20. Mid-block curb extensions will not be allowed. The applicant shall provide revised plans for the re-configuration, re-location or elimination of the 90-degree parking spaces.
21. The western end of the public portion of Street "B" shall be at the "T" with the two alley loops. The two alley loop shall be private, and shall have public access easements over them.
22. Meyers Road shall be minor arterial constructed similar to the Beaver Creek Road Concept Plan for a collector "greenstreet". There shall be an 86-foot right-of-way dedication.
23. Meyers Road shall include, but is not to be limited to, base rock, paved street width of 64-foot of pavement, curb and gutter, a 7.5-foot planter strip and a 5-foot sidewalk, curb return radii, curb (handicap) ramps, centerline monumentation in monument boxes, traffic control devices, stripping, street trees, and street lights. There shall be parallel parking on both sides of the street, and bike lanes.
24. Beaver Creek Road shall be major arterial constructed similar to the Beaver Creek Road Concept Plan. There shall be a 92-foot right-of-way. The right-of-way dedication shall be sufficient to provide 47-feet of ROW from the centerline on the easterly side of the road (the side where the proposed development is located).
25. Beaver Creek Road shall include, but is not to be limited to, base rock, paved street width of 32-foot of pavement from centerline (8-foot interim planting area, 6-foot bike lane, 12-foot travel lane and half of the 12-foot turning lane), curb and gutter, a 7.5-foot storm swale/planter strip and a 7-foot sidewalk, curb return radii, curb (handicap) ramps and end of sidewalk ramps, centerline monumentation in monument boxes, traffic control devices, stripping, street trees, and street lights. Appropriate pavement tapers shall be provided, per Clackamas County Roadway Standards Section 250.6.4. There shall be an 8-foot interim planting area.
26. At the intersection of Beaver Creek Road and Meyers Road there shall be two travel lanes and one turn lane on both streets.
27. Beaver Creek Road is Clackamas County jurisdictional right-of-way; final street improvements on Beaver Creek Road shall be in compliance with Clackamas County Roadway Standards. (DS)
28. The applicant shall provide access control strips across the ends of Meyers Road, Street "A" and Street "B" where they stop at the edge of the development.
29. The sidewalk that connects Street "B" to Beaver Creek Road shall be in a 15-foot wide public access easement.
30. The driveway entrances to the four private parking lots shall be designed for two way traffic, and shall be a minimum of 24-feet wide.
31. The driveway entrance on Meyers Road shall be approximately 240 feet from the intersection of Beaver Creek Road. The driveway entrance on Street "A" shall be approximately 100 feet from the intersection of Meyers Road. The two driveway entrances on Street "B" shall be approximately 160 feet from the intersection of Street "A".
32. The intersection angle between Meyers Road and Beaver Creek Road shall be 80 degrees. (DS)

33. Where pavement cuts are made in existing streets for the installation of improvements, the restoration shall be done in accordance with the City of Oregon City Pavement Cut Standards, or Clackamas County standards in County ROW's.
34. The applicant shall provide 8-inch sanitary sewer collection system in the existing and future public right-of-way with the connection to the existing collection system at the manhole located in Meyers Road at Emerson Court. A short section of the collection system shall be located in a 15-foot wide public easement that extends from the western end of "B" Street to the Beaver Creek Road ROW.
35. The applicant shall refer to the City's standard for typical utility placement within the public street section for location of underground utilities.
36. The applicant shall pay a fee-in-lieu for an 8-inch pipe along the northerly frontage of the development on Beaver Creek Road (from the northerly development boundary to Meyers Road). This fee-in-lieu shall be based upon costs for design and construction for a public agency construction project. An estimate of this cost shall be provided to the City for review and approval.
37. The applicant shall pay fee-in-lieu of downstream improvements in the Glen Oak Basin required due to the cross basin connection. The amount of the fee-in-lieu shall be \$545,000 in accordance with the documentation provided in the "Public Works Engineering File Memorandum" (November 5, 2014).
38. The new water system shall include a minimum 12-inch main in Beaver Creek Road from Glen Oak Road at the proposed master meter to Meyers Road, and 8-inch water mains throughout the site. The system shall be designed to loop the water lines as much as possible.
39. The new water lines shall be located within public right-of-way to the maximum extent possible. From the westerly end of proposed street "B" to the ROW of Beaver Creek Road there shall be a 15-foot wide easement for water line.
40. A signal modification for the Beaver Creek/Meyers signal shall be approved by Clackamas County Traffic Engineering, including signal pole locations, lane configuration, signal detection and signal phasing. The applicant shall also provide queuing estimates for the Beaver Creek/Meyers intersection prior to the approval of the improvement plans.
41. The applicant shall provide funds to construct school zone flashers on Beaver Creek Road to replace the existing school speed zone signs in the vicinity of the project site.
42. The applicant shall provide minimum intersection sight distance at the intersection of the new Meyers Road intersection with Beaver Creek Road. In addition, no plantings at maturity, retaining walls, embankments, fences or any other objects shall be allowed to obstruct vehicular sight distance. Minimum sight distance is 500 feet in each direction. Sight distance shall be measured from a point 14.5 feet back from the edge of the travel lane at a driver's eye height in the driveway of 3.5 feet to a vehicle height of 3.5 feet in the oncoming travel lanes. The applicant shall demonstrate sight lines and compliance with minimum intersection sight distance as part of the Development Permit for the project.
43. The applicant shall submit an Engineer's cost estimate to be approved by Clackamas County Engineering for the asphalt concrete, aggregates, and any other required public improvement in the Beaver Creek Road right-of-way.
44. Prior to commencement of site work the applicant shall obtain a Development Permit from Clackamas County for design and construction of required improvements to Beaver Creek Road. To obtain the Permit, the applicant shall submit plans prepared and stamped by an Engineer registered in the State of Oregon, provide a Performance Guarantee, and pay an Inspection Fee. The Performance Guarantee is 125% of the approved Engineer's cost estimate for the required improvements.
45. Prior to commencement of utility work within the Beaver Creek Road right-of-way a Utility Placement Permit shall be obtained from the Clackamas County.
46. Prior to commencement of any work, including grading, and prior to issuance of the Clackamas County Development and Utility Placement permits, the contractor shall: Provide a traffic control plan for review and approval from Clackamas County's Engineering Office. Provide a certificate of liability insurance,

naming the County as additionally insured. Obtain separate "Street Opening Permits" for utility installations within the County right-of-way. The applicant shall obtain these permits from the Engineering office prior to the issuance of the Development Permit.

47. The applicant shall pay a fee-in-lieu of improvements for the proportional share, 14 percent, of costs to construct the right-turn lane from Meyers Road to northbound OR213. The fee-in-lieu amount is \$50,400.

Community Development / Planning Division

1. Prior to issuance of building permits, the applicant shall include the details indicating the required number and extent of pedestrian amenities within the pedestrian amenity areas required by OCMC 17.62.055.D in front of all buildings on the applicable site plan sets (landscaping, etc.).
2. The applicant proposed to name the two new public cross streets at a later time. Those names will comply with the City's adopted street naming policy.
3. Street tree species shall be selected from the adopted Oregon City Street Tree List or as recommended by a Certified Arborist or Landscape Architect and shall be planted in accordance with Chapter 12.08 to promote and maintain the community tree canopy adjacent to public streets. Revised and Final street tree plans shall be submitted for review at the time of construction plan review by the City Engineer (Revised Street Tree Plan) and following approval of Construction Documents by the City Engineer (Final Street Tree Plan).
4. Prior to issuance of building permits, the applicant shall provide a revised plan set indicating common pedestrian path connections in the areas described in the bullet points below in order to provide safe and convenient pedestrian access throughout the site, with concurrent revisions to landscaping and civil plan sets.
 - The large landscaped island situated between Buildings A3 and T2 - there is no common pedestrian path connection to Beavercreek Road in this location. Pedestrian would be forced to walk in the vehicle drive aisles to traverse the property from southeast to northwest.
 - The large landscaped island situated between Buildings A1 and T7 - there is no common pedestrian path connection to Beavercreek Road in this location. Pedestrian would be forced to walk in the vehicle drive aisles to traverse the property from southeast to northwest.
 - Between Buildings T6 and T7 - there is no common pedestrian path connection to Beavercreek Road in this location;
 - Between Buildings T1 and T2 - there is no common pedestrian path connection to Beavercreek Road in this location.
5. Prior to issuance of building permits, the applicant shall provide revised plans for a public pedestrian accessway to connect the dead-end Street B with the public sidewalk along Beavercreek Road. The public pedestrian accessway in this location shall be designed in accordance with the standards A-K of OCMC section 12.04.199 and shall be completed with the public streets prior to issuance of any building permit for the property.
6. Prior to issuance of a building permits, the applicant shall confirm to the satisfaction of the Planning Director that screening of mechanical equipment conforms as the applicant has proposed. Revised or supplemental plans indicating the appropriate screening shall be submitted if required by the Planning Director.
7. Prior to issuance of building permits the applicant shall submit revised plans that provide a minimum of three amenities selected from list D1 of section 17.62.055D for the pedestrian amenity area at the northern corner of Building A1 where the setback exceeds twenty feet. Below in this area on the revised building plans prior to issuance of a building permit.
8. Prior to issuance of a certificate of occupancy for any of the live-work units, the applicant shall record a deed restriction or other document prepared for approval by the City Attorney that includes the applicable restrictions of section 17.54.105.F.(1-4) which shall be recorded with the County Recorder's

office. Said document shall bind the owner, heirs and assigns in perpetuity unless extinguished with prior approval of the Oregon City Community Development Director.

9. Prior to issuance of a building permit for any building on the site, the applicant shall provide structural and architectural details on the submitted building permit application and plan set, to demonstrate to the satisfaction of the Oregon City Building Official and Planning Director that proposed window designs on all facades meet the minimum distance of 2" recess or projection from the building facades as required by OCMC section 17.62.057(L) – Window Design.
10. Prior to issuance of a certificate of occupancy the applicant shall provide a revised lighting plan that shows how the pedestrian circulation system, including the pedestrian accessways, will be adequately illuminated pursuant to OCMC 17.62.065 D.7 and Table 1-17.62.065.
11. Prior to issuance of building permits, the applicant shall provide a revised parking plan that identifies 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.
12. The applicant's transportation engineer shall provide an analysis and explanation showing that the proposed configuration is safe and does not create unsafe maneuvering conditions in the public right-of-way, otherwise the applicant shall provide revised plans for the re-configuration, re-location or elimination of the 90-degree parking spaces.
13. Should performance guarantees be required in order to assure completion of specific site improvements prior to issuance of a certificate of occupancy the applicant shall provide such guarantees in a form approved by the city attorney.
14. Applicant shall provide revised landscaping plans indicating the location, size and type of mitigation trees on a revised landscaping plan prior to issuance of a final certificate of occupancy for the site. All mitigation trees shall be identified separately from and in addition to any standard required landscaping trees required under Chapter 17.62, street trees required under Chapter 12.08, and parking lot trees required under Chapter 17.52.



TYPE II LIMITED LAND USE DECISION

Staff Report and Conditions of Approval
November 14, 2014

FILE NO.: SP 14-01: Site Plan and Design Review

APPLICATION TYPE: Type II

APPLICANT: Beaver Creek Road, LLC, Attn: Andrew Brand
600 University Street, Ste. 1708, Seattle, WA 98101

**OWNER/
REPRESENTATIVE:** SAME AS APPLICANT

REQUEST: Site Plan and Design Review for a 121-unit Apartment complex and 59 Live-Work Units on 9.7 acres (Zoned MUC-1)

LOCATION: 19896 Beaver Creek Rd, Oregon City OR 97045
Clackamas County Map 3-2E-10C Tax Lot 800

**NEIGHBORHOOD
ASSOC:** Caufield N.A.

REVIEWERS: Tony Konkol, Community Development Director
Pete Walter, AICP, Associate Planner
Aleta Froman-Goodrich, P.E., City Engineer
Todd Martinez, P.E., Development Services Project Engineer

DECISION: APPROVAL WITH CONDITIONS (See Exhibit 1)

The decision of the Community Development Director is final unless appealed to the City Commission within fourteen (14) days following the mailing of this notice. Type II decisions involve the exercise of limited interpretation and discretion in evaluating approval criteria, similar to the limited land use decision-making process under state law. Applications evaluated through this process are assumed to be allowable in the underlying zone, and the inquiry typically focuses on what form the use will take or how it will look and include partitions, preliminary subdivision plats, site plan and design review. Notice of application and an invitation to comment was mailed to the applicant, recognized neighborhood association and property owners within three hundred feet. The Community Development Director accepted comments for fourteen days and has reached this decision. The Community Development Director's decision is appealable to the city commission with notice to the planning commission, by any party with standing (i.e., applicant and any party who submitted comments during the fourteen-day period). The city commission decision is the city's final decision and is appealable to the Land Use Board of Appeals (LUBA) within twenty-one days of when it becomes final.

IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT (503) 722-3789.

DECISION CRITERIA – OREGON CITY MUNICIPAL CODE:

- The City Code Book is available on-line at www.orcity.org
- Administration and Procedures in Chapter 17.50;
- “MUC-1” – Mixed Use Corridor District in Chapter 17.29;
- Streets, Sidewalks and Public Places in Chapter 12.04;
- Public and Street Trees in Chapter 12.08;
- Site Plan and Design Review in Chapter 17.62;
- Multi-Family Design Standards in Section 17.62.057;
- Supplementary Zoning Regulations (Live-Work Units) in Section 17.54;
- Water Service System in Chapter 13.04;
- Sewer Regulation in Chapter 13.08;
- Stormwater Management in Chapter 13.12;
- Off-Street Parking and Loading in Chapter 17.52

I. BASIC FACTS

1. Project Overview.

The proposed project is a combination of 121 rental apartments and 59 live-work units that form a village concept. The site is a cornerstone for possible future expansion of currently un-zoned land around it. This un-zoned land is in the Beaver Creek Road Concept Plan area currently under consideration for approval by Oregon City. The proposed community’s mix of live-work ground floor commercial and regular apartments provides opportunities for meeting the Mixed Use Corridor base zoning of the site while also meeting the intent of the un-adopted Beaver Creek Road Concept Plan – Mixed Employment Village.

2. Long Range Planning and Public Facility Plans

Oregon City Comprehensive Plan

The Goals and Policies of the Oregon City Comprehensive Plan guided the annexation of the subject property in 2006, and the re-zoning of the property to MUC-1 in 2010. The parcel has a Comprehensive Plan designation of MUC - Mixed Use Corridor.

Annexation

The subject site was annexed to Oregon City in 2007:

- Oregon City Planning File AN 07-02 (Exhibit 7)
- City Ord. # 1021 (Exhibit 7a)
- Metro File CL 1807 (Exhibit 7b)

BRCP – Beaver Creek Road Concept Plan

The subject site is within the Beaver Creek Road Concept Plan boundary. The formal land use record for the City’s annexation of the property in 2007 and later rezoning to MUC-1 in 2010 include findings for conformance with the BRCP.

The property forms part of the Mixed Employment Village described in the BRCP. The application includes a detailed description of how the applicant’s development proposal for inclusion of Live-Work Units meets the intent of the BRCP (Exhibit 2.a.vi).

Rezoning – 2010 (Planning file ZC 10-01)

The subject site was rezoned from FU-10 to MUC-1 in 2010. The City’s decision to rezone the parcel was premised on the fact that the site was within the original Oregon City Urban Growth Boundary,

and was an integral parcel of land within the Beavercreek Road Concept Plan area, however, was not subject to a concept plan requirement prior to development. In order to assure that the future development of the site would meet the overall intent of the Beavercreek Road Concept Plan – Mixed Employment Village, irrespective of whether the final BRCP was adopted at the time of development proposal, the City Commission attached seven (7) Conditions of Approval to the rezoning (See Exhibit 8c). Conditions of Approval 1, 2, 3, 4, and particularly 6 and 7 are applicable to the proposed project.

Conditions of Approval 6 and 7 of the decision for ZC 10-01 require that the future development be consistent with the BRCP Mixed Employment Village design objectives to “provide retail, office, civic and residential uses in an urban, pedestrian friendly and mixed use setting that is transit supportive in its use, density and design”, as well as a minimum Floor Area Ratio of .25 and a minimum building height of thirty-four feet (34’) tall.

The City Commission rezoned the subject property to MUC-1 in 2010 by approval of Ordinance 10-1012. This rezoning was acknowledged by DLCD and was not appealed to LUBA. Ordinance 10-1012, attached as Exhibit 8a, included the following points:

- The zone change from FU-10 District to MUC-1 is for a property that is has been located within the City's Urban Growth Boundary since 1979;
- The MUC-1 Zone meets the intent of the Comprehensive Plan Policies for mixed-use development, housing choices and increased density near activity centers and along the Beavercreek Road corridor; and
- The subject property is not within the Metro Urban Growth Functional Management Plan Title 4 (Industrial and Employment Land) area that has been slated for re-designation out of Title 4 land on Metro's Urban Design Type Map; and therefore the City need not wait for the Title 4 map change before proceeding with the rezoning;

The rezoning to MUC-1 was formally acknowledged by DLCD through DLCD Adoption Notice 02-0010 on 11/03/2010 (Exhibit 8b).

Public Facilities Plans

SSMP – Sanitary Sewer Master Plan

A detailed discussion by the City Engineer regarding the application of the 2003 and 2014 updates of the Sanitary Sewer Master Plan is provided in Exhibit 6b.

WMP – Water Master Plan

A detailed discussion by the City Engineer regarding the application of the 2012 Water Master Plan is provided in Exhibit 6b.

Stormwater and Grading Standards

The application is subject to the City’s adopted standards for stormwater drainage and grading, including but not limited to OCMC 13.12 *Stormwater Drainage*, OCMC 15.48 *Grading Filling and Excavating* and the *Stormwater and Grading Design Standards*

TSP – Transportation System Plan

The 2013 Oregon City Transportation System Plan indicates the following for the property and proposed projects for transportation improvements:

Roadway Existing Condition:

The road section abutting the property is posted 40-mph, with a 20-mph school zone at Oregon City High School.

3-lane Arterial Road w/ center turn pockets, 6-ft bicycle lane both sides

Oregon City Functional Classification: Major Arterial (Urban)

Ownership: Clackamas County

Clackamas County Classification: Arterial

Future Section (Oregon City) per OCMC 12.04:

Oregon City requires that Major Arterial roadways abutting land zoned for Mixed Use provide for a Right-of-Way width of 116 ft., a pavement width of 94 ft., a public access strip of 0.5 ft., a 10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells, a 6 ft. bicycle lane, an 8 ft. parking lane, (5) 12 ft. travel lanes, and a median width of 6 ft.

The above dimensions in the code are considered minimum requirements unless modified through the land use process for concurrence with an adopted plan, such as the Beaver Creek Road Concept Plan.

The following TSP projects are identified for the subject property:

Project D47:

Project Type: Driving Solution (Street Extension)

Description: Meyers Road East extension

Extent: Beaver Creek Road to Meadow Lane Extension

Funding: Likely

Priority: Medium-term

Est. Cost: \$2,210,000

(100% SDS eligible)

The Applicant has proposed to construct this improvement abutting their property.

Project D26:

Project Type: Driving Solution (Intersection and Street Management)

Description: Beaver Creek Road School Zone Flashers

Extent: Beaver Creek Road south of Loder Road and north of Glen Oak Road

Funding: Not Likely

Priority: Long-term Phase 4

Est. Cost: \$9,000

Clackamas County has requested that the Applicant construct this improvement through a Condition of Approval (See Exhibit 1).

Project D82:

Project Type: Driving Solution (Street and Intersection Expansion)

Description: Beaver Creek Road Upgrade

Extent: Meyers Road to UGB

Funding: Likely Priority: Long-term

Est. Cost: \$1,745,000

The Applicant has proposed to construct this improvement abutting their property.

Project D81:

Project Type: Driving Solution (Street and Intersection Expansion)

Description: Beaver Creek Road Upgrade

Extent: Clairmont Drive (CCC Entrance) to Meyers Road

Funding: Likely Priority: Medium-term

Est. Cost: \$1,350,000

The Applicant has proposed to construct this improvement abutting their property.

3. Overlay District Zoning.

The subject site is not indicated within any Oregon City overlay districts. Oregon City Overlay Districts are in compliance with Metro Code and Oregon State Law.

4. Surrounding Zoning and Land Use.

The zoning and existing land uses of the subject site and surrounding properties are as follows:

Parcel	Address	APN	Comp Plan.	Zoning	Land Use
Site	19896 Beaver Creek Rd	3-2E-10C -00800	MUC	MUC-1	SFR*
North	19788 Beaver Creek Rd	3-2E-10C -00802	FU-10	County RRFF-5	SFR
North	No Situs	3-2E-10C -00500	FU-10	County RRFF-5	Vacant Field
East	No Situs	3-2E-10C -00801	FU-10	County RRFF-5	Vacant Field
South	20110 Beaver Creek Road	3-2E-10C -01228	FU-10	County FU-10	Vacant / Hangars
Across Beaver Creek Road					
Northwest	19761 Beaver Creek Rd	3-2E-09D -01300	LR	R-8	High School
West	15041 Emerson Ct	3-2E-09DD-00100	LR	R-6	SFR
	15040 Emerson Ct	3-2E-09DD-03200	LR	R-6	SFR
	19871 Beaver Creek Rd	3-2E-10CC-00100	MR	R-3.5	SFR
	19893 Beaver Creek Rd	3-2E-10CC-00400	MR	R-3.5	SFR
	19913 Beaver Creek Rd	3-2E-10CC-00300	MR	R-3.5	SFR

* SFR = Single Family Residential Use

5. Public Notice and Comments.

The application was publicly noticed twice, once for the initial application and a second time due to the addition of new application materials. The contents of the first and second applications are attached as Exhibits 2a and 2b.

First Public Notice – July 24th, 2014

For the first public notice, the application, notice and a request to comment was sent via email to various City departments, the Caufield Neighborhood Association, Clackamas County CPO's (Community Planning Organizations), affected agencies and property owners within 300 feet of the property on July 24, 2014. The subject property was posted with signs from July 28, 2014 to August 11, 2014 notifying the public of the land use action on the property and requesting comments.

Second Public Notice – October 17, 2014

For the second public notice, the revised application materials, notice and a request to comment was sent via email to various City departments, the Caufield Neighborhood Association, Clackamas County CPO's (Community Planning Organizations), affected agencies and property owners within 300 feet of the property on October 17, 2014. The subject property was posted with signs from October 17, 2014 to October 31, 2014 notifying the public of the land use action on the property and requesting comments.

Full public comments are provided in Exhibit 4, and a summary of the comments and how they are addressed is provided in the following table:

First Public Comment Period		
Commenter	Issue (s)	Applicable Code / How Addressed in Report
Ron and Wendy Carter	Traffic	Traffic impacts have been reviewed and meet applicable standards. See 12.04.170-.180
	Will widening occur? Will there be a turn lane?	ROW dedication and street improvements will meet City and County requirements. See 12.04.170-.180
	Live-Work on-street parking	Parking exceeds minimum requirements. See section 17.52
	Guest parking	See above
	Privacy / Noise	Nuisance Code issues are resolved through Code Enforcement
	Water Pressure to existing residences	Water service and pressure findings and conditions of approval have been addressed in 17.62.050.A.(14)
Caufield NA	Airport safety due to proximity of airfield	Not an approval criterion. No comments received from Airfield owner
	Lack of industrial use	Use conforms to permitted uses in MUC-1 zone. See 17.29 / "Background", Page II
	Over 800 vehicles / lack of parking / blocking mail boxes / driveways	See 17.52 - parking is adequate
	Residents will park at high school	Parking exceeds minimum requirements. See section 17.52
	"No Plans" to widen Beaver Creek Road to 4 lanes	ROW dedication and improvements will meet city and County standards. See 12.04 / Clackamas County comments
	Sewer connection	Sanitary sewer service will meet city standards as conditioned. See 17.62.050.A.(14)
	Plan does not meet Beaver Creek Road Concept Plan	17.29 / Zone Change to MUC-1 meets intent of MEV concept in BRCP
Graser / Lindsay	Beaver Creek Road Concept Plan not adopted	BRCP is not adopted and does not apply. Conditions to the zone change required compliance with MEV standards.
	Intersection "Failures"	12.04.205 / Exempt from mobility standards are specified intersections
	Metro Concept	17.29 / Zone Change to MUC-1 meets intent of MEV concept in BRCP
	Density / Dense Urban Neighborhood needs transit	17.29 / Zone Change to MUC-1 meets intent of MEV concept in BRCP, and is transit supportive.
	Piecemeal Development	17.62.050.A.(14). Applicant has no control over adjacent parcels, public facilities can be provided in a timely manner as conditioned.

	Sewer, Water availability / deficiency	17.62.050.A.(14). Public facilities can be provided in without impacting existing users as conditioned.
	Traffic	Traffic impacts have been reviewed and meet applicable standards. See 12.04.170-.180 / 17.62.050.A.(15)
	On-street parking	Parking exceeds minimum requirements. See section 17.52
	Sewer pipe	See findings under 17.62.050.A.(14)
	Beavercreek Road Concept Plan	17.29 / Zone Change to MUC-1 meets intent of MEV concept in BRCP
Oliveira	Traffic	Traffic impacts have been reviewed and meet applicable standards. See 12.04.170-.180 / 17.62.050.A.(15)
	Not industrial	17.29 / Zone Change to MUC-1 meets intent of MEV concept in BRCP
	No signal at Glen Oak / Beavercreek Road	County signal warrants must be met
Gufreda	Existing infrastructure impacts	See 17.62.050.A.(14), (15)
	Traffic	Traffic impacts have been reviewed and meet applicable standards. See 12.04.170-.180 / 17.62.050.A.(15)
	Sewer overloads	Sewer will not exceed capacity. See 17.62.050.A.(14)
	Pedestrian safety	Pedestrian facilities will be improved and provided. Throughout site and abutting streets. See 12.04 / 17.62.050.A.(8)
	Police	Police Fee \$3,500 / unit per Annexation Agreement
	Not compatible with Rural Nature	Property is within city limit and UGB and is zoned MUC-1, not open space.
Hamlet of Beavercreek	Not notified	All noticing requirements have been met. See 17.50.055, .100, .110 / Courtesy Noticing to CPOs
	Parking on arterial	On-street parking on Beavercreek Rd is not permitted at this time. Parking exceeds minimum requirements. See section 17.52
	Emergency Services response time	CCFD#1 Comments, Annexation Police Fee. No conflicts from CCFD#1 or OCPD.
	Traffic counts are incorrect	12.04.205, TIA follows Adopted Guidelines for Traffic Impact Analysis,
	"narrowing arterial" to accommodate sidewalks, etc.	Street Improvements and widening addressed in 12.04.170, 12.04.180
	insufficient parking	Parking exceeds minimum requirements. See section 17.52
	Impacts to existing failed intersections	12.04.205 / Exempt from mobility standards are specified intersections
	Proportional share for WB right turn lane at 213.	See 12.04.215, Engineering Condition of Approval #47
	"Skew" (Intersection Angle) of Meyer's Road with Beavercreek	12.04.210 / 80 degree angle meets code and safety requirements for signalized intersection.
	financial concerns of applicant	Not a Land Use approval Criterion
	WB right turn lane cost	12.04.215 - Off-Site Street Improvements / Condition of Approval #

	Hamlet of Beavercreek not invited to staff meetings	Staff review meetings are not public hearings
Kosinski	Landslides	Not in Geologic Hazard Overlay District
	Noticing	All noticing requirements have been met or exceeded, see 17.50.055, .100, .110 / Courtesy Noticing to CPOs
	Holly Lane Impacts	See TIA and findings in Chapter 12.04. Development will not connect to Holly Lane
Second Public Comment Period		
Graser-Lindsay	Traffic Count tubes improperly placed	Not an approval criterion
	Impacts on transportation system	12.04 / 17.62.050.A.(15)
	Water service from CRW piecemeal	17.62.050.A.(14)
	CRW ratepayers	See water system findings. 17.62.050.A.(14). The effect on CRW ratepayers would be a consideration of the CRW Board and is not an Oregon City land use approval criterion.
	Sewer	17.62.050.A.(14). Public facilities can be provided in without impacting existing users as conditioned.
	Fire Dept.	CCFD#1 comments provided. No conflicts.
	Police	No conflicts from OCPD / Police Fee \$3,500 / unit
	Incomplete	17.50.080 / Application is complete
Hamlet of Beavercreek	Requests additional comment period	See 17.50.055, .100, .110 / Courtesy Noticing to CPOs
	Safety / Bus Barn / Transportation	12.04 / 17.62.050.A.(15). There is no requirement for distinct property owners to combine applications as a master plan. TIA preparation procedures require review of existing and proposed developments.
	Fire Response time	CCFD#1 comments provided. No conflicts.
	Widening	See 12.04.170-180
	Vehicle Counts understated	Traffic impacts have been reviewed and meet applicable standards. See 12.04.170-180 / 17.62.050.A.(15)
	Should be master planned w/ bus barn	Not zoned CI and is not an Institutional Development - No requirement to Master Plan. TIA preparation procedures require review of existing and proposed developments.
	Water service	See Water System Analysis. 17.62.050.A.(14)
	Contrary to LUBA final opinion that concept plan precede development	No such requirement for this parcel. Conditions of Ord. 10-1002 / Zone Change allow development prior to adoption
Kosinski	Transportation underfunded	12.04 / 17.62.050.A.(15) / developer required to install transportation infrastructure
	Pedestrian Safety crossing to HS / College	Pedestrian facilities will be improved and provided. Throughout site and abutting streets. See 12.04 / 17.62.050.A.(8). School Zone flashers to be installed.
	Outreach	All noticing requirements have been met or exceeded, see 17.50.055, .100, .110 / Courtesy Noticing to CPOs

	Contrary to LUBA final opinion that concept plan precede development	No such requirement for this parcel. Conditions of Ord. 10-1002 / Zone Change allow development prior to adoption
	ADT too low	Traffic impacts have been reviewed and meet applicable standards. See 12.04.170-.180 / 17.62.050.A.(15)
	Plan w/ bus barn	Not zoned CI and is not an Institutional Development - No requirement to Master Plan. TIA preparation procedures require review of existing and proposed developments.
	Landslides on Holly Lane	Site is not in Geologic Hazard Overlay - Not applicable
	Traffic	Traffic impacts have been reviewed and meet applicable standards. See 12.04.170-.180 / 17.62.050.A.(15)
Mary Johnson	Sewer	Sanitary sewer service will meet city standards as conditioned. See 17.62.050.A.(14)
Ron and Wendy Carter	Traffic / Parking / Privacy / Water Pressure	See applicable issue as addressed above

None of the public comments submitted indicate that an approval criterion has not been met or cannot be met through the Conditions of Approval attached to this Limited Land Use decision in Exhibit 1.

6. Agency Comments.

Clackamas River Water – (CRW) submitted comments (Exhibit 5a) regarding the proposed interim water service to the property by CRW. These comments have been addressed where applicable in the staff report and Conditions of Approval (Exhibit 1).

Clackamas Fire District submitted comments (Exhibit 5b), detailing fire district apparatus access and water supply requirements. These comments have been addressed where applicable in the staff report and Conditions of Approval (Exhibit 1).

Clackamas County Dept. of Transportation submitted comments (Exhibit 5c) and recommended conditions of approval regarding Beavercreek Road improvements, which are under County jurisdiction. These comments have been addressed where applicable in the staff report and Conditions of Approval (Exhibit 1).

Oregon Department of Transportation – ODOT submitted comments (Exhibit 5d) regarding off-site improvements needed to mitigate impacts on two intersections affected by the development, the Meyer's Road WB Extension where it will intersect with OR 213, and the OR 213 / Beavercreek Road Intersection. These comments have been addressed where applicable in the staff report and Conditions of Approval (Exhibit 1).

Tri-Met submitted comments (Exhibit 5e) indicating that the Tri-Met Service Development Manager and coordinator of the Southeast Service Enhancement Plan reviewed the plans, and that Tri-Met have no firm plans to run service along Beavercreek Road at this time. They did not indicate any conflicts with the application.

II. OREGON CITY MUNICIPAL CODE (OCMC) CODE CRITERIA:

CHAPTER 17.50 - ADMINISTRATION AND PROCEDURES

17.50.050 Preapplication conference.

Finding: Complies as proposed. The applicant held a pre-application conference (Planning File PA 13-24) with City staff on July 9th, 2013. The applicant requested a six-month extension to the pre-application conference deadline to be allowed as permitted under subsection B of this section of code, which was granted. No changes to the underlying zoning or building requirements have occurred between the time of the conference and the time of this application. The plan submitted here is also substantially the same to the plan and concept presented at the pre-application conference. The planning director granted the applicant's request for an extension.

17.50.055 Neighborhood association meeting.

Finding: Complies as proposed. The applicant held a Neighborhood meeting with the Caufield Neighborhood Association on August 15th, 2014. Oregon City provided mailing addresses for all residents within a 300-foot radius of the proposed project site. Notifications of the meeting were mailed to all residents on this list. The Neighborhood association was notified of the meeting via e-mail. E-mail was as approved as a method of notification by the Chairs of the Caufield Neighborhood Association. An exhibit with this application contains information on the notification of the meeting, meeting attendance and meeting comments (Exhibit 2.a.viii).

17.50.070 Completeness review and one hundred twenty-day rule.

Finding: Complies as proposed. The applicant is aware of the deadlines and procedures for a complete application and for the review process after an application is deemed complete. The applicant granted an extension of the 120-day deadline to February 4, 2015 (Exhibit 9).

Chapter 17.29 "MUC"—MIXED-USE CORRIDOR DISTRICT

17.29.010 Designated.

The Mixed-Use Corridor (MUC) District is designed to apply along selected sections of transportation corridors such as Molalla Avenue, 7th Street and Beaver Creek Road, and along Warner-Milne Road. Land uses are characterized by high-volume establishments such as retail, service, office, multi-family residential, lodging, recreation and meeting facilities, or a similar use as defined by the community development director. A mix of high-density residential, office, and small-scale retail uses are encouraged in this District. Moderate density (MUC-1) and high density (MUC-2) options are available within the MUC zoning district. The area along 7th Street is an example of MUC-1, and the area along Warner-Milne Road is an example of MUC-2.

Finding: Complies. The City Commission rezoned the subject property to MUC-1 in 2010 by approval of Ordinance 10-1012. This rezoning was acknowledged by DLCD and was not appealed to LUBA. Ordinance 10-1012, attached as Exhibit 8a, included the following points:

- The zone change from FU-10 District to MUC-1 is for a property that is has been located within the City's Urban Growth Boundary since 1979;
- The MUC-1 Zone meets the intent of the Comprehensive Plan Policies for mixed-use development, housing choices and increased density near activity centers and along the Beaver Creek Road corridor; and
- The subject property is not within the Metro Urban Growth Functional Management Plan Title 4 (Industrial and Employment Land) area that has been slated for re-designation out of Title 4 land on Metro's Urban Design Type Map; and therefore the City need not wait for the Title 4 map change before proceeding with the rezoning;

The rezoning to MUC-1 was formally acknowledged by DLCD through DLCD Adoption Notice 02-0010 on 11/03/2010 (Exhibit 8b).

17.29.020 Permitted uses—MUC-1 and MUC-2.

N. Residential units, multi-family;

AA. Live/work units, pursuant to Section 17.54.105—Live/work units.

Finding: Complies as proposed. The proposed development is allowed under sub-section N of this section, Residential Units, multi-family and under section AA. Live/work units. The applicant has provided a detailed Exhibit (2.a.vi) describing the types of business that may operate in the live-work spaces.

17.29.030 Conditional uses—MUC-1 and MUC-2 zones.

Finding: Not applicable. The applicant has not proposed a Conditional Use at this time. Any proposal for a Conditional Use would be reviewed as a separate application pursuant to OCMC 17.56 through the Type III review process.

17.29.040 Prohibited uses in the MUC-1 and MUC-2 zones.

Finding: Complies as proposed. The applicant has not proposed any prohibited uses.

17.29.050 Dimensional standards—MUC-1.

A. Minimum lot areas: None.

B. Maximum building height: Forty feet or three stories, whichever is less.

C. Minimum required setbacks if not abutting a residential zone: None.

D. Minimum required interior and rear yard setbacks if abutting a residential zone: Twenty feet, plus one foot additional yard setback for every one foot of building height over thirty-five feet.

E. Maximum allowed setbacks.

1. Front yard: Five feet (may be extended with Site Plan and Design Review (Section 17.62.055).

2. Interior side yard: None.

3. Corner side setback abutting street: Thirty feet provided the Site Plan and Design Review requirements of Section 17.62.055 are met.

4. Rear yard: None.

F. Maximum lot coverage of the building and parking lot: Eighty percent.

G. Minimum required landscaping (including landscaping within a parking lot): Twenty percent.

Finding: Complies with Conditions. The maximum building height is defined by OCMC Section 17.04.550 as:

“‘Height of building’ means a vertical distance measured from the average elevation of the finished grade along the street-facing elevation to one-half the vertical distance between the eaves and the highest ridge for a gable, hip or gambrel roof.”

The proposed building elevations range from 37 feet to 39 feet from average finished grade to the midpoint of the roof.

The surrounding properties have no current zoning designation and therefore there is no minimum setback required per 17.29.050.C.

According to the applicant, the distance from the edge of the Beavercreek Road right of way to the buildings is 7'-3". Per Section 17.62.055.D one additional measure will be provided to allow a maximum front yard setback of ten feet; the standard maximum of 5 feet per 17.29.050.E.1 plus one five foot increase. Pedestrian scale lighting and enhanced landscaping at the entrances to the Live/Work units have been selected from Section 17.62.055.D to qualify for the five foot increase.

The proposed front setbacks for the buildings abutting Meyers Road, Street A and Street B also exceed the 5' maximum allowance. The applicant has proposed to provide pedestrian amenities through the Site Plan and Design Review process as permitted under section 17.62.055 in order to increase these the setbacks proposed in these areas, but has not identified the type or extent of the stated amenities on the submitted landscaping and site plans, although staff finds that compliance is feasible.

In order to show compliance with OCMC 17.62.055.D., **the applicant shall include the details indicating the required number and extent of pedestrian amenities on the applicable site plan sets, as required by OCMC 17.62.055.D prior to issuance of building permits. See Planning Condition of Approval 1.**

The lot coverage of the proposed site plan is approximately 64% with the landscaped areas to exceed the minimum 20% requirement.

In addition to the above dimensional standards, the development must show height and FAR compliance with Conditions of Approval #'s 6 and #7 for the zone change decision ZC 10-01 (See Exhibit :

6. If the Beavercreek Road Concept Plan is not yet adopted at the time the applicant seeks development approval, the applicant's proposal shall be consistent with the intent and purpose of the Mixed Employment Village, which is to provide retail, office, civic and residential uses in an urban, pedestrian friendly and mixed use setting that is transit supportive in its use, density and design. Development shall create an active urban environment that incorporates pedestrian-friendly amenities, urban building design consistent with the Beavercreek Road Concept Plan and cost effective green development practices. At a minimum, the overall development site shall achieve an average minimum floor area ratio (FAR) of 0.25 and a minimum building height of thirty-four feet except for accessory structures or buildings under one thousand square feet. The applicant may seek to modify these standards through the master plan adjustment or variance process with city approval.

Finding: Complies as proposed. The applicant has proposed a development with a Floor Area Ratio of 0.65, which exceeds the specified condition, (Exhibit 2c) and a minimum building height of thirty-seven feet.

7. In accordance with OCMC 17.29.070, the required minimum FARs shall be calculated on a project-by-project basis and may include multiple contiguous blocks. In mixed-use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FARs. An individual phase of a project approved through the Master Plan process OCMC 17.65 shall be permitted to develop below the required minimum floor area ratio provided the applicant demonstrates, through covenants applied to the remainder of the site or project or through other binding legal mechanism, including phased development, that the required density for the project will be achieved at project build-out.

Finding: Complies as proposed. The applicant has proposed FARs calculated according to this section, including residential floor space.

CHAPTER 12.04 STREETS, SIDEWALKS AND PUBLIC PLACES

12.04.003 Applicability

A. Compliance with this chapter is required for all Land Divisions, Site Plan and Design Review, Master Plan, Detailed Development Plan and Conditional Use applications and all public improvements.

B. Compliance with this chapter is also required for new construction or additions which exceed 50 percent of the existing square footage, of all single and two-family dwellings. All applicable single and two-family dwellings shall provide any necessary dedications, easements or agreements as identified in the Transportation System Plan and this Chapter. In addition, the frontage of the site shall comply with the following prioritized standards identified in this chapter:

- 1. Improve street pavement, construct curbs, gutters, sidewalks and planter strips; and*
- 2. Plant street trees*

The cost of compliance with the standards identified in 12.04.003.B.1 and 12.04.003.B.2 is limited to ten (10%) percent of the total construction costs. The value of the alterations and improvements as determined by the Community Development Director is based on the entire project and not individual building permits. It is the responsibility of the applicant to submit to the Community Development Director the value of the required improvements. Additional costs may be required to comply with other applicable requirements associated with the proposal such as access or landscaping requirements.

Finding: Conditionally Complies. This chapter is applicable to this proposal. The applicant has proposed public transportation improvements for all street frontages and new streets based on the City's transportation system plan and in accordance with this section. Where necessary, staff has attached appropriate conditions of

approval to ensure these standards are met. The applicant's Transportation Impact Analysis, Exhibit 2.a.vii, discusses the proposed impacts to the transportation network. **Applicant can assure the requirements of Chapter 12.04 are met by complying with the applicable Conditions of Approval attached to this decision.**

12.04.005 Jurisdiction and management of the public rights-of-way.

A. *The city has jurisdiction and exercises regulatory management over all public rights-of-way within the city under authority of the City Charter and state law by issuing separate Public Works right-of-way permits or permits as part of issued public infrastructure construction plans. No work in the public right-of-way shall be done without the proper permit. Some public rights-of-way within the City are regulated by the State of Oregon Department of Transportation (ODOT) or Clackamas County and as such, any work in these streets shall conform to their respective permitting requirements.*

B. *Public rights-of-way include, but are not limited to, streets, roads, highways, bridges, alleys, sidewalks, trails, paths, public easements and all other public ways or areas, including the subsurface under and air space over these areas.*

C. *The city has jurisdiction and exercises regulatory management over each public right-of-way whether the city has a fee, easement, or other legal interest in the right-of-way. The city has jurisdiction and regulatory management of each right-of-way whether the legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure or other means.*

D. *No person may occupy or encroach on a public right-of-way without the permission of the city. The city grants permission to use rights-of-way by franchises and permits.*

E. *The exercise of jurisdiction and regulatory management of a public right-of-way by the city is not official acceptance of the right-of-way, and does not obligate the city to maintain or repair any part of the right-of-way.*

Finding: Conditionally Complies. The applicant is aware of and has acknowledged the City's and County's jurisdiction, where applicable. Beaver Creek Road is under the jurisdiction of Clackamas County, who has provided formal comments regarding this application in Exhibit 5c. Where applicable, conditions of approval are attached to ensure compliance with Clackamas County and Oregon City public right-of-way standards.

12.04.007 Modifications.

The review body may consider modification of this standard resulting from constitutional limitations restricting the City's ability to require the dedication of property or for any other reason, based upon the criteria listed below and other criteria identified in the standard to be modified. All modifications shall be processed through a Type II Land Use application and may require additional evidence from a transportation engineer or others to verify compliance. Compliance with the following criteria is required:

A. *The modification meets the intent of the standard;*

B. *The modification provides safe and efficient movement of pedestrians, motor vehicles, bicyclists and freight;*

C. *The modification is consistent with an adopted plan; and*

D. *The modification is complementary with a surrounding street design; or, in the alternative,*

E. *If a modification is requested for constitutional reasons, the applicant shall demonstrate the constitutional provision or provisions to be avoided by the modification and propose a modification that complies with the state or federal constitution. The City shall be under no obligation to grant a modification in excess of that which is necessary to meet its constitutional obligations.*

Finding: Conditionally Complies. The applicant has proposed modifications to various sections.

Street "A" and Street "B" are local streets requiring a 62 foot right-of-way (ROW), 40-feet of pavement, a 10.5-foot sidewalk with 5-foot tree wells, and on-street parking. The applicant's proposed section consists of the required local street dimensions except for a 5.5-foot plant strip and 5-foot sidewalk. Since the proposed local street dimensions are generally in accordance with the Transportation System Plan, it is acceptable as proposed.

The applicant has also proposed 90-degree parking on a short section of Street "B". Per OCMC 17.52.030.A, groups of more than four parking spaces shall be so located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley. The applicant's transportation engineer shall provide an analysis and explanation showing that the proposed configuration is safe and does not create backing or unsafe maneuvering conditions in the public right-of-way,

otherwise the applicant shall provide revised plans for the re-configuration, re-location of elimination of the 90-degree parking spaces.

The applicant has also proposed curb extensions at intersections and at certain mid-block locations on Street “A” and “B”. The curb extensions at the intersections is consistent with the Transportation System Plan, and is acceptable. The curb extensions shown mid-block is not consistent with the Transportation System Plan, and is not acceptable.

Meyers Road is classified as a minor arterial, requiring a 116 foot ROW, 94-feet of pavement, a 10.5-foot sidewalk with 5-foot tree wells, bike lanes and on-street parking. The applicant has proposed a section with an 86 foot ROW, 64-feet of pavement, a 7.5-foot planter strip and a 5-foot sidewalk, bike lanes and on-street parking. Since the proposed street section is generally in accordance with the Transportation System Plan, and since it matches the existing section of Meyers Road west of Beaver Creek Road, it is acceptable as proposed.

Beaver Creek Road is classified as a major arterial, which requires a 116 foot ROW, 94-feet of pavement, a 10.5-foot sidewalk with 5-foot tree wells, bike lanes and on-street parking. The applicant has proposed a section that calls for a 90-foot ROW, two travel lanes with a turn lane at intersections, a plant strip and sidewalk with bike lanes.

Beaver Creek Road is within Clackamas County jurisdictional right-of-way and the County’s dimensional street standards for the functional classification is slightly different from the City’s standard. Clackamas County’s facts and findings can be found in the Clackamas County Memorandum by Kenneth Kent (November 4, 2014), Exhibit 5c.

The applicant has proposed on-street parking and planter strips that serve as stormwater swales. Based on the City and Clackamas County standards, the applicant shall be required to provide the following improvements on Beaver Creek Road:

The applicant shall dedicate sufficient ROW in order to create 47 feet of total ROW from the centerline Beaver Creek Road to the applicant’s boundary; provide 32 feet of pavement (half the 12-foot turning lane, a 12-foot travel lane, 6-foot bike lane and 8-foot interim planting area; a 7.5-foot stormwater swale/planter; and a 7-foot sidewalk.

The Applicant can meet this standard through compliance with Engineering Conditions of Approval 1, 2, 3, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 43, 44, 45, and 46.

12.04.010 Construction specifications—Improved streets.

All sidewalks hereafter constructed in the city on improved streets shall be constructed to city standards and widths required in the Oregon City Transportation System Plan. The curb shall be constructed at the same time as the construction of the sidewalk and shall be located as provided in the ordinance authorizing the improvement of said street next proceeding unless otherwise ordered by the city commission. Both sidewalks and curbs are to be constructed according to plans and specifications provided by the city engineer.

Finding: Conditionally Complies. The applicant has proposed to meet construction standards, but has proposed modifications to various sections. See section 12.04.007 of this report.

12.04.020 Construction specifications—Unimproved streets.

Sidewalks constructed on unimproved streets shall be constructed of concrete according to lines and grades established by the city engineer and approved by the city commission. On unimproved streets curbs do not have to be constructed at the same time as the sidewalk.

Finding: Not applicable. There will be no sidewalks on unimproved streets.

12.04.025 - Street design—Driveway Curb Cuts.

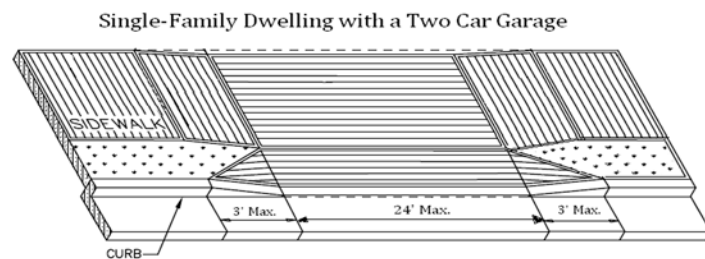
A. One driveway shall be allowed per frontage. In no case shall more than two driveways be allowed on any single or two-family residential property with multiple frontages.

B. With the exception of the limitations identified in 12.04.025.C, all driveway curb cuts shall be limited to the following dimensions.

Property Use	Minimum Driveway Width at sidewalk or property line	Maximum Driveway Width at sidewalk or property line
Single or two-family dwelling with one car garage/parking space	10 feet	12 feet
Single or two-family dwelling with two car garage/parking space	12 feet	24 feet
Single or two-family dwelling with three or more car garages/parking space	18 feet	30 feet
Nonresidential or multi-family residential driveway access	15 feet	40 feet

The driveway width abutting the street pavement may be extended 3 feet on either side of the driveway to accommodate turn movements. Driveways may be widened onsite in locations other than where the driveway meets sidewalk or property line (for example between the property line and the entrance to a garage).

Figure 12.04.025: Example Driveway Curb Cut



C. The decision maker shall be authorized through a Type II process, unless another procedure applicable to the proposal applies, to minimize the number and size of curb cuts (including driveways) as far as practicable for any of the following purposes:

1. To provide adequate space for on-street parking;
2. To facilitate street tree planting requirements;
3. To assure pedestrian and vehicular safety by limiting vehicular access points; and
4. To assure that adequate sight distance requirements are met.

a. Where the decision maker determines any of these situations exist or may occur due to the approval of a proposed development for non-residential uses or attached or multi-family housing, a shared driveway shall be required and limited to twenty-four feet in width adjacent to the sidewalk or property line and may extend to a maximum of thirty feet abutting the street pavement to facilitate turning movements.

b. Where the decision maker determines any of these situations exist or may occur due to approval of a proposed development for detached housing within the “R-5” Single –Family Dwelling District or “R-3.5” Dwelling District, driveway curb cuts shall be limited to twelve feet in width adjacent to the sidewalk or property line and may extend to a maximum of eighteen feet abutting the street pavement to facilitate turning movements.

D. For all driveways, the following standards apply.

1. Each new or redeveloped curb cut shall have an approved concrete approach or asphalted street connection where there is no concrete curb and a minimum hard surface for at least ten feet and preferably twenty feet back into the lot as measured from the current edge of street pavement to provide for controlling gravel tracking onto the public street. The hard surface may be concrete, asphalt, or other surface approved by the city engineer.
2. Driving vehicles, trailers, boats, or other wheeled objects across a sidewalk or roadside planter strip at a location other than an approved permanent or city-approved temporary driveway approach is prohibited. Damages caused by such action shall be corrected by the adjoining property owner.
3. Placing soil, gravel, wood, or other material in the gutter or space next to the curb of a public street with the intention of using it as a permanent or temporary driveway is prohibited. Damages caused by such action shall be corrected by the adjoining property owner.
4. Any driveway built within public street or alley right-of-way shall be built and permitted per city requirements as approved by the city engineer.

Finding: Complies with Conditions. There are four driveways proposed for access to private parking lots. Dimensions for the driveway are not shown on the plans, but it is evident that they are sized for two-way traffic, and are approximately 24-feet wide. **The Applicant can meet this standard through Engineering Condition of Approval 30.**

E. Exceptions. The public works director reserves the right to waive this standard, if it is determined through a Type II decision including written findings, that it is in the best interest of the public to do so.

Finding: Not Applicable. An exception is not required.

12.04.030 Maintenance and repair.

12.04.031 Liability for sidewalk injuries.

12.04.032 Required sidewalk repair.

12.04.033 City may do work.

12.04.034 Assessment of costs.

12.04.040 Streets--Enforcement.

12.04.050 Retaining walls--Required.

12.04.060 Retaining walls--Maintenance.

12.04.070 Removal of sliding dirt.

Finding: Not applicable. Sections 12.04.030 - .070 are not development review criteria; they are obligations that apply to any abutting property owner. No retaining walls on private property are required to assure that dirt will fall or slide onto public streets. The applicant acknowledges these requirements.

12.04.080 Excavations--Permit required.

It shall be unlawful for any person to dig up, break, excavate, disturb, dig under or undermine any public street or alley, or any part thereof or any macadam, gravel, or other street pavement or improvement without first applying for and obtaining from the engineer a written permit so to do.

Finding: Conditionally Complies. The applicant has proposed improvements to a public street, which requires application for a construction permit from the city engineer prior to excavation. **The applicant can meet this standard through compliance with Engineering Condition of Approval 1.**

12.04.090 Excavations--Permit restrictions.

The permit shall designate the portion of the street to be so taken up or disturbed, together with the purpose for making the excavation, the number of days in which the work shall be done, and the trench or excavation to be refilled and such other restrictions as may be deemed of public necessity or benefit.

Finding: Complies as proposed. The applicant acknowledges this requirement.

12.04.100 Excavations – Restoration of Pavement

Whenever any excavation shall have been made in any pavement or other street improvement on any street or alley in the city for any purpose whatsoever under the permit granted by the engineer, it shall be the duty of the person making the excavation to put the street or alley in as good condition as it was before it was so broken, dug up or disturbed, and shall remove all surplus dirt, rubbish, or other material from the street or alley.

Finding: Conditionally Complies. Where pavement cuts are made in existing streets for the installation of improvements, the restoration shall be done in accordance with the City of Oregon City Pavement Cut Standards, or Clackamas County standards in County jurisdictional right-of-way. **The Applicant can meet this standard through compliance with Engineering Conditions of Approval 1 and 33.**

12.04.110 Excavations--Nuisance--Penalty.

Finding: Complies as proposed. The applicant acknowledges this requirement.

12.04.130 Obstructions--Sidewalk sales.

12.04.140 Obstructions--Nuisance--Penalty.

12.04.150 Street and alley vacations--Cost.

12.04.160 Street vacations--Restrictions.

Finding: Not applicable. Sections 12.04.130 – .160 are not development review criteria. Sections 12.04.130 – .160 criteria are requirements that apply to any abutting property owner irrespective of development review.

12.04.170 Street Design - Purpose and General Provisions.

All development shall be in conformance with the policies and design standards established by this chapter and with applicable standards in the City 's Public Facility Master Plan and City design standards and specifications. In reviewing applications for development, the City Engineer shall take into consideration any approved development and the remaining development potential of adjacent properties. All street, water, sanitary sewer, storm drainage and utility plans associated with any development must be reviewed and approved by the city engineer prior to construction. All streets, driveways or storm drainage connections to another jurisdiction's facility or right-of-way must be reviewed by the appropriate jurisdiction as a condition of the preliminary plat and when required by law or intergovernmental agreement shall be approved by the appropriate jurisdiction.

Finding: This is a construction permit standard rather than a land use review standard. Staff finds that compliance is feasible and the applicant acknowledges the requirement and can comply.

12.04.175 Street Design--Generally.

The location, width and grade of street shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and pedestrian/bicycle accessways, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. To the extent possible, proposed streets shall connect to all existing or approved stub streets that abut the development site. The arrangement of streets shall either:

- A. Provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels or conform to a plan for the area approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical;*
- B. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets shall be extended to the boundary of the development and the resulting dead-end street (stub) may be approved with a temporary turnaround as approved by the city engineer. Notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future. Access control in accordance with section 12.04 shall be required to preserve the objectives of street extensions.*

Finding: This is a construction permit standard rather than a land use review standard. Staff finds that compliance is feasible and the applicant acknowledges the requirement and can comply.

12.04.180 Street Design.

All development regulated by this Chapter shall provide street improvements in compliance with the standards in Figure 12.04.180 depending on the street classification set forth in the Transportation System Plan and the Comprehensive Plan designation of the adjacent property, unless an alternative plan has been adopted. The standards provided below are maximum design standards and may be reduced with an alternative street design which may be approved based on the modification criteria in 12.04.007. The steps for reducing the maximum design below are found in the Transportation System Plan.

Finding: The applicant has proposed a public street system in accordance with the 2013 Oregon City Transportation System Plan, and which is intended to implement the preferred transportation system to serve the subject site and adjacent area based on design review criteria in the City's adopted code as well as the urban block dimensions that are envisioned in the Beavercreek Road Concept Plan. The applicant provided a detailed narrative in response to this section below:

“Located in the center of the 453 acre area whose future has been carefully studied in the Beavercreek Road Concept Plan any decisions made by the site plan proposed with this application will have multiple ramifications on the future developments for years to come. One of the largest impacts on the future development of the area will be the framework in which they have to plug in to; the largest factor of the

framework is of course the street network. The most critical step was determining the number of through-streets to parallel Beavercreek Road between Beavercreek and the planned Central Parkway which would ultimately define block size and developable land areas. We focused on the Oregon City Municipal Code and Beavercreek Road Concept Plan for direction as well as investigating block sizing at a local, state and national level.

Considering the givens we have to work with, Beavercreek Road as an Arterial Street and Meyers Road as a Collector Street, the first major factor was the minimum street intersection spacing standards outlined in OCMC Chapter 12.04.195. As found in Table 12.04.040 no Local Street or Neighborhood Collector (depending on how the new parallel road will be classified) shall be within 300 feet as measured along Meyers Road. Using this piece of information coupled with an effort to standardize the grid system made the direction rather clear that one parallel road would be the most logical path. With one block dimension defined, further analysis of block sizing was then completed to help inform how many perpendicular cross streets to plan between Meyers Road and Glen Oak Road.

There is of course a wide range in block sizes as you sample major metropolitan areas across the country; from one of the largest at 1000'x500' in New York to some of the smallest right here in Portland at only 200'x200'. Delving further into how different block sizes function and the feel they lend to the pedestrian environment is quite informative; and by filtering this information by the types of use and other site specific design parameters we can zero in on an effective range to best suit the goals of the Concept Plan.

After analyzing this information and applying it to our site plan we feel confident that the 340'x440' block size we have proposed provides the needed balance between maximizing pedestrian circulation routes and net developable land areas. The rationale behind a 340'x440' block size is the consistent grid spacing and the flexibility it will lend to the different development zones within the Beavercreek Road Concept Plan. In areas such as the mixed employment zone it is just large enough to allow the buildings to face onto the streets with the use of alleys and interior parking where a smaller block size would limit our ability to meet this code requirement. As the grid extends north to the North Employment Campus it will lend itself to larger building footprints for commercial and business tenants. Connecting to the South in the Main Street and Mixed Use Neighborhoods the same concept as the MEV could be used (building street frontage with interior alleyways and parking concept) with the option to introduce additional local streets creating half-blocks at 220'x340' for the most pedestrian dense shopping districts.

As the timeline for future developments is unknown, the new internal public streets would be dead-end stubs with temporary turn-arounds and signage indicating future extension. The site itself would be linked to the existing transportation network by extending Meyers Road to the North across Beavercreek Road into/through the property. As determined by a traffic impact analysis, one lane aligned with the existing northbound lane will be provided for site ingress with 2 lanes provided for egress at the intersection. All stub roads and site topography are designed to meet existing grade at the property lines as closely as possible to ensure smooth transition for future developments."

The proposed site layout demonstrates concurrence with the desired street network envisioned in the Beavercreek Concept Plan for the subject parcel and with the City's adopted Transportation System Plan. Detailed findings and Conditions of Approval for compliance with the applicable street design standards are provided below.

Table 12.04.180 Street Design

To read the table below, select the road classification as identified in the Transportation System Plan and the Comprehensive Plan designation of the adjacent properties to find the maximum design standards for the road cross section. If the Comprehensive Plan designation on either side of the street differs, the wider right-of-way standard shall apply.

Road Classification	Comprehensive Plan Designation	Right-of-Way Width	Pavement Width	Public Access	Sidewalk	Landscape Strip	Bike Lane	Street Parking	Travel Lanes	Median

Major Arterial (Beavercreek Road)	Mixed Use, Commercial or Public/Quasi Public	116 ft.	94 ft.	0.5 ft.	10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells	6 ft.	8 ft.	(5) 12 ft. Lanes	6 ft.
Collector (Meyers Road)	Mixed Use, Commercial or Public/Quasi Public	86 ft.	64 ft.	0.5 ft.	10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells	6 ft.	8 ft.	(3) 12 ft. Lanes	N/A
Local (Streets A and B)	Mixed Use, Commercial or Public/Quasi Public	62 ft.	40 ft.	0.5 ft.	10.5 ft. sidewalk including 5 ft. x 5 ft. tree wells	N/A	8 ft.	(2) 12 ft. Lanes	N/A

Finding: Conditionally Complies. The applicant has proposed modifications to the standards. This is described in detail in section 12.04.007 of this report.

12.04.185 Street Design--Access Control.

- A. A street which is dedicated to end at the boundary of the development or in the case of half-streets dedicated along a boundary shall have an access control granted to the City as a City controlled plat restriction for the purposes of controlling ingress and egress to the property adjacent to the end of the dedicated street. The access control restriction shall exist until such time as a public street is created, by dedication and accepted, extending the street to the adjacent property.
- B. The City may grant a permit for the adjoining owner to access through the access control.
- C. The plat shall contain the following access control language or similar on the face of the map at the end of each street for which access control is required: "Access Control (See plat restrictions)."
- D. Said plats shall also contain the following plat restriction note(s): "Access to (name of street or tract) from adjoining tracts (name of deed document number[s]) shall be controlled by the City of Oregon City by the recording of this plat, as shown. These access controls shall be automatically terminated upon the acceptance of a public road dedication or the recording of a plat extending the street to adjacent property that would access through those Access Controls."

Finding: Conditionally Complies. There are three streets which are proposed to dead-end at the boundary of the development and which would be extended in the future. Access control strips shall be required at each of these which include Meyers Road, Street "A" and Street "B". **The Applicant can meet this standard through Engineering Condition of Approval 28.**

12.04.190 Street Design--Alignment.

The centerline of streets shall be:

- A. Aligned with existing streets by continuation of the centerlines; or
- B. Offset from the centerline by no more than five (5) feet, provided appropriate mitigation, in the judgment of the City Engineer, is provided to ensure that the offset intersection will not pose a safety hazard.

Finding: Complies as proposed. The applicant has proposed that the centerline of all streets that meet at intersections align.

12.04.194 Traffic Sight Obstructions

All new streets shall comply with the Traffic Sight Obstructions in Chapter 10.32.

Finding: Complies with Conditions. According to the applicant, the site plan and landscape planting plan have been designed to exclude vegetation and built elements exceeding three feet in height within the clear vision area as defined by Section 10.32.020. Required street trees planted along Meyers and Beavercreek Roads will have all branches and foliage removed to a height of eight feet above the grade. The City's Transportation Consultant, Replinger and Associates, indicated that the TIA indicates that sight distance at the Meyers

Road/Beavercreek Road intersection was estimated to be in excess of 450 feet to the north and approximately 650 feet to the south. Sight distance is adequate for this signalized intersection.

Compliance with the County's sight distance standards for Beavercreek Road are provided in the facts and findings in Clackamas County's Memorandum by Kenneth Kent (November 4, 2014), 5c. **The Applicant can meet this standard through Engineering Condition of Approval 42.**

12.04.195 Spacing Standards.

A. All new streets shall be designed as local streets unless otherwise designated as arterials and collectors in Figure 8 in the Transportation System Plan. The maximum block spacing between streets is 530 feet and the minimum block spacing between streets is 150 feet as measured between the right-of-way centerlines. If the maximum block size is exceeded, pedestrian accessways must be provided every 330 feet. The spacing standards within this section do not apply to alleys.

B. All new development and redevelopment shall meet the minimum driveway spacing standards identified in Table 12.04.195.B.

Table 12.04.195.B Minimum Driveway Spacing Standards		
<i>Street Functional Classification</i>	<i>Minimum Driveway Spacing Standards</i>	<i>Distance</i>
<i>Major Arterial Streets</i>	<i>Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings</i>	<i>175 ft.</i>
<i>Minor Arterial Streets</i>	<i>Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings</i>	<i>175 ft.</i>
<i>Collector Streets</i>	<i>Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings</i>	<i>100 ft.</i>
<i>Local Streets</i>	<i>Minimum distance from a street corner to a driveway for all uses and Minimum distance between driveways for uses other than single and two-family dwellings</i>	<i>25 ft.</i>

The distance from a street corner to a driveway is measured along the right-of-way from the edge of the intersection right-of-way to the nearest portion of the driveway and the distance between driveways is measured at the nearest portions of the driveway at the right-of-way.

Finding: Complies with conditions. The applicant indicates that the driveway on Meyers Road is approximately 240 feet from the intersection with Beavercreek Road. The driveway on Street "A" is approximately 100 feet from the intersection with Meyers Road. The driveways on Street "B" are approximately 160 feet from the intersection with Street "A". **The Applicant can meet this standard through Engineering Condition of Approval 31.**

12.04.199 Pedestrian and Bicycle Accessways

Finding: Conditionally Complies. The applicant has not proposed public pedestrian accessways to connect the dead-end Street B with the public sidewalk along Beavercreek Road, a logical and needed location for a public pedestrian accessway, given that Street B is located approximately 330-400 feet to the south of Meyers Road and there is already a pathway / street light / pole light planned in this area connecting the end of Street B to Beavercreek Road. A public pedestrian accessway with a public easement in this area is necessary to reduce out-of-direction travel for pedestrians and bicyclists of the proposed development and adjacent area when it develops. The public pedestrian accessway in this location shall be designed in accordance with the standards A-K of OCMC section 12.04.199 and shall be completed with the public streets prior to issuance of any building permit for the property. **The Applicant can meet this standard through Engineering Condition of Approval 29.**

12.04.205 Mobility Standards.

Development shall demonstrate compliance with intersection mobility standards. When evaluating the performance of the transportation system, the City of Oregon City requires all intersections, except for the facilities identified in subsection D below, to be maintained at or below the following mobility standards during the two-hour peak operating conditions. The first hour has the highest weekday traffic volumes and the second hour is the next highest hour before or after the first hour. Except as provided otherwise below, this may require the installation of mobility improvements as set forth in the Transportation System Plan or as otherwise identified by the City Transportation Engineer.

A. For intersections within the Regional Center, the following mobility standards apply:

- 1. During the first hour, a maximum v/c ratio of 1.10 shall be maintained. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.*
- 2. During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.*
- 3. Intersections located on the Regional Center boundary shall be considered within the Regional Center.*

Finding: Not applicable. The applicant has not proposed a development within the Regional Center.

B. For intersections outside of the Regional Center but designated on the Arterial and Throughway Network, as defined in the Regional Transportation Plan, the following mobility standards apply:

- 1. During the first hour, a maximum v/c ratio of 0.99 shall be maintained. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.*
- 2. During the second hour, a maximum v/c ratio of 0.99 shall be maintained at signalized intersections. For signalized intersections, this standard applies to the intersection as a whole. For unsignalized intersections, this standard applies to movements on the major street. There is no performance standard for the minor street approaches.*

Finding: See section 12.04.205(D) below. The proposed development affects the OR 213/ Beavercreek Road intersection which is outside of the Regional Center but which is designated on Arterial and Throughway Network as defined in the Regional Transportation Plan. **This intersection is exempt from the mobility standards of this section.**

C. For intersections outside the boundaries of the Regional Center and not designated on the Arterial and Throughway Network, as defined in the Regional Transportation Plan, the following mobility standards apply:

- 1. For signalized intersections:*
 - a. During the first hour, LOS "D" or better will be required for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of the critical movements.*
 - b. During the second hour, LOS "D" or better will be required for the intersection as a whole and no approach operating at worse than LOS "E" and a v/c ratio not higher than 1.0 for the sum of the critical movements.*
- 2. For unsignalized intersections outside of the boundaries of the Regional Center:*
 - a. For unsignalized intersections, during the peak hour, all movements serving more than 20 vehicles shall be maintained at LOS "E" or better. LOS "F" will be tolerated at movements serving no more than 20 vehicles during the peak hour.*

Finding: Not applicable. The applicant has not proposed a development outside the boundaries of the Regional Center and not designated on the Arterial and Throughway Network.

D. Until the City adopts new performance measures that identify alternative mobility targets, the City shall exempt proposed development that is permitted, either conditionally, outright, or through detailed development master plan approval, from compliance with the above-referenced mobility standards for the following state-owned facilities:

I-205 / OR 99E Interchange

I-205 / OR 213 Interchange

OR 213 / Beavercreek Road

State intersections located within or on the Regional Center Boundaries

1. *In the case of conceptual development approval for a master plan that impacts the above references intersections:*

a. *The form of mitigation will be determined at the time of the detailed development plan review for subsequent phases utilizing the Code in place at the time the detailed development plan is submitted; and*

b. *Only those trips approved by a detailed development plan review are vested.*

2. *Development which does not comply with the mobility standards for the intersections identified in 12.04.205.D shall provide for the improvements identified in the Transportation System Plan (TSP) in an effort to improve intersection mobility as necessary to offset the impact caused by development. Where required by other provisions of the Code, the applicant shall provide a traffic impact study that includes an assessment of the development's impact on the intersections identified in this exemption and shall construct the intersection improvements listed in the TSP or required by the Code.*

Finding: Complies with Conditions. The applicant submitted a Transportation Impact Analysis for the project, which was prepared pursuant to the City's adopted [Guidelines for Transportation Impact Analysis \(TIA\)](#), and taking into prior TIA's prepared for the site rezoning in 2010. Additionally, comments from Clackamas County and ODOT were provided to the applicant at the pre-application to assist in preparation of the TIA.

The TIA was prepared by Chris Brehmer, PE of Kittelson & Associates, Inc. The TIA is dated December 13, 2013.

The TIA addresses the following transportation requirements prepared to the City's adopted standards: 1) Study Area (intersections) 2) Traffic Counts 3) Trip Generation 4) Trip Distribution 5) Traffic Growth 6) Operational Analysis of Existing, Background and Total Conditions (V/C and mobility standards) 7) Turn Lanes 8) Crash Information 9) Pedestrian and Bicycle Facilities 10) Site Plan and Access 11) Intersection Spacing 12) Sight Distance 13) Consistency with the TSP, and 14) Conclusions and Recommendation.

The city's Transportation Consultant, John Replinger, P.E., of Replinger and Associates reviewed the Traffic Impact Analysis and provided comments in Exhibit 6a.

The TIA describes a proposal to construct 183 residential units of which 36 are proposed to be live-work townhomes. The 9.73-acre site is adjacent to Beavercreek Road in the vicinity of Meyers Road. The TIA assumes the site will be built out by 2016.

The applicant's engineer concludes that the all study area intersections will meet mobility standards in 2016 even with the build out of the development. In fact, the v/c for the Highway 213/Beavercreek Road is predicted to be 1.0, rather than 0.99. However, under OCMC 12.04.205 D, the normal mobility standards to not apply at this intersection.

Because of the conditions associated with rezoning of the parcel in 2010, the TIA also includes a discussion for the Highway 213/Meyers Road intersection. In the 2010 study it was shown that the inclusion of an exclusive right-turn lane on the westbound approach of Meyers Road at Highway 213 improves the intersection's performance to better than that predicted for the "no rezoning" scenario. This became a condition of approval associated with the rezoning of the property.

Overall, Mr. Replinger found that the TIA addresses the city's requirements and provides an adequate basis to evaluate impacts of the proposed development. The TIA indicates that development will cause modest increases in traffic. With the exception of Highway 213/Beavercreek Road, which is exempt, mobility standards will be met at all locations with the development in year 2016.

The applicant's access to the transportation system will be accomplished by constructing the extension of Meyers Road to the east of Beavercreek Road. Materials provided by the applicant appear consistent with the planned function of Meyers Road. The extension of Meyers Road will require the applicant reconstruct the existing intersection and signal system to accommodate the new east leg of the intersection.

The conditions of approval specify that the applicant bear the costs of designing and reconstructing the intersection and the existing signal to provide for all movements including left-turn lanes and protected phasing for left turns on each approach. The signal system upgrade shall comply with county standards.

Because of special provisions in OCMC 12.04.205 D, the intersection of Highway 213 and Beavercreek Road is allowed to exceed v/c 0.99. Under 12.04.205 D 2, the applicant may be required to construct TSP improvements or other improvements specified by the Code to offset the impacts at this intersection. Staff may identify

improvements from the TSP that could be implemented by the applicant to offset the impacts caused by the development at this intersection.

In connection with the rezoning of the property in 2010, an analysis was also conducted of the Highway 213/Meyers Road intersection. The approval of this re-zoning included conditions of approval related to this intersection which are retained and restated as conditions of approval for this development proposal.

Based on the information supplied in the TIA and the findings by the City's Traffic Engineer, the development's contribution to the right-turn movements from Meyers Road traveling westbound to OR 213 traveling northbound is approximately 14 percent. Based on 14 percent, the applicant shall be responsible for the proportional share cost of the right turn lane improvement. The estimated cost for right-of-way, design and construction of the right turn lane improvements is \$360,000. The Applicant shall pay a fee-in-lieu of improvements based on 14 percent of the estimated cost, for a total of \$50,400. **The Applicant can meet this standard through Engineering Condition of Approval 47.**

Additionally, the applicant is responsible for complying with Clackamas County's conditions of approval for improvements on Beaver Creek Road. Facts and findings can be referenced in the Clackamas County Memorandum by Kenneth Kent (November 4, 2014, Exhibit 5c).

The Applicant can meet this standard through Engineering Conditions of Approval 40 and 41.

12.04.210 Street design--Intersection Angles.

Except where topography requires a lesser angle, streets shall be laid out to intersect at angles as near as possible to right angles. In no case shall the acute angles be less than eighty degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least one hundred feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least fifty feet of tangent adjacent to the intersection unless topography requires a lesser distance. All street intersections shall be provided with a minimum curb return radius of twenty-five feet for local streets. Larger radii shall be required for higher street classifications as determined by the city engineer. Additional right-of-way shall be required to accommodate curb returns and sidewalks at intersections. Ordinarily, intersections should not have more than two streets at any one point.

Finding: Complies with Conditions. The applicant has proposed street intersection geometry of Meyers Road and Beaver Creek Road be at 80-degrees. There is an existing gas utility easement on the subject property north of the intersection of Meyers Road and Beaver Creek Road, at an angle of approximately 77.5-degrees to Beaver Creek Road. The applicant has proposed to roughly parallel the easement in order to avoid potential conflicts. The applicant believes the standard to deviate from the 90 degree intersection is sufficient. The existing topography includes a gas line easement through the site that necessitates an 80-degree intersection angle. Without this 80-degree angle, optimal block sizes (as described in response to Code Sections 12.04.170 to 12.04.175) would not be possible. It is this optimal block size that is highly critical for setting the cornerstone of the future Beaver Creek Road Concept Plan area.

The City's Transportation Consultant, Replinger and Associates, reviewed the intersection angle in their report (Exhibit 6a). Mr. Replinger commented that the proposed 80-degree angle of intersection is completely acceptable for this location because it is a signalized intersection. For an unsignalized intersection, there would be more concern because of the potential impact on sight distance. For signalized intersections, this is of no real concern. Since the intersection of Meyers Road and Beaver Creek Road will be a stop controlled intersection, the angle is acceptable from a safety standpoint and it meets the code requirements.

The applicant has proposed street intersection geometry of 90-degree angles for Street "A" and Street "B".

The Applicant can meet this standard through Engineering Conditions of Approval 1 and 32.

12.04.215 Street design--Off-Site Street Improvements.

During consideration of the preliminary plan for a development, the decision maker shall determine whether existing streets impacted by, adjacent to, or abutting the development meet the city's applicable planned minimum design or dimensional requirements. Where such streets fail to meet these requirements, the decision-maker shall

require the applicant to make proportional improvements sufficient to achieve conformance with minimum applicable design standards required to serve the proposed development.

Finding: See sections 12.04.205 D.2 and 12.04.007. The applicant has proposed to make improvements to Beaver Creek Road which abuts the development pursuant to Clackamas County requirements as detailed in the memorandum from Ken Kent, P.E. (See Exhibit 5c). The applicant is also required to contribute a proportional share for off-site improvements or construct improvements as discussed in section 12.04.205.D (2) above. See section 12.04.007 for a description of the proposed abutting improvements.

12.04.220 Street Design--Half Street.

Finding: Not applicable. The applicant has not proposed a half street improvement.

12.04.225 Street Design--Cul-de-sacs and Dead-End Streets.

Finding: Complies with Conditions. See section 12.04.007 for a full description of the street improvements.

The applicant has proposed a dead end street (street "B") that is approximately 160-feet long. At the end of the street there will be two private parking lots that provide the ability to turn around. The southwest end of Street "B", which is not permitted a direct connection to Beaver Creek Road for access control purposes, connects to private access driveway loops or "alleys" behind the buildings that front Beaver Creek Road to the northwest and southeast, providing further connectivity. The dead end street in this location is acceptable provided that the applicant also comply with section 12.04.199 – Pedestrian and Bicycle Accessways (See section for details).

The applicant provided an emergency vehicle access plan based on turning radii and fire truck length that shows how a fire truck may circulate through the development.

Clackamas Fire District commented on the application and indicated no conflicts with the proposed emergency vehicle plan. Additional Fire District comments will be addressed through the building permit review process.

Where approved, cul-de-sacs shall have sufficient radius to provide adequate turn-around for emergency vehicles in accordance with Fire District and City adopted street standards. Permanent dead-end streets other than cul-de-sacs shall provide public street right-of-way / easements sufficient to provide turn-around space with appropriate no-parking signs or markings for waste disposal, sweepers, and other long vehicles in the form of a hammerhead or other design to be approved by the decision maker. Driveways shall be encouraged off the turnaround to provide for additional on-street parking space.

12.04.230 Street Design--Street Names.

Finding: Conditionally Complies. The applicant proposed to name the two new public cross streets at a later time. Those names will comply with the City's adopted street naming policy. **See Planning Condition of Approval 2.**

12.04.235 Street Design--Grades and Curves.

Grades and center line radii shall conform to the standards in the City's street design standards and specifications.

Finding: Conditionally Complies. The applicant has proposed grades and curves that appear to meet with City design standards. **The Applicant can meet this standard through Engineering Condition of Approval 1.**

12.04.240 Street Design--Development Abutting Arterial or Collector Street.

Where development abuts or contains an existing or proposed arterial or collector street, the decision maker may require: access control; screen planting or wall contained in an easement or otherwise protected by a restrictive covenant in a form acceptable to the decision maker along the rear or side property line; or such other treatment it deems necessary to adequately protect residential properties or afford separation of through and local traffic. Reverse frontage lots with suitable depth may also be considered an option for residential property that has arterial frontage. Where access for development abuts and connects for vehicular access to another jurisdiction's facility then authorization by that jurisdiction may be required.

Finding: Complies with Conditions. The applicant indicated that the proposed site plan includes live/work residential units abutting an existing arterial street (Beaver Creek Road) which are governed by Section

17.54.105 as well as the MUC-1 zoning classification of the site and the associated dimensional standards in Section 17.29.050.

Beavercreek Road is functionally classified as a major arterial. Access for all buildings along Beavercreek Road will be from the property side. No additional separation has been proposed.

On-street parking along Beavercreek Road will not be permitted at this time due to traffic volume, speed and safety concerns. There shall be an 8-foot interim planting area. **The applicant can meet this standard through Engineering Condition of Approval 25.**

12.04.245 Street Design--Pedestrian and Bicycle Safety.

Where deemed necessary to ensure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, the decision maker may require that local streets be so designed as to discourage their use by nonlocal automobile traffic.

All crosswalks shall include a large vegetative or sidewalk area which extends into the street pavement as far as practicable to provide safer pedestrian crossing opportunities. These curb extensions can increase the visibility of pedestrians and provide a shorter crosswalk distance as well as encourage motorists to drive slower. The decision maker may approve an alternative design that achieves the same standard for constrained sites or where deemed unnecessary by the City Engineer.

Finding: Conditionally Complies. The applicant has proposed curb extensions on local streets at intersections and at mid-block locations. The curb extensions at the intersections match the guidelines in the Beavercreek Road Concept Plan. However, the mid-block extensions do not match the Concept plan guidelines, and staff recommends that they not be included. **The Applicant can meet this standard through Engineering Conditions of Approval 19 and 20.**

12.04.255 Street design--Alleys.

Public alleys shall be provided in the following districts R-5, R-3.5, R-2, MUC-1, MUC-2 and NC zones unless other permanent provisions for private access to off-street parking and loading facilities are approved by the decision maker. The corners of alley intersections shall have a radius of not less than ten feet.

Finding: Conditionally Complies. The applicant has proposed two alley loops behind buildings A1 and A3. These function as parking lots and are proposed to be private. They provide private access to off-street parking and loading areas. **The Applicant can meet this standard through Engineering Condition of Approval 21.**

12.04.260 Street Design--Transit.

Streets shall be designed and laid out in a manner that promotes pedestrian and bicycle circulation. The applicant shall coordinate with transit agencies where the application impacts transit streets as identified in 17.04.1310. Pedestrian/bicycle access ways shall be provided as necessary in Chapter 12.04 to minimize the travel distance to transit streets and stops and neighborhood activity centers. The decision maker may require provisions, including easements, for transit facilities along transit streets where a need for bus stops, bus pullouts or other transit facilities within or adjacent to the development has been identified.

Finding: Complies as proposed. The property is within the Tri-Met transit district. This application was forwarded to Tri-Met for comment. The site plan has an extensive network of sidewalks and bicycle lanes to promote walking and bicycling as alternative forms of transit. The Meyers Road extension and the Beavercreek Road improvements all include public sidewalk and public bicycle lane improvements. Streets A and B provide public sidewalks. No existing Tri-Met stops are within one mile of the project according to Tri-Met maps and route system plans. The nearest Transit Street is located to the north of the subject site at Clackamas Community College. To access these stations residents of the proposed project may utilize the bicycle lanes in the proposed project site and the lanes along Beavercreek Road. The adopted TSP identifies Beavercreek Road and Meyers Road as future transit corridors. Tri-Met commented on the application that it does not have firm plans to extend service along Beavercreek Road at this time (Exhibit 5e).

12.04.265 Street design--Planter Strips.

All development shall include vegetative planter strips that are five feet in width or larger and located adjacent to the curb. This requirement may be waived or modified if the decision maker finds it is not practicable. The decision maker may permit constrained sites to place street trees on the abutting private property within 10 feet of the public

right-of-way if a covenant is recorded on the title of the property identifying the tree as a city street tree which is maintained by the property owner. Development proposed along a collector, minor arterial, or major arterial street may use tree wells with root barriers located near the curb within a wider sidewalk in lieu of a planter strip, in which case each tree shall have a protected area to ensure proper root growth and reduce potential damage to sidewalks, curbs and gutters.

To promote and maintain the community tree canopy adjacent to public streets, trees shall be selected and planted in planter strips in accordance with Chapter 12.08, *Street Trees*. Individual abutting lot owners shall be legally responsible for maintaining healthy and attractive trees and vegetation in the planter strip. If a homeowners' association is created as part of the development, the association may assume the maintenance obligation through a legally binding mechanism, e.g., deed restrictions, maintenance agreement, etc., which shall be reviewed and approved by the city attorney. Failure to properly maintain trees and vegetation in a planter strip shall be a violation of this code and enforceable as a civil infraction.

Finding: Conditionally Complies. The applicant has proposed planter strips. See section 12.04.007 for a description. All proposed new public streets on the site plan include a minimum five-foot wide planting strip adjacent to the curb within the right of way. The tree species shall be selected from the adopted Oregon City Street Tree List or as recommended by a Certified Arborist or Landscape Architect and shall be planted in accordance with Chapter 12.08 to promote and maintain the community tree canopy adjacent to public streets. Revised and Final street tree plans shall be submitted for review at the time of construction plan review by the City Engineer (Revised Street Tree Plan) and following approval of Construction Documents by the City Engineer (Final Street Tree Plan). **See Planning Condition of Approval 3.**

12.04.270 Standard Construction Specifications.

The workmanship and materials for any work performed under permits issued per this chapter shall be in accordance with the edition of the "Standard Specifications for Public Works Construction," as prepared by the Oregon Chapter of American Public Works Association (APWA) and as modified and adopted by the city, in effect at the time of application. The exception to this requirement is where this chapter and the Public Works Street Design Drawings provide other design details, in which case the requirements of this chapter and the Public Works Street Design Drawings shall be complied with. In the case of work within ODOT or Clackamas County rights-of-way, work shall be in conformance with their respective construction standards.

Finding: This is a construction permit standard rather than a land use review standard. Staff finds that compliance is feasible and the applicant acknowledges the requirement and can comply.

12.04.280 Violation--Penalty.

Any act or omission in violation of this chapter shall be deemed a nuisance. Violation of any provision of this chapter is subject to the code enforcement procedures of Chapters 1.16, 1.20 and 1.24.

Finding: This is an enforcement provision rather than an approval criterion. Staff finds that compliance is feasible and the applicant acknowledges the requirement and can comply.

CHAPTER 12.08 PUBLIC AND STREET TREES

12.08.010 Purpose.

The purpose of this chapter is to:

- A. Develop tree-lined streets to protect the living quality and beautify the City;
- B. Establish physical separation between pedestrians and vehicular traffic;
- C. Create opportunities for solar shading;
- D. Improve air quality; and
- E. Increase the community tree canopy and resource.

12.08.015 Street Tree Planting and Maintenance Requirements.

12.08.020 Street Tree Species Selection.

12.08.025 General Tree Maintenance.

12.08.030 Public Property Tree Maintenance.

12.08.045 Gifts and Funding.

Findings for sections 12.08-015 – 12.08.045: Complies with condition. Along Beaver Creek Road, the streetscape has been enhanced with 2 in. caliper *Zelkova serrata* “Halka” spaced approximately every 40 feet. Within the main interior road, Meyers Rd, 3.5 in. caliper *Crataegus laevigata* “Crimson Cloud” trees have been planted approximately every 30 feet.

Interior streetscape trees include 2 in. caliper *Carpinus betulus* “Fastigiata” planted 30 feet on center, 2 in. caliper *Pyrus calleryana* “Glen’s Form” planted every 30 feet on center, and *Zelkova serrata* “Halka Zelkova” will be planted at interior intersections. All of these trees are listed as appropriate for the planting area on the Oregon City Street Tree List.

All trees will be irrigated and will require minimal maintenance other than yearly inspection for disease.

All proposed new public streets on the site plan include a minimum five-foot wide planting strip adjacent to the curb within the right of way. The tree species shall be selected from the adopted Oregon City Street Tree List or as recommended by a Certified Arborist or Landscape Architect and shall be planted in accordance with Chapter 12.08 to promote and maintain the community tree canopy adjacent to public streets. Revised and Final street tree plans shall be submitted for review at the time of construction plan review by the City Engineer (Revised Street Tree Plan) and following approval of Construction Documents by the City Engineer (Final Street Tree Plan). **See Planning Condition of Approval 3.**

17.41 TREE PROTECTION STANDARDS

17.41.010 Protection of trees—Intent

Finding: Complies. The applicant acknowledges the intent of this section of code to preserve as many existing trees as possible. As part of their application a tree survey was submitted by a certified arborist (Holen and Associates), discussing existing trees on the property. The applicant stated that it is not feasible to design the project without removing the existing trees. The city code allows for the removal of trees when it is impractical to save them given sufficient justification, provided appropriate mitigation in the form of replanting new trees is proposed. The application planting plan shows that all the trees which have to be removed have been replaced per code by the required multiplier of new trees. The amount of new tree planting is also discussed in the tree survey.

17.41.020 Tree protection—Applicability

Finding: Applies. The applicant acknowledges that it must comply with the standards of this section since it is going through a Type II Site Plan and Design Review process.

17.41.030 Tree protection—Conflicting code provisions

Finding: Not applicable. The site is not within the Natural Resources Overlay District or any other overlay zones which would conflict with this section. The applicant acknowledges this section.

17.41.040 Same—Exemptions

Finding: Not applicable. This site does not qualify for an exemption under this section.

17.41.050 Same—Compliance options

Finding: The applicant has chosen Option number 1, mitigation.

17.41.060 Tree removal and replanting—Mitigation (Option 1)

Finding: The applicant submitted a tree survey including a mitigation plan and report from a certified arborist that outlines the number of trees to be mitigated and the number of trees that will be planted.

17.41.060 Tree removal and replanting—Mitigation (Option 1)

Finding: Complies with condition. The applicant chose to utilize Choice A and re-plant on-site.

According to the applicant; pursuant to the project Arborist report (15) trees are to be removed all of which are located within the construction area; (9) trees are recommended for removal for the purpose of construction and (6) are recommended for removal because of poor or hazardous conditions. In accordance with this report (20) are required for mitigation. The proposed landscape plan for the project includes the placement of (237) trees on the property which will exceed this requirement.

Staff reviewed the applicant's Arborist Report and tree removal plan Sheet L104. It appears that the 10" apple tree and the 29" Douglas Fir are not located in a construction area and the applicant could practicably avoid their removal. Therefore the applicant shall either propose measures to assure that these two trees are physically protected during the construction process pursuant to OCMC 17.41.130, or otherwise mitigate for their removal as follows:

- 6 mitigation trees for the removal of the 10" DBH apple tree, per code, and
- 12 mitigation trees for the removal of the 29" DBH Douglas Fir tree, per code.

This results in total of 32 mitigation trees, rather than the total of 20 trees proposed by the applicant.

All mitigation trees shall be identified separately from and in addition to any standard required landscaping trees required under Chapter 17.62, street trees required under Chapter 12.08, and parking lot trees required under Chapter 17.52. Applicant shall provide revised landscaping plans indicating the location, size and type of mitigation trees on a revised landscaping plan prior to issuance of a final certificate of occupancy for the site.

See Planning Condition of Approval 14.

17.41.075 Alternative mitigation plan

Finding: Not applicable. The applicant has not proposed an alternative mitigation plan.

17.41.080 to Section 17.41.125

Finding: These sections are not applicable. The applicant is not utilizing the Options that these sections of code apply to. The applicant is utilizing Option 1.

17.41.130 Regulated tree protection procedures during construction.

Finding: Not applicable. The applicant has not proposed to protect any trees. No trees will be removed that are not shown for removal and mitigation per the enclosed Tree Survey and final approved Site Plan and Design Review permit, without prior written authorization from the Planning Director.

CHAPTER 17.62 SITE PLAN AND DESIGN REVIEW

17.62.010 Purpose.

The purposes of site plan and design review are to: encourage site planning in advance of construction; protect lives and property from potential adverse impacts of development; consider natural or man-made hazards which may impose limitations on development; conserve the city's natural beauty and visual character and minimize adverse impacts of development on the natural environment as much as is reasonably practicable; assure that development is supported with necessary public facilities and services; ensure that structures and other improvements are properly related to their sites and to surrounding sites and structure; and implement the city's comprehensive plan and land use regulations with respect to development standards and policies.

Finding: Complies as proposed. The applicant's site plan has been proposed based on a variety of adopted and proposed city plans and standards as detailed in the Background section at the beginning of this report. The overall urban form of the proposed development has been reviewed in order to assure that the proposed development can achieve the purpose of this section, as well as the purpose of the Mixed Use Corridor MUC-1 zone (See findings in Chapter 17.29 – Mixed Use Corridor District), and the design requirements for the *Mixed Employment Village* concept described in the Beavercreek Road Concept Plan (See Exhibit 2.a.i and 2.a.vi) as

discussed in the Conditions of Approval which apply to this property as a consequence of the approved re-zoning to MUC-1 in 2010 (Exhibit 8c).

17.62.015 Modifications that will better meet design review requirements.

The review body may consider modification of site-related development standards. These modifications are done as part of design review and are not required to go through the Variance process pursuant to section 17.60.020. Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the Variance process pursuant to section 17.60.020. Modifications that are denied through design review may be requested as Variance through the Variance process pursuant to section 17.60.020. The review body may approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:

- A. The modification will result in a development that better meets design guidelines; and*
- B. The modification meets the intent of the standard. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

Finding: Complies as proposed. The applicant did not respond to this section, however the applicant has requested modification to the following specific site-related development standards within Chapter 17.62 through the Type II process elsewhere in their code responses and narrative:

- Minimum first floor ceiling height for multi-family buildings constructed in Mixed Use zones in section 17.62.057(J). The applicant is requesting to modify the required minimum ceiling height from 13' to 10'.

Please refer to section 17.62.057(J) below for the applicant's justification and staff's findings.

17.62.020 Preapplication conference.

Finding: Complies as proposed. Please see finding under section 17.50.050.

17.62.030 When required.

Site plan and design review shall be required for all development of real property in all zones except the R-10, R-8, R-6, R-5 and R-3.5 zoning districts, unless otherwise provided for by this title or as a condition of approval of a permit. Site plan and design review shall also apply to all conditional uses, cottage housing development, multi-family and non-residential uses in all zones. No building permit or other permit authorization for development shall be issued prior to site plan and design review approval. Parking lots and parking areas accessory to uses regulated by this chapter also shall require site plan and design review approval. Site plan and design review shall not alter the type and category of uses permitted in zoning districts.

Finding: Applicable. The applicant is proposing development of property in the Mixed Use Corridor MUC-1 zone and has applied for Site Plan and Design Review approval pursuant to this section.

17.62.035 Minor site plan and design review.

Finding: Not applicable. The proposed development does not qualify for a Minor Site and Design Review application.

17.62.040 Plans required.

Finding: Complies as proposed. The applicant has submitted all requested application items pursuant to sections A-K of this section as applicable and their application was deemed complete on July 24, 2014. The complete application is attached as Exhibit 2a and 2b. Additional materials (Exhibits 2d) were prepared following the initial determination, and the application was transmitted for public notice and comment a second time as described earlier in this report.

17.62.050 Standards.

- A. All development shall comply with the following standards:*

- 1. Landscaping,*

The standards of this section address the quantity, quality and type of required landscaping. A minimum of fifteen percent of the lot shall be landscaped. Existing native vegetation shall be retained to the maximum extent practicable. All plants listed on the Oregon City Nuisance Plant List shall be removed from the site prior to issuance of a final occupancy permit for the building.

a. Except as allowed elsewhere in the zoning and land division chapters of this Code, all areas to be credited towards landscaping must be installed with growing plant materials. A reduction of up to twenty-five percent of the overall required landscaping may be approved by the community development director if the same or greater amount of pervious material is incorporated in the non-parking lot portion of the site plan (pervious material within parking lots are regulated in OCMC 17.52.070).

b. Pursuant to Chapter 17.49, landscaping requirements within the Natural Resource Overlay District, other than landscaping required for parking lots, may be met by preserving, restoring and permanently protecting native vegetation and habitat on development sites.

c. The landscaping plan shall be prepared by a registered landscape architect and include a mix of vertical (trees and shrubs) and horizontal elements (grass, groundcover, etc.) that within three years will cover one hundred percent of the Landscape area. No mulch, bark chips, or similar materials shall be allowed at the time of landscape installation except under the canopy of shrubs and within two feet of the base of trees. The community development department shall maintain a list of trees, shrubs and vegetation acceptable for landscaping.

d. For properties within the Downtown Design District, or for major remodeling in all zones subject to this chapter, landscaping shall be required to the extent practicable up to the ten percent requirement.

e. Landscaping shall be visible from public thoroughfares to the extent practicable.

f. Interior parking lot landscaping shall not be counted toward the fifteen percent minimum, unless otherwise permitted by the dimensional standards of the underlying zone district.

Finding: Complies as proposed. The landscape plan for this project has been designed to create a pleasing year-round environment for residents and to be an asset to the overall Oregon City community. All proposed plantings have been selected in accordance with the City's requirement in terms of sizing and spacing.

Plantings within the project are diverse in terms of colors, texture, and deciduous/versus evergreen plant material. Interior spaces within the project provide open, multi-use recreation spaces for tenants.

The applicant's landscaping plan sheets L1 through L5 were prepared by Steven Shapiro, ASLA, an Oregon registered Landscape Architect. The site is not within the Natural Resources Overlay District or within the Downtown Design District.

The landscaping plan indicates that 200 landscaping trees will be planted throughout the site, including 20 mitigation trees (See Chapter 17.41 findings). According to the applicant's plans, landscaping trees include Street Trees planted in the public right-of-way, on-site landscaping trees not in parking lots, and trees planted in and around parking lots.

The total site area is calculated to be 369,496 square feet. Excluding interior parking lot landscaping, the proposed landscaping totals 120,350 square feet or 32% of the site, which exceeds the 15% minimum requirement for this section, as well as the minimum 20% landscaping requirement of the MUC-1 zone in section OCMC 17.29.050.

An automatic irrigation system will be provided in all landscaped areas.

2. Vehicular Access and Connectivity.

a. Parking areas shall be located behind buildings, below buildings, or on one or both sides of buildings.

Finding: Complies as proposed. With the exception of required on-street parallel parking all proposed parking areas are located internally within the blocks behind buildings and additionally shielded from view off the public way by landscaping. The parking for building C1 also complies with parking on one side of the building set off the street and buffered by planted areas.

b. Ingress and egress locations on thoroughfares shall be located in the interest of public safety. Access for emergency services (fire and police) shall be provided.

Finding: Complies as proposed. The applicant has proposed three access points from streets to parking lots or alleys. There is an access to a parking lot on Meyers Road (minor arterial) that is approximately 240 feet from the intersection with Beavercreek Road. The driveway spacing standard on a minor arterial is 175 feet.

There is an access to a parking lot on Street "A" (local street) that is approximately 100 feet from the intersection with Meyers Road. The driveway spacing standard on a local street is 25 feet. There is a third access that is at the end of Street "B" (local street). For further discussion on parking areas see section 17.52. Clackamas Fire District provided standard comments regarding the application and did not indicate any conflicts with the proposed access and egress points for the site (Exhibit 5b).

c. Alleys or vehicular access easements shall be provided in the following Districts: R-2, MUC-1, MUC-2, MUD and NC zones unless other permanent provisions for access to off-street parking and loading facilities are approved by the decision-maker. The corners of alley intersections shall have a radius of not less than ten feet.

Finding: Complies with Conditions. The applicant has proposed non-public alley loops to serve the parking areas throughout the site which meet the intent of this section. Access to private off-street parking and loading facilities are adequately provided for per the driveway design standards. The applicant has proposed two alley loops that connect to the end of Street "B". The alley loops are essentially parking lots behind building A1 and A3, similar to the parking lot behind building A2. The alley loops should be private parking lots with access easement for all the buildings abutting the parking lots, and for the public. **The Applicant can meet this standard through Engineering Condition of Approval 21.**

d. Sites abutting an alley shall be required to gain vehicular access from the alley unless deemed impracticable by the community development director.

Finding: Complies as proposed. See finding under (c) above.

e. Where no alley access is available, the development shall be configured to allow only one driveway per frontage. On corner lots, the driveway(s) shall be located off of the side street (unless the side street is an arterial) and away from the street intersection. Shared driveways shall be required as needed to accomplish the requirements of this section. The location and design of pedestrian access from the sidewalk shall be emphasized so as to be clearly visible and distinguishable from the vehicular access to the site. Special landscaping, paving, lighting, and architectural treatments may be required to accomplish this requirement.

Finding: Complies as proposed. All vehicular access to parking facilities is from the alley loops. See finding under (c) above.

f. Driveways that are at least twenty-four feet wide shall align with existing or planned streets on adjacent sites.

Finding: See section 12.04.025.

g. Development shall be required to provide existing or future connections to adjacent sites through the use of vehicular and pedestrian access easements where applicable. Such easements shall be required in addition to applicable street dedications as required in Chapter 12.04.

Finding: Not applicable. Future connection to adjacent sites will be accommodated through street dedications.

h. Vehicle and pedestrian access easements may serve in lieu of streets when approved by the decision maker only where dedication of a street is deemed impracticable by the city.

Finding: Complies with Conditions. See finding under (c) above and section 12.04.199 for pedestrian accessways. The applicant shall provide public access easements for the benefit of vehicle, bicycle and pedestrian access over all private alley loops for approval by the City Engineer.

i. Vehicular and pedestrian easements shall allow for public access and shall comply with all applicable pedestrian access requirements.

Finding: Complies with Conditions. See finding above under (c).

j. In the case of dead-end stub streets that will connect to streets on adjacent sites in the future, notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future.

Findings: Complies with Conditions. The applicant has proposed two dead-end stub streets that will be extended in the future. These two streets shall be posted that it is planned for future extension. **The Applicant can meet this standard through Engineering Condition of Approval 21.**

k. 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.

Finding: See findings under section 12.04.007.

3. Building structures shall be complimentary to the surrounding area.

All exterior surfaces shall present a finished appearance. All sides of the building shall include materials and design characteristics consistent with those on the front. Use of inferior or lesser quality materials for side or rear facades or decking shall be prohibited.

a. Alterations, additions and new construction located within the McLoughlin Conservation District, Canemah National Register District, and the Downtown Design District and when abutting a designated Historic Landmark shall utilize materials and a design that incorporates the architecture of the subject building as well as the surrounding district or abutting Historic Landmark. Historic materials such as doors, windows and siding shall be retained or replaced with in kind materials unless the community development director determines that the materials cannot be retained and the new design and materials are compatible with the subject building, and District or Landmark. The community development director may utilize the Historic Review Board's Guidelines for New Construction (2006) to develop findings to show compliance with this section.

b. In historic areas and where development could have a significant visual impact, the review authority may request the advisory opinions of appropriate experts designated by the community development director from the design fields of architecture, landscaping and urban planning. The applicant shall pay the costs associated with obtaining such independent professional advice; provided, however, that the review authority shall seek to minimize those costs to the extent practicable.

Finding: Complies as proposed. The site is not within any special design districts or any designated historic districts. With the exception of the high school, the surrounding area of the site is predominantly single- family residential construction with traditional northwest vernacular; lap, shingle and board and batten siding with trim and accent features reminiscent of the craftsman style. The proposed building elevations for this project will utilize fiber-cement siding with 2 lap siding reveal depths with board and batten accent areas. A complimentary color palette will enhance the siding types and help integrate and the project into and enhance the community landscape. Further findings for compliance with the adopted Multi-Family Design Standards and Material standards is provided later in this report.

4. Grading shall be in accordance with the requirements of Chapter 15.48 and the public works stormwater and grading design standards.

Finding: Complies with Conditions. The improvements are located in areas where the site that has approximately a six percent grade across the site. It is anticipated that cuts may be up to 6 feet, and retaining walls may be used around the stormwater facility. A preliminary geotechnical report submitted as part of the application indicates that the site can be developed as proposed, with respect to grading. Review for compliance with grading design standards will take place prior to construction plan approval. The Applicant is responsible for this project's compliance with Engineering Policy 00-01. **The Applicant can meet this standard through Engineering Conditions of Approval 1 and 3.**

5. Development subject to the requirements of the Geologic Hazard overlay district shall comply with the requirements of that district.

Finding: Not applicable. The site is not within the Geologic Hazard Overlay District.

6. Drainage shall be provided in accordance with city's drainage master plan, Chapter 13.12, and the public works stormwater and grading design standards.

Finding: See findings under Chapter 13.12 of this report.

7. Parking, including carpool, vanpool and bicycle parking, shall comply with city off-street parking standards, Chapter 17.52.

Finding: See findings under Chapter 17.52.

8. Sidewalks and curbs shall be provided in accordance with the city's transportation master plan and street design standards. Upon application, the community development director may waive this requirement in whole or in part in those locations where there is no probable need, or comparable alternative location provisions for pedestrians are made.

Finding: See findings under Chapter 12.04.007

Pedestrian Circulation System

9. A well-marked, continuous and protected on-site pedestrian circulation system meeting the following standards shall be provided:

- a. Pathways between all building entrances and the street are required. Pathways between the street and buildings fronting on the street shall be direct. Exceptions may be allowed by the director where steep slopes or protected natural resources prevent a direct connection or where an indirect route would enhance the design and/or use of a common open space.
- b. The pedestrian circulation system shall connect all main entrances on the site. For buildings fronting on the street, the sidewalk may be used to meet this standard. Pedestrian connections to other areas of the site, such as parking areas, recreational areas, common outdoor areas, and any pedestrian amenities shall be required.
- c. Elevated external stairways or walkways that provide pedestrian access to multiple dwelling units located above the ground floor of any building are prohibited. The community development director may allow exceptions for external stairways or walkways located in, or facing interior courtyard areas provided they do not compromise visual access from dwelling units into the courtyard.
- d. The pedestrian circulation system shall connect the main entrances of adjacent buildings on the same site.
- e. The pedestrian circulation system shall connect the principal building entrance to those of buildings on adjacent commercial and residential sites where practicable. Walkway linkages to adjacent developments shall not be required within industrial developments or to industrial developments or to vacant industrially-zoned land.
- f. On-site pedestrian walkways shall be hard surfaced, well drained and at least five feet wide. Surface material shall contrast visually to adjoining surfaces. When bordering parking spaces other than spaces for parallel parking, pedestrian walkways shall be a minimum of seven feet in width unless curb stops are provided. When the pedestrian circulation system is parallel and adjacent to an auto travel lane, the walkway shall be raised or separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised walkway is used, the ends of the raised portions shall be equipped with curb ramps for each direction of travel. Pedestrian walkways that cross drive isles or other vehicular circulation areas shall utilize a change in textual material or height to alert the driver of the pedestrian crossing area.

Finding: Complies with Conditions. In general the overall site plan complies with this standard with the exception of the following portions of the site, where pedestrian access is lacking:

- The large landscaped island situated between Buildings A3 and T2 - there is no common pedestrian path connection to Beaver Creek Road in this location. Pedestrian would be forced to walk in the vehicle drive aisles to traverse the property from southeast to northwest.
- The large landscaped island situated between Buildings A1 and T7 - there is no common pedestrian path connection to Beaver Creek Road in this location. Pedestrian would be forced to walk in the vehicle drive aisles to traverse the property from southeast to northwest.
- Between Buildings T6 and T7 - there is no common pedestrian path connection to Beaver Creek Road in this location;
- Between Buildings T1 and T2 - there is no common pedestrian path connection to Beaver Creek Road in this location.
- The proposed pathway between the west end of Public Street B to Beaver Creek Road between buildings T4 and T5 should be modified to a fully compliant public pedestrian and bicycle accessway. See section 12.04.199 for findings.

Pathways have been provided from all building entrances directly to the sidewalks located within the required rights-of-way. The Live/Work units in some instances have two pathways provided; one directly to the street with a short run of stairs to accommodate grade changes with a second path following grade providing an accessible route.

All main building entrances on site are interconnected through the pedestrian walkway system.

e. No adjacent developments exist; standard does not apply.

f. Proposed on-site pedestrian walkways will be hard surfaced and at least five feet wide and be visually distinguishable from adjoining surfaces. Wheel stops will be provided in parking areas where walkways are directly adjacent to parking spaces other than parallel spaces. All pedestrian walkways located along a public street will be separated from the auto travel lane by a minimum five foot landscape buffer. All walkways adjacent to internal parking areas shall be raised above the parking lot by a 6" curb. Pedestrian crossing areas shall be readily distinguishable to alert drivers of the crossing area.

Although staff finds that compliance is feasible, the applicant shall provide a revised plan set indicating common pedestrian path connections in the areas described in the bullet points above in order to provide safe and convenient pedestrian access throughout the site, with concurrent revisions to landscaping and civil plan sets. **See Planning Conditions of Approval 4 and 5.**

10. There shall be provided adequate means to ensure continued maintenance and necessary normal replacement of private common facilities and areas, drainage ditches, streets and other ways, structures, recreational facilities, landscaping, fill and excavation areas, screening and fencing, groundcover, garbage storage areas and other facilities not subject to periodic maintenance by the city or other public agency.

Finding: Complies as proposed. The applicant plans adequate maintenance of private improvements to the private grounds, including streets, drains and pathways.

11. Site planning shall conform to the requirements of OCMC Chapter 17.41 Tree Protection.

Finding: See findings under section 17.41.

12. Development shall be planned, designed, constructed and maintained to protect water resources and habitat conservation areas in accordance with the requirements of the city's Natural Resources Overlay District, Chapter 17.49, as applicable.

Finding: Not applicable. The site is not within the Natural Resources Overlay District.

13. All development shall maintain continuous compliance with applicable federal, state, and city standards pertaining to air and water quality, odor, heat, glare, noise and vibrations, outdoor storage, radioactive materials, toxic or noxious matter, and electromagnetic interference. Prior to issuance of a building permit, the community development director or building official may require submission of evidence demonstrating compliance with such standards and receipt of necessary permits. The review authority may regulate the hours of construction or operation to minimize adverse impacts on adjoining residences, businesses or neighborhoods. The emission of odorous gases or other matter in such quantity as to be readily detectable at any point beyond the property line of the use creating the odors or matter is prohibited.

Finding: Complies as proposed. Construction of all buildings is regulated Oregon City building code and compliance, Oregon City Engineering Policy 00-01 and other applicable nuisance code issues. Nothing within the application indicates that the application cannot comply with this standard.

Public Sewer and Water Facilities

14. Adequate public water and sanitary sewer facilities sufficient to serve the proposed or permitted level of development shall be provided. The applicant shall demonstrate that adequate facilities and services are presently available or can be made available concurrent with development. Service providers shall be presumed correct in the evidence, which they submit. All facilities shall be designated to city standards as set out in the city's facility master plans and public works design standards. A development may be required to modify or replace existing offsite systems if necessary to provide adequate public facilities. The city may require over sizing of facilities where

necessary to meet standards in the city's facility master plan or to allow for the orderly and efficient provision of public facilities and services. Where over sizing is required, the developer may request reimbursement from the city for over sizing based on the city's reimbursement policy and fund availability, or provide for recovery of costs from intervening properties as they develop.

Sanitary Sewer

Finding: Complies with Conditions. The applicant has proposed to construct a gravity sanitary sewer collection and conveyance system consisting of service laterals and mains. The system is proposed in city streets and in easements, and the proposed connection to the existing sanitary sewer system is at a manhole located at the end of Emerson Court. Portions of the proposed sewer mains are located in the existing Beaver Creek Road, and in the proposed streets Meyers Road, Street A and Street B. There are also sanitary sewer mains proposed in the private alleys and parking lots. The proposed layout does not extend the sewer mains along the Beaver Creek Road property frontage to the limits of the development in either direction as required. There is a substantial portion of the proposed collection system proposed in public easements that could instead be constructed in the City public right-of-way.

The following provides a summary of the findings and for more detailed findings, see the "Public Works Engineering File Memorandum, dated November 5, 2014, for SP 14-01 Staff Report Findings and Conditions for Sanitary Sewer and Water Service" – Exhibit 6b.

1. The adopted 2014 Sanitary Sewer Master Plan (SSMP), indicates that the land where the proposed development is located should be served from a future gravity sewer in Beaver Creek Road, and served within the Beaver Creek drainage basin. The SSMP studied the City's sewer needs to the City's Urban Growth Boundary and analyzed the City's trunk sewers making recommendations for upgrades and extensions to handle future growth and ultimate development within the Urban Growth Boundary. The SSMP includes the recommendation to collect and convey wastewater from future developments located on the east side of Beaver Creek Road to the Beaver Creek drainage basin.
2. The proposal is to change the discharge point and drainage basin, and convey the development's flows to the existing sewer system located on Glen Oak Road, and thus redefine the service areas of the sanitary sewer system within the Glen Oak basin. This effectively redirects the sanitary sewer flow from the proposed development to another drainage basin that was not planned to receive the flows. In addition, once the sanitary sewer is extended it is expected by future development to continue to be extended as far as it can. Therefore, the impact of the change of service area has a cascading affect that extends beyond the boundary of the development, which must be accounted for.
3. Based upon flow measurement and flow modeling the SSMP shows there are significant capacity deficiencies just downstream of Glen Oak Road on Highway 213, especially with buildout of planned developments upstream. Capital improvements in the form of upsizing pipes and infiltration and inflow (I/I) reductions are required to ensure the existing and future land developments have adequate sanitary sewer capacity within the service area.
4. The proposed change in the service boundary and the additional flow will further add to the capacity deficiencies. As part of the SSMP the effect of changing the service boundaries was modeled, and it showed there would be additional capacity issues along Glen Oak Road along with making the Highway 213 capacity issues increase. The model shows excessive surcharging, and an overflow on the Glen Oak sewers. The conclusion and recommendation of this analysis was that the best solution for the City was for the area in the proposed development to be served from Beaver Creek Road.
5. The long term strategy to address the capacity issues in the Glen Oak service area and along Highway 213 is to reduce the infiltration and inflow (I/I) coming into the sanitary sewer. The proposed service area change sends more flow into the existing sewer pipes instead of reducing flows, which is counter to the long term strategy. Furthermore, it is not clear that the development's additional flow can be accounted for with further reductions in I/I.
6. The topography of the proposed development appears to provide sufficient grade to be served by gravity sewers in either the Beaver Creek or Glen Oak basins. However, the land within the Glen Oak service can only be served by the Glen Oak basin. Changing the basin boundaries for this development

proposal exacerbates a known capacity problem and eliminates adequate public sanitary sewer service within the planned Glen Oak service area.

7. Sewer system upgrades are required to provide adequate sanitary sewer service. The SSMP modeling results, indicate routing the flows from this proposed development and adjacent properties to the Glen Oak basin requires capacity improvements in the Highway 213 collection system to manage the excessive surcharging and overflow conditions.

The sanitary sewer should be extended along Beaver Creek Road from Meyers Road to the south end of the development instead of being located in an easement within private parking lots. The relocated main shall be 8-inches in diameter, instead of the 15-inch diameter main identified in the 2014 Sanitary Sewer Master Plan Update. The 15-inch diameter main cannot be designed correctly at this time with regard to alignment or elevation since the downstream portion of the main has not been designed or constructed yet. However, the 8-inch main shall be designed to accommodate a connection to the future 15-inch main as it is extended within Beaver Creek Road to the subject property.

The portion of the pipe along Beaver Creek Road that is north of Meyers Road cannot be constructed at this time as it is downstream, and cannot be connected to an existing sanitary sewer at this time. Therefore, the applicant shall pay cash-in-lieu of this portion of the 8-inch pipe.

The pipe in Beaver Creek Road shall be located within the street section per the City Design Standards with adjustments made for the location of existing utilities.

The connection to the existing sanitary sewer system shall be made on Meyers Road instead of the easement off of Emerson Court. This will allow the pipe on Beaver Creek Road to be constructed such that it flows north for the entire length and can be transferred to the future 15-inch main in Beaver Creek Road.

The applicant will need to address the impacts in the Glen Oaks Sewer Basin due to additional and un-planned flows resulting from this development. The specific improvements required, the estimated cost of the improvements and the applicant's portion of the improvements has been documented in the Public Works Engineering File Memorandum (November 5, 2014). The applicant will be required to pay a fee-in-lieu for their portion of the required improvements equal to \$545,000.

The applicant shall sign a Non-Remonstrance Agreement for the subject property for the purpose of making sanitary sewer, storm sewer, water or street improvements in the future that benefit the Property and assessing the cost to benefited properties pursuant to the City's capital improvement regulations in effect at the time of such improvement; this includes paying the document recording fee.

The applicant is responsible for this project's compliance with Engineering Policy 00-01.

The Applicant can meet this standard through Engineering Conditions of Approval 1, 2, 3, 9, 10, 34, 35, 36 and 37.

Water Facilities

Finding: Complies with Conditions. There are two existing water mains in Beaver Creek Road. One is a 16 inch diameter main owned by the City of Oregon City operating pressure that is less than 40 psi at the site. This operating pressure does not provide the minimum standard service pressure required to serve the proposed development with two or three story buildings. There is also a waterline owned by Clackamas River Water (CRW) that also has an average operating pressure that is less than 40 psi at the site. This operating pressure does not provide the minimum standard service pressure required to serve the proposed development with two or three story buildings. CRW's water system includes a pump station and higher pressure zone (Beaver Creek pressure zone) located approximately 800 feet south of the development site on Beaver Creek Rd at Glen Oak Rd. The Beaver Creek pressure zone has an average operating pressure that can provide the minimum standard service pressure to the development. The proposed development is within the City of Oregon City service area.

The applicant has proposed to construct a standard distribution system that is looped where possible and extended to the boundary of the development. A water service will be provided to each building, and a separate

meter would be provided to the community center and the irrigation system. The water mains are shown to be located in public right-of-way (ROW) as well as in easements.

The applicant has shown a water main parallel to Beaver Creek Road located in an easement in the alley loops. Water services for the buildings along Beaver Creek Road have been shown coming off of this line. This water main is not required, and the water services should be adjusted such that they come from the proposed new water main on Beaver Creek Road. The water meters should also be located on Beaver Creek Road.

The applicant has proposed to connect to the CRW water facilities on Beaver Creek Rd at Glen Oak Rd off the Beaver Creek pressure zone.

CRW Commissioners met on September 22, 2014, at CRW Work Session and discussed the Beaver Creek Apartments request for water service (See CRW Comments in Exhibit 5a). CRW's Beaver Creek pressure zone has sufficient water pressure and volume to meet the requirements of the development, and CRW is willing to supply the water under certain conditions. The conditions are:

1. The execution of an intergovernmental agreement (IGA) between the City and CRW providing the terms and conditions of water service to the proposed development.
2. The applicant shall be responsible for all costs associated with the design and construction of approximately 800 feet of 12-inch water line and a master meter, pipe and vault assembly sized to meter a combination of domestic and fire flow. The cost would include hydraulic modeling by CRW as well as review and inspection.
3. Once constructed and accepted the water distribution system would be donated to the City to be maintained and operated.
4. The master meter and vault assembly would be donated to CRW to be operated and maintained.

The master meter assembly will need to be sized for both domestic use and fire flow with accurate readings.

For further detailed findings, see the "Public Works Engineering File Memorandum, dated November 5, 2014, for SP 14-01 Staff Report Findings and Conditions for Sanitary Sewer and Water Service" – Exhibit 6b.

If these requirements can be met, then there will be an adequate water supply for the proposed development.

Clackamas Fire District #1 reviewed the proposal for compliance with the Oregon Fire Safety Code and provided comments (Exhibit 5b). Fire hydrant locations shall be adjusted as required to meet the Clackamas Fire District requirements.

The applicant shall sign a Non-Remonstrance Agreement for the subject property for the purpose of making sanitary sewer, storm sewer, water or street improvements in the future that benefit the Property and assessing the cost to benefited properties pursuant to the City's capital improvement regulations in effect at the time of such improvement; this includes paying the document recording fee.

The applicant is responsible for this project's compliance with Engineering Policy 00-01.

Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with Engineering Conditions of Approval 1, 2, 3, 4, 5, 6, 7, 8, 38 and 39.

15. Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit facilities shall be provided and be consistent with the city's transportation master plan and design standards and this title. Consideration shall be given to the need for street widening and other improvements in the area of the proposed development impacted by traffic generated by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, street drainage facilities and other facilities needed because of anticipated vehicular and pedestrian traffic generation. Compliance with [Chapter] 12.04, Streets, Sidewalks and Public Places shall be sufficient to achieve right-of-way and improvement adequacy.

Finding: Complies with Conditions. See section 12.04.007 of this report.

16. If a transit agency, upon review of an application for an industrial, institutional, retail or office development, recommends that a bus stop, bus turnout lane, bus shelter, accessible bus landing pad, lighting, or transit stop connection be constructed, or that an easement or dedication be provided for one of these uses, consistent with an agency adopted or approved plan at the time of development, the review authority shall require such improvement, using designs supportive of transit use. Improvements at a major transit stop may include intersection or mid-block traffic management improvements to allow for crossings at major transit stops, as identified in the transportation system plan.

Finding: See findings under OCMC 12.04.060. Tri-Met comments are provided in Exhibit 5e.

17. All utility lines shall be placed underground.

Finding: Complies as proposed. All utilities are proposed to be placed underground.

18. Access and facilities for physically handicapped people shall be incorporated into the site and building design consistent with applicable federal and state requirements, with particular attention to providing continuous, uninterrupted access routes.

Finding: Complies as proposed. Compliance with ADA requirements for accessibility by the disabled is reviewed at the time of building permit submittal. ADA standards are followed in the site design of the proposed development.

19. For a residential development, site layout shall achieve at least eighty percent of the maximum density of the base zone for the net developable area. Net developable area excludes all areas for required right-of-way dedication, land protected from development through Natural Resource or Geologic Hazards protection, and required open space or park dedication.

Finding: Not applicable. The maximum density of the mixed-use corridor base zone, MUC-1, is not specified in the Oregon City Municipal Code. Instead, the number of residential units on the site is affected by other site plan and design review standards, including but not limited to minimum and maximum building height, minimum landscaping requirements, minimum and maximum number of parking spaces, and the adequacy of public facilities such as sewer, water, stormwater and transportation system capacity.

20. Screening of Mechanical Equipment:

Finding: Complies with Conditions. Compliance with this section could not be determined based on the submitted site plans. The applicant indicates that if mechanical equipment is located on the roof; screening measures complying with this section will be included to fully conceal the equipment with materials used on the primary façade in a way that coordinates with the buildings architectural design. No through-wall mechanical units are planned for this project. If meters are installed in groups on the building's exterior, they will be properly screened from view through the use of plantings or a sight-obscuring enclosure constructed of one of the primary materials used on the primary façade of the building. Any ground mounted above-grade mechanical equipment shall be screened in a way consistent with this code section and as approved by the community development director and utility provider. All currently proposed and future mechanical equipment shall comply with the standards of this section. No solar energy panels, photovoltaic equipment or wind power generating equipment is proposed. Prior to issuance of a Building Permit, the applicant shall confirm to the satisfaction of the Planning Director that screening of mechanical equipment conforms as the applicant has proposed. Revised or supplemental plans indicating the appropriate screening shall be submitted if required by the Planning Director. **See Planning Condition of Approval 6.**

21. Building Materials.

Finding: Complies as proposed. According to the applicant's plans and materials board submittal, the building materials will fully comply with this section. a. Proposed building materials for this project include fiber-cement lap siding and fiber-cement board and batten siding. b. None of the listed prohibited materials are proposed for use with this project. c. 1. Concrete block may be selected for use in the construction of the trash enclosures. If so they will be the split-face style blocks with a color tint. 2. No metal siding has been proposed. 3. No EIFS is

proposed. 4. All fiber-cement and trim work to be painted prior to completion for full weatherization. All exterior surfaces shall be maintained by the property manager to prevent deterioration.

22. Conditions of Approval.

The review authority may impose such conditions as it deems necessary to ensure compliance with these standards and other applicable review criteria, including standards set out in city overlay districts, the city's master plans, and city public works design standards. Such conditions shall apply as described in Sections 17.50.310, 17.50.320 and 17.50.330. The review authority may require a property owner to sign a waiver of remonstrance against the formation of and participation in a local improvement district where it deems such a waiver necessary to provide needed improvements reasonably related to the impacts created by the proposed development. To ensure compliance with this chapter, the review authority may require an applicant to sign or accept a legal and enforceable covenant, contract, dedication, easement, performance guarantee, or other document, which shall be approved in form by the city attorney.

Finding: Appropriate conditions of approval have been attached to ensure compliance with the applicable review criteria (Exhibit 1).

17.62.055 Institutional and commercial building standards.

A. Purpose.

The primary objective of the regulations contained in this section is to provide a range of design choices that promote creative, functional, and cohesive development that is compatible with surrounding areas. Buildings approved through this process are intended to serve multiple tenants over the life of the building, and are not intended for a one-time occupant. The standards encourage people to spend time in the area, which also provides safety through informal surveillance. Finally, this section is intended to promote the design of an urban environment that is built to human scale by creating buildings and streets that are attractive to pedestrians, create a sense of enclosure, provide activity and interest at the intersection of the public and private spaces, while also accommodating vehicular movement.

B. Applicability.

In addition to Section 17.62.050 requirements, institutional and commercial buildings shall comply with design standards contained in this section.

Finding: The applicant has addressed the requirements for commercial use in several other areas of their application, including required setbacks for commercial, live-work and residential structures in the MUC-1 zone. Additionally, a separate narrative on live-work units was submitted (Exhibit 2.a.vi) to show how the proposal fits the intent of the Beavercreek Road Concept Plan and Mixed Use Corridor zone.

Since the ground floor live-work units facing public streets are intended to provide commercial business opportunities, compliance with this section is required.

C. Relationship between zoning district design standards and requirements of this section.

- 1. Building design shall contribute to the uniqueness of the underlying zoning district by applying appropriate materials, elements, features, color range and activity areas tailored specifically to the site and its context.*
- 2. A standardized prototype or franchise design shall be modified if necessary to meet the provisions of this section.*
- 3. In the case of a multiple building development, each individual building shall include predominant characteristics, architectural vocabulary and massing shared by all buildings in the development so that the development forms a cohesive place within the underlying zoning district or community.*
- 4. With the exception of standards for building orientation and building front setbacks, in the event of a conflict between a design standard in this section and a standard or requirement contained in the underlying zoning district, the standard in the zoning district shall prevail.*
- 5. 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. For sites with less than one hundred feet of street frontage, at least fifty 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 D.*

Finding: Complies with Conditions. The applicant has proposed appropriate materials, elements, features, color ranges and activity areas tailored to the unique site. The applicant has clearly designed the development to promote an urban, pedestrian friendly and walkable environment as envisioned in the Beavercreek Road Concept Plan and as conditioned in the 2010 zone change to MUC-1. This is a multiple building development that includes predominant characteristics, architectural vocabulary and massing shared by all building in the development. There are no conflicts identified between the underlying zone district and the requirements of this section. All public street frontages exceed one hundred feet, and the applicant has provided dimensions and plans indicating where the setbacks exceed the five-foot maximum, and has proposed additional pedestrian amenities in those locations in order to allow for the slightly increased setbacks. There is only one location where the number of pedestrian amenities appears lacking or has not been clearly indicated on the applicable plans. This locations is the northern corner of Building A1 where the setback exceeds 20' at the corner. The applicant shall provide a minimum of three amenities selected from list D1. Below in this area on the revised building plans prior to issuance of a building permit. **See Planning Condition of Approval 7.**

D. Relationship of Buildings to Streets and Parking.

1. Buildings shall be placed no farther than five feet from the front property line. A larger front yard setback may be approved through site plan and design review if the setback area incorporates at least one element from the following list for every five feet of increased setback requested:

- a. Tables, benches or other approved seating area.*
 - b. Cobbled, patterned or paved stone or enhanced concrete.*
 - c. Pedestrian scale lighting.*
 - d. Sculpture/public art.*
 - e. Fountains/Water feature.*
 - f. At least twenty square feet of landscaping or planter boxes for each tenant facade fronting on the activity area.*
 - g. Outdoor café.*
 - h. Enhanced landscaping or additional landscaping.*
 - i. Other elements, as approved by the community development director, that can meet the intent of this section.*
- 2. The front most architecturally significant facade shall be oriented toward the street and shall be accessed from a public sidewalk. Primary building entrances shall be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico in order to provide shelter from the summer sun and winter weather.*
- 3. Entryways. The primary entranceway for each commercial or retail establishment shall face the major street. The entrance may be recessed behind the property line a maximum of five feet unless a larger setback is approved pursuant to Section 17.62.055.D.1 and shall be accessed from a public sidewalk. Primary building entrances shall be clearly defined, highly visible and recessed or framed by a sheltering element including at least four of the following elements, listed below.*
- a. Canopies or porticos;*
 - b. Overhangs;*
 - c. Recesses/projections;*
 - d. Arcades;*
 - e. Raised corniced parapets over the door;*
 - f. Peaked roof forms;*
 - g. Arches;*
 - h. Outdoor patios;*
 - i. Display windows;*
 - j. Architectural details such as tile work and moldings which are integrated into the building structure and design;*
 - k. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.*
 - l. Planter boxes and street furniture placed in the right-of-way shall be approved for use according to materials, scale and type.*
- 4. Where additional stores will be located in the large retail establishment, each such store shall have at least one exterior customer entrance, which shall conform to the same requirements. (Ord. 01-1002 §2, 2001)*
- 5. Trellises, canopies and fabric awnings may project up to five feet into front setbacks and public rights-of-way, provided that the base is not less than eight feet at the lowest point and no higher than ten feet above the sidewalk. Awnings shall be no longer than a single storefront.*

Finding: Complies with Conditions. Located within the MUC-1 zone the proposed site plan includes Live/Work units. As such portions of this section will apply to the proposed plans. The proposed site plan has buildings located between 7 and 9 feet from the front property setback. This setback requires the incorporation

of one element from the list provided in this section to allow an additional 5 feet of setback for a total of 10 feet. Line item h, enhanced landscaping has been selected and is represented on the landscape plans included with this submittal. There is only one location where the number of pedestrian amenities appears lacking or has not been clearly indicated on the applicable plans. This location is the northern corner of Building A1 where the setback exceeds 20' at the corner. The applicant shall provide a minimum of three amenities selected from list D1. Below in this area on the revised building plans prior to issuance of a building permit. **See Planning Condition of Approval 7.**

E. Corner Lots.

For buildings located at the corner of intersections, the primary entrance of the building shall be located at the corner of the building or within twenty-five feet of the corner of the building. Additionally, one of the following treatments shall be required:

- 1. Incorporate prominent architectural elements, such as increased building height or massing, cupola, turrets, or pitched roof, at the corner of the building or within twenty-five feet of the corner of the building.*
- 2. Chamfer the corner of the building (i.e. cut the corner at a forty-five-degree angle and a minimum of ten feet from the corner) and incorporate extended weather protection (arcade or awning), special paving materials, street furnishings, or plantings in the chamfered area.*

Finding: Complies as proposed. The applicant has shown compliance with this section for all live-work units located in buildings located at public street intersections: this includes buildings T7, A1, A3, and the community center. The entrances to these buildings include the requirement prominent elements within 25 feet of the corner of the buildings in accordance with standards 1 and 2.

F. Commercial First Floor Frontage.

In order to ensure that the ground floor of structures have adequate height to function efficiently for retail uses, the first floor height to finished ceiling of new infill buildings in the mixed use and neighborhood commercial districts shall be no lower than fourteen feet floor to floor. Where appropriate, the exterior facade at the ceiling level of new structures shall include banding, a change of materials or relief which responds to the cornice lines and window location of existing buildings that abut new structures.

Finding: See finding in section 17.62.057(J) below for multi-family units located in mixed-use and commercial districts since the application includes a request for a modification to that standard to allow a 10-foot ceiling height.

G. Variation in Massing.

Finding: See finding in section 17.62.057(G) below for multi-family standards.

H. Minimum Wall Articulation.

Finding: See finding in section 17.62.057(G) below for multi-family standards.

I. Facade Transparency.

Finding: See finding in section 17.62.057(G) below for multi-family standards.

J. Roof Treatments.

Finding: See finding in section 17.62.057(G) below for multi-family standards.

17.62.057 MULTI-FAMILY STANDARDS.

A. Purpose.

The standards of this section are intended to promote high-quality multi-family residential development and construction; encourage visual variety and architectural compatibility; and promote an integrated character with Oregon City's existing neighborhoods. Specifically, the standards shall:

- 1. Promote architectural variety that adds visual interest to the neighborhood.*

2. Reduce the apparent bulk and scale of large buildings.
3. Provide for a variety of housing types for a range of households and age groups.
4. Enhance public safety, residential streetscape and the pedestrian environment by diminishing the prominence of garages and parking areas.
5. Improve the compatibility of multi-family residential development with the residential character of surrounding neighborhoods.
6. Promote the use of durable materials that which are appropriate for multi-family residential use and which reduce long-term maintenance costs and depreciation.

Finding: The proposed project includes both traditional multi-family residential units as well as Live/work commercial units; the standards of this section apply to the proposed project.

B. Applicability.

In addition to Section 17.62.050 requirements, all multi-family buildings shall comply with the design standards contained in this section. Cottage Housing Development shall follow OCMC 17.62.58 instead of this section.

Finding: See discussion under section for compliance with Section 17.62.050, the following outlines compliance with the remainder of this section.

C. Setbacks.

Multi-family developments shall be placed no farther than twenty feet from the front property line. A deeper front yard setback may be approved through site plan and design review if the setback area incorporates enhanced pedestrian spaces and amenities, including but not limited to, street furniture, public art or other such deliberately shaped area and/or a feature or amenity that, in the judgment of the community development director, integrates well with adjoining areas. Setbacks may also be increased in order to protect wildlife habitat and water resources pursuant to Section 17.49.100F., and trees and tree groves pursuant to and Section 17.41.120A.

Finding: Complies with condition. All street-facing ground-floor units (with the exception of the two units of building C1) are live/work units and in combination with the requirements of Section 17.62.055 the average setback of all buildings is seven to nine feet. The setback was chosen to satisfy both the five-foot maximum setback of the commercial standards and the twenty-foot maximum of this section. An additional five-foot setback allowance per Section 17.62.055.D (by incorporating enhanced landscaping of 20 square feet per entrance) allows the proposed setback distance shown in the submitted plans. The selected setback not only meets the code requirements but also provides a more intimate pedestrian experience while maintaining enough privacy for the residential portion of the units.

The applicant has proposed to provide pedestrian amenities through the Site Plan and Design Review process as permitted under section 17.62.055 in order to increase these the setbacks proposed in these areas, but has not identified the type or extent of the stated amenities on the submitted landscaping and site plans.

There is only one location where the number of pedestrian amenities appears lacking or has not been clearly indicated on the applicable plans. This location is the northern corner of Building A1 where the setback exceeds 20' at the corner. The applicant shall provide a minimum of three amenities selected from list 17.62.055.D.1. in this area on the revised building plans prior to issuance of a building permit, and clearly indicate on the revised building and landscaping plans the number and type of pedestrian amenities in all locations exceeding 5' setback. **See Condition of Approval 7.**

D. Entrances.

Every building abutting a street shall have a street facing front facade. The facade shall be oriented to the street and include windows, doorways, and a structured transition from public to private areas using built elements such as porch features, arbors, low walls, trellis work and/or similar elements integrated with planting.

Finding: Complies as proposed. The applicant has proposed buildings that have been specifically designed and located on the site to follow the street grid that has been created. The 'front' or prominent architectural façade of all buildings have been oriented towards the nearest public street and includes a variety of architectural features.

On the townhome units a combination of covered porch areas and planting beds provide interest and a visual transition between the public and private space.

The apartments are much larger structures and use the modulation of the live/work units at street level to break up the mass into a more human scale. The individual entrances to the live/work units are highlighted by their closer proximity to the street as well as the enhanced planting areas around each entrance. The main entrance into the interior corridor of the apartment buildings is centered in the building and is recessed from the street and defined by wider pathways, enhanced planting areas and covered entryway.

The Clubhouse and C1 building employ similar techniques; cover entryways, planting areas and street-facing glazing to provide well-defined building entries that enhance the visual sense of the transition from public to private areas.

E. Percentage of Frontage.

On sites with one hundred feet or more of street frontage at least fifty percent of the site frontage width shall be occupied by buildings placed within twenty feet from the property line, unless a greater setback is accepted under the provisions of Section 17.62.057C. For sites with less than one hundred feet of street frontage, at least forty percent of the site frontage width shall be occupied by buildings placed within twenty feet of the property line, unless a greater setback is accepted under the provisions of Section 17.62.056D.

Finding: Complies as proposed. By designating a block size that allows for all of the parking to be located internally behind the buildings the proposed plan easily provides the required frontage. With the exception of two sections along new public Street A and Street B where required community open space is located (noted in table below) all frontages are exceeded. Frontage has been calculated along Beavercreek Road, the Meyers Road extension, and along new public streets A and B as shown in applicant's the table below:

Section 17.62.057.E Multi-Family Standards				
Frontage Segment	Total Length	Building Frontage	Percentage	Notes
Beavercreek Road				
South of Meyers Road	726.69	520.5	71.63%	
North of Meyers Road	147.6	88.42	59.91%	
Meyers Road				
South side, Beavercreek to Street A	289.43	185	63.92%	
South side, Street A to North PL	50.74	44.94	88.57%	
North side				
Street A				
South Side, Meyers to Street B	334.65	225.93	67.51%	
South Side, Street B to East PL	225.42	220.8	97.95%	
North Side, Meyers to Street B	346.15	275.43	79.57%	
North Side, Street B to East PL	154.3	35	22.68%	A
Street B				
South Side, Alley Loop to Street A	189.26	120	63.40%	
South Side, Street A to East PL	133.87	96.5	72.08%	
North Side, Alley Loop to Street A	189.26	0	0.00%	A
North Side, Street A to East PL	188.95	120	63.51%	
Notes				
A. Required community recreation/open space located within street frontage area.				

F. Pedestrian Circulation.

1. Pathways between dwelling units entrances and the street are required. Such pathways between the street and buildings fronting on the street shall be in a straight line. Exceptions may be allowed by the director where steep slopes prevent a direct connection or where an indirect route would enhance the design and/or use of a common open space.

2. *The pedestrian circulation system shall connect all main entrances on the site. For townhouses or other residential units fronting on the street, the sidewalk may be used to meet this standard. For multiple-family developments, pedestrian connections to other areas of the site, such as parking areas, recreational areas, common outdoor areas, and any pedestrian amenities shall be required.*

3. *Elevated external stairways or walkways, which provide pedestrian access to dwelling units located above the ground floor are prohibited. The community development director may allow exceptions for external stairways or walkways located in, or facing interior courtyard areas provided they do not compromise visual access from dwelling units into the courtyard.*

Finding: Complies with Conditions. Pathways have been provided from all building entrances directly to the sidewalks located within the required right-of-ways. The Live/Work units in some instances have two pathways provided; one directly to the street with a short run of stairs to accommodate grade changes with a second path following grade providing an accessible route.

Pedestrian pathways are provided throughout the site to allow access from any point on the site to all public amenities. All building entries and exits are connected directly to the sidewalk along the street which is used predominantly used to meet this standard.

No elevated external stairways or walkways are proposed; standard (3) does not apply.

Generally the site provides good pedestrian circulation except as described in the findings under section 17.62.050.(A).(9). **See Planning Condition of Approval 4.**

G. Architectural and Material Standards.

Building articulation and modulation - multifamily residential buildings and residential portions of mixed-use buildings. An alternative to the standards in subsection G. below may be approved by the community development director if the design is consistent with the intent of the standards and a specific architectural or building use exists that prohibits the full implementation of the standard.

1. Articulation and modulation of buildings is essential in providing the ability for new buildings to be compatible with the surrounding commercial and residential development. All residential buildings and residential portions of mixed-use buildings shall include at least three of the following modulation and/or articulation features at intervals of no more than thirty feet along all facades facing a street, common open space, and common parking areas:

a. *Repeating distinctive window patterns at intervals less than the required interval. Vertical building modulation. Minimum depth and width of modulation is thirty-six inches and four feet (respectively) if tied to a change in color or building material and/or roofline modulation. Otherwise, minimum depth of modulation is ten feet and minimum width for each modulation is fifteen feet. Balconies may not be used to meet modulation option unless they are recessed or projected from the facade and integrated with the building's architecture as determined by the community development director, balconies that appear to be "tacked on" to the facade will not qualify for this option.*

b. *Horizontal modulation (upper level step-backs). The minimum horizontal modulation for buildings higher than two stories shall be five feet. A dormer- set five feet back from the front facade-is an example of an acceptable horizontal modulation.*

c. *Articulation of the building's top, middle, and bottom. This typically includes a distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline.*

Finding: Complies as proposed. A number of elements have been included in the design of the proposed buildings in order to meet the articulation and modulation requirements. The apartment buildings have both vertical and horizontal modulation which contributes to the visual articulation of the ground floor, middle floors and roof line. With the live/work units on the ground floor, a portion of all the units are a full five feet in front of the floor above and neighboring wall sections with distinct window and door appearance which defines this portion of the structure. The middle floors are also vertically modulated in a semi-repetitive way at every 12' structural bay; balconies provide modulations that are deeper and wider than the 3 foot by 4 foot minimum and are incorporated into the overall massing, not tacked on. The modulation of the upper floors is what allows for a distinctive roofline that is modulated to follow the building below. The roof has been standardized for constructability while still maintaining a symmetrical design that provides breaks in the plane at roughly twenty-foot intervals. Gables are located along the roofline to provide additional visual breaks and are paired

with the locations of the horizontal modulation of the live/work units at the ground floor to add additional emphasis to these units.

The Townhomes follow many of the same techniques as the apartments. The ground floor area facing the street of all the units are to function as live/work spaces and have been designed with covered porch structures at the ground floor. These structures extend five feet out beyond the walls behind them and create the distinct visual articulation of the ground floor. The middle floors also include vertical modulation and repetitive window patterns to define this section of the building, and the roof line matches this modulation to create a distinctive roof line; completing the articulation requirements.

2. Maximum facades width.

Buildings visible from the street must use design techniques to break up long continuous building walls, reduce the architectural scale of the building, and add visual interest. Buildings exceeding one hundred twenty feet in width along the street front shall be divided by a thirty-foot wide modulation of the exterior wall, so that the maximum length of a particular facade is one hundred twenty feet. Such modulation must be at least twenty feet or deeper and extend through all floors. Decks and roof overhangs may encroach up to three feet (per side) into the modulation. The director will consider other design methods that are effective at reducing the perceived width of the building. Examples could include a combination of vertical and/or horizontal building modulation with a change in building materials or finishes, a clear change in building articulation and/or fenestration technique.

Finding: Complies as proposed. The majority of the buildings will be visible from either an existing street or a proposed new public street. The townhome buildings have been designed in three configurations, 3-unit, 4-unit and 6-unit buildings, with the longest being 96'-3" wide and as such meet the requirements of this section.

The apartment buildings do exceed the 120-foot maximum and have been designed to provide the required modulation to break up the continuous building. The buildings have been designed in two wings that meet at the main building entry at the center of the building. At 20 feet deep and 36.5 feet wide this main entry area is what provides the required modulation to break the wings into 120-foot lengths.

3. Roofline standards.

a. Single purpose residential buildings in residential districts must provide a pitched roof with minimum 6:12 roof pitch. The maximum width of any continuous roofline shall be thirty-five feet for single purpose residential buildings. Alternative roof designs will be considered provided design elements are included to help the building and its roofline fit into the site's context.

b. Mixed use buildings and stand-alone residential in commercial districts shall incorporate a roofline modulation. Specifically: For flat roofs or facades with a horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of two feet or 0.1 multiplied by the wall height (finish grade to top of wall). The maximum length of any continuous roofline shall be seventy-five feet.

c. Other roof forms consistent with the design standards herein may satisfy this standard if the individual segments of the roof with no change in slope or discontinuity are less than forty feet in width (measured horizontally).

Finding: Complies as proposed. The proposed rooflines of the buildings are a 6:12 slope throughout the project. By following the vertical modulation of the buildings as described in the previous sub-section the roofline has been visually broken into sections less than 35 feet measured horizontally.

H. Diversity of building types.

Multi-building developments of four or more buildings shall be required to provide different architectural designs to provide interest and variety. This is particularly important where multiple buildings front on the same street. Simple changes in building colors or reversal of basic facade designs are not sufficient to comply with this standard. Consider changes in vertical and/or horizontal articulation, fenestration, building materials, architectural style, and/or roof design.

Finding: Complies as proposed. The site plan includes a total of 13 proposed buildings comprised of 7 total building types. Three of the buildings are 3-story stacked-flat style buildings that share a similar appearance, the community center and building C1 are unique building types and the remaining 8 buildings are townhomes that are configured as 3-unit, 4-unit, 4-unit/jogged, and 6-unit buildings. Building placement along Beavercreek Road was important with the frontage exceeding 700 feet; the multiple townhome configurations were developed and placed strategically to ensure a varied look along this prominent public way. Color

configurations and the combination of siding reveal changes and other material variations, as well as landscaping, will provide additional diversity.

I. Diversity of unit types.

Multifamily buildings with more than twenty-five units are required to provide a diversity of housing types to allow for a range of households and age groups. Unit types are defined as the following:

Studio, one-bedroom, two-bedroom and three-bedroom units or an ADA accessible master bedroom and bathroom (ground floor or elevator access).

1. Developments of twenty-five to fifty units must provide two unit types representing a minimum of ten percent of the total units per unit type.

2. Developments of fifty-one to seventy-five units must provide three unit types representing a minimum of ten percent of the total units per unit type.

3. Developments of seventy-six units and above must provide four unit types representing a minimum of ten percent of the total units per unit type.

Finding: Complies as proposed. With 180 total units on site the code requirement for unit diversity for this project is four unit types representing a minimum of ten percent of the total units per type. The applicant provided a table (copied below) which provides the proposed unit counts of the project and demonstrates that in addition to 4 unit types of at least ten percent there are 2 additional unit types for a total of 6 unit types in the project. This does not include the Type A accessible units which would provide additional unit types.

17.62.057.I Multi---Family Standards--- Unit Type Diversity			
Unit Type		Quantity	Percentage
1---Bed/1---Bath Stacked Flat Units		58	31.69%
2---Bed/2---Bath Stacked Flat Units		47	25.68%
3---Bed/2---Bath Stacked Flat Units		10	5.46%
5---Bed/5---Bath Stacked Flat Units		6	3.28%
Total Stacked Flat Apartment Units		121	
Studio Live/Work Stacked Flat Units		11	6.01%
2---Bed/2---Bath Live/Work Stacked Flat Units		15	8.20%
Total Stacked Flat Apartment Live/Work Units		26	14.21%
3---Bed/2---Bath Live/Work Townhomes		33	18.33%
Total Units on Site		180	

J. Raised Ground Floor.

This is particularly important when dwelling units are within fifteen feet of a sidewalk or common parking area or for buildings in established neighborhoods that have an established pattern with raised dwelling units.

Where ground floor residential uses are permitted on the ground floor in commercial districts, developments shall incorporate a thirteen-foot tall ground floor height to allow future conversion to commercial uses where desirable. Such projects can utilize a false floor thirty-six inches above the ground for residential uses to increase residents' privacy.

Finding: Complies as proposed. The applicant has proposed a modification to this standard. According to the applicant the proposed site is located within the MUC-1 zone which allows commercial uses, however it is not strictly a commercial district and is not in a neighborhood with an established pattern of raised dwelling units. Staff concurs. The proposal includes buildings that are located within 15 feet of the sidewalks, so with a combination of the requirements happening within the site it is unclear how this standard would apply.

The proposed live/work units at the ground floor in part solve the applicant's proposal as a solution to this section. With the live/work units the spaces at ground level there will not be a conversion to commercial use as the space already is a commercial use. Because the commercial function of the space is already being met within the proposed live/work units there is no likelihood of a future commercial tenant requiring 13-foot ceilings. Therefore the applicant has proposed a 10-foot ceiling on all ground floor units to promote the aesthetic look of a commercial use from the exterior while providing a more residential scale to the residential portions of those units. The applicant's narrative on live-work units (Exhibit 2.a.vi) shows that many, if not all, of the commercial businesses that operate in live-work structures do not require 13 foot ceilings as they are not required to have extensive HVAC systems that typically are the reason for 13 foot ceilings in commercial spaces.

Additionally, the live-work units are required to show compliance with the following supplementary zoning code provisions of OCMC 17.54.105, as discussed below.

17.54.105 - Live/work units.

Live/work units provide important flexibility by combining residential and commercial uses and allowing for commercial uses on the ground floor when the market is ready to support them. These standards apply to all new live/work units. Live/work units that conform to the standards will be approved as a Type II decision and a live/work permit will be granted for the property. For all zones where live/work units are permitted, the following standards shall apply. Conditions of approval may be implemented to ensure compliance with the standards through a Type II process.

Finding: Of the total 180 units on site 59 are proposed to be Live/Work units (33 townhome units and 26 ground floor stacked flat apartment units). As described in the code the Live/Work units were selected for use in the proposed site plan to meet the requirements of the MUC-1 zone and vision of the Beavercreek Road Concept Plan's mixed employment village by "providing flexibility by combining residential and commercial uses and allowing for commercial uses on the ground floor when the market is ready to support them".

The proposed unit plans and elevations of the live/work units along with their placement on site meet the code criteria as follows:

A. The ground floor business shall provide visibility, signage and access from the primary street. The building in which the live/work dwelling is located shall architecturally differentiate the ground floor commercial/office space from the rest of the building by meeting the following requirements:

- 1. The main front elevation shall provide at least fifty percent transparency at the pedestrian level through the use of a storefront window system. The transparency is measured in lineal fashion (for example, a twenty-five-foot long building elevation shall have at least twelve and one-half feet (fifty percent of twenty-five feet) of transparency in length).*
- 2. Windows shall begin thirteen to thirty inches above the sidewalk rather than continue down to street level. Large single paned windows over ten feet in width shall be divided into multiple panes to add human scale by dividing the vertical plane into smaller parts.*
- 3. Highly reflective or glare-producing glass with a reflective factor of .25 or greater is prohibited on all building façades. Exceptions to this prohibition may be granted for LEED certified buildings when documented as part of the application and requested as part of the land use application.*

Finding: Complies as proposed. All 59 live/work units on site face onto and are clearly visibly from either an existing or new primary street/public way with locations for signage provided individually for each unit. The main front elevation of the live/work space meets the 50% transparency requirement by utilizing a storefront system. Windows are located with the sill between thirteen and thirty inches above the sidewalk and shall not be highly reflective or glare-producing.

B. A live/work dwelling is allowed instead of, or in addition to, a home occupation as defined by OCMC Chapter 17.04. The business portion of the dwelling shall be limited to the ground floor and may not exceed fifty percent of the square footage of the entire dwelling, excluding the garage, or one thousand square feet, whichever is the smaller number.

Finding: Complies as proposed. The business portion of all 59 live/work units is limited to the ground floor and does not exceed fifty percent of the square footage of the unit. The business area of the units ranges from 175 to 300 square feet.

C. The primary entrance to the business must be located on the primary street frontage. Alley access is required to provide refuse and recycling service and residential parking. If alley access cannot be provided, an alternative parking and refuse and recycling service plan may be approved by the community development director if it meets the intent of the standards.

Finding: Complies as proposed. The 33 townhome units have primary business entrance oriented towards either Beavercreek Road or the Meyers Road extension with alley access for refuse and recycling service and residential parking. The 26 ground floor apartment live/work units have their primary business entrance facing onto the proposed new public streets A and B. The ground floor apartment units do not have alley access but are served by an internal corridor for residential access to and from parking and refuse services located behind the buildings as an alternate means of meeting the intent of separating business and residential functions of the unit.

D. The applicant must show that there is adequate on street or off-street parking for the proposed use. One parking space is required for every five hundred square feet of commercial, personal service, or office use or a portion thereof. For example, seven hundred square feet of commercial use requires two parking spaces. Adequate parking can be shown by meeting one of the following:

- 1. Shared Parking. Required parking may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature) or the live/work use is utilizing a parking space that is above the minimum parking requirement of the shared use, and that the shared parking facility is within one thousand feet of the potential uses, and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use.*
- 2. On-Street Parking. On-street parking dimensions for live/work units shall conform to the standards set forth in OCMC Section 17.52.010.C.*
- 3. Onsite Parking. Parking spaces are provided onsite and meet the requirements of OCMC Chapter 17.52—Offstreet Parking and Loading.*

Finding: Complies with Conditions. See findings under section 17.52.020.

E. The number of employees permitted onsite for employment purposes shall be limited to five persons at one time.

Finding: Complies as proposed. The number of employees shall be limited to five persons at one time.

F. The location of lots where live/work dwellings may be sited shall be specified on the subdivision plat (if applicable) and a deed restriction shall be placed on all units describing the restrictions placed upon these units. These include, but are not limited to, the following:

- 1. The work use shall not generate noise exceeding fifty-five-decibel level as measured at the lot line of the lot containing the live/work dwelling.*
- 2. No outside storage of materials or goods related to the work occupation or business shall be permitted. Solid waste associated with the work use shall be stored inside the building and can be set out no more than four hours before the solid waste pickup.*
- 3. No dust or noxious odor shall be evident off the premises.*
- 4. If the business is open to the public, public access must be through the front door and the business may not be open to clients or the public before seven a.m. or after eight p.m.*

Finding: Complies with Conditions. The applicant is aware that a restriction may be placed in the live-work units. Prior to issuance of a certificate of occupancy for any of the live-work units, the applicant shall record a deed restriction or other document prepared for approval by the City Attorney that includes the applicable restrictions of this section which shall be recorded with the County Recorder's office. Said document shall bind the owner, heirs and assigns in perpetuity unless extinguished with prior approval of the Oregon City Community Development Director. **See Condition of Approval 8.**

K. Building Materials.

All multifamily buildings shall be enhanced with appropriate details. Each of the types of details listed below are worth one point. Multifamily buildings must achieve the equivalent of five points worth of architectural details.

- 1. Decorative porch design with distinct design and use of materials.*

2. *Decorative treatment of windows and doors, such as decorative molding/framing details around all ground floor windows and doors, bay windows, decorative glazing, or door designs, and/or unique window designs.*
3. *Landscaped trellises or other decorative element that incorporates landscaping near the building entry or entries.*
4. *Decorative light fixtures with a diffuse visible light source, such as a globe or "acorn" that is non-glaring or a decorative shade or mounting for each building entry on the facade.*
5. *Brick or stonework covering more than fifteen percent of the facade.*
6. *Decorative building materials that add visual interest, including:*
 - a. *Individualized patterns or continuous wood details.*
 - b. *Decorative moldings, brackets, wave trim or lattice work.*
 - c. *Other materials with decorative or textural qualities as approved by the director. The applicant must submit architectural drawings and material samples for approval.*
7. *Decorative roofline design, including multiple gables and/or dormers, decorative parapet or other design that adds distinct visual interest.*
8. *Decorative railings, grill work, or terraced landscape beds integrated along the facade of the building.*
9. *Other details that meet the intent of the guidelines as approved by the director.*

Finding: Complies as proposed. To meet the required five points for multifamily building materials the proposed buildings have included the following architectural details from the provided list:

1. Decorative porches on the townhome buildings
2. Enhanced landscape beds at building entries.
3. Decorative light fixtures at each building entry
4. Decorative roof line with multiple gables
5. Decorative railings on apartment balconies.
6. Decorative trimwork at ground floor windows and doors.

L. Window Design.

1. *Transparent windows or doors facing the street are required. To meet this requirement, at least fifteen percent of the facade must be transparent. Transparency is measured at the first floor only.*
2. *All windows on all elevations shall recess or project individual windows at least two inches from the facade and incorporate window trim at least four inches in width that features color that contrasts with the base building color. Exceptions will be considered by the community development director where buildings employ other distinctive window or facade treatment that adds visual interest to the building.*

Finding: Complies with Conditions. The applicant indicates in their narrative that all windows in the project will be detailed to provide the required 2" recess from the façade and will be trimmed with either 4" or 6" trim that will be of a contrasting color to the building base color. Numerous windows and doors face on to the street and as measured at the first floor the transparency is as follows:

i. Apartments – main entry elevations = 62%

- side street facing façade = 58%

ii. Townhomes – street facing façade = 45%

The applicant did not provide a structural or architectural detail indicating the required 2" recess or projection from all facades for individual windows. Prior to issuance of a building permit for any building on the site, the applicant shall provide such details on the submitted building permit application and plan set, and demonstrate to the satisfaction of the Oregon City Building Official and Planning Director that such proposed recess or projection meets the requirement of this section. This detail shall apply to all facades of all building and shall not be altered except through a Type II process. **See Condition of Approval 9.**

M. Common Open Space Requirements.

1. *Intent. Creating areas of common open space that are easily accessed by residents provides focal points for community recreation and interaction and adds to the overall quality of life for residents. Given the environmental*

and recreational benefits of common open space, it should be integrated purposefully into the overall design of a development and not merely be residual areas left over after buildings and parking lots are sited.

Finding: Not applicable. The proposed multi-family development is located in a site that is zoned as MUC-1 and therefore does not fall subject to the requirements of the section per item 2. However, common open spaces have been provided to enhance to overall project with common open spaces centrally located to be easily accessible by residents and to create focal points within the site. An open space located halfway along the Beavercreek frontage provides a visual break in the buildings along Beavercreek and is aligned with new Street B to provide a pedestrian link into the site. Further down street B at the intersection with Street A is the major common open space located on the west corner of the intersection. The pool area located to the east of the community center also provides additional community recreation space.

N. Private Open Space.

1. Private Open Space Required. All new multi-family developments in all zones except for the Mixed Use Corridor, Neighborhood Commercial or Mixed Use Downtown Districts, shall set aside a private open space for the use and enjoyment of the development's residents.

Finding: Not applicable / complies as proposed. The proposed project located in an MUC-1 zone shall comply with the requirements of line item 2 of the section. With 183 proposed units the area for common and private open space required by this section is 50 square feet per dwelling unit, which equals 9,150 square feet. In addition to the private decks of the apartment units common open space has been provided as follows:

Common Open Space		
Beavercreek mid---block open space		3000
Meyers Road North corner open space		3500
Intersection of Street A and Street B open space		7000
Community center pool area and open space		3600
Open space between buildings A1 and T7		2700
Total Common Open Space Provided		19800

17.62.065 Outdoor lighting.

A. Purpose. The general purpose of this section is to require outdoor lighting that is adequate for safety and convenience; in scale with the activity to be illuminated and its surroundings; directed to the surface or activity to be illuminated; and designed to clearly render people and objects and contribute to a pleasant nighttime environment. Additional specific purposes are to:

- 1. Provide safety and personal security as well as convenience and utility in areas of public use or traverse, for uses where there is outdoor public activity during hours of darkness;*
- 2. Control glare and excessive brightness to improve visual performance, allow better visibility with relatively less light, and protect residents from nuisance and discomfort;*
- 3. Control trespass light onto neighboring properties to protect inhabitants from the consequences of stray light shining in inhabitants' eyes or onto neighboring properties;*
- 4. Result in cost and energy savings to establishments by carefully directing light at the surface area or activity to be illuminated, using only the amount of light necessary; and*
- 5. Control light pollution to minimize the negative effects of misdirected light and recapture views to the night sky.*

B. Applicability.

1. General.

- a. All exterior lighting for any type of commercial, mixed-use, industrial or multi-family development shall comply with the standards of this section, unless excepted in subsection B.3.*
- b. The city engineer/public works director shall have the authority to enforce these regulations on private property if any outdoor illumination is determined to present an immediate threat to the public health, safety and welfare.*

2. Lighting Plan Requirement.

All commercial, industrial, mixed-use, cottage housing and multi-family developments shall submit a proposed exterior lighting plan. The plan must be submitted concurrently with the site plan. The exterior lighting plan shall include plans and specifications for streetlights, parking lot lights, and exterior building lights. The specifications shall include details of the pole, fixture height and design, lamp type, wattage, and spacing of lights.

Finding: Complies as proposed. The applicant submitted a photometric plan indicating proposed lighting levels in foot-candles (plan sheet C8), along with manufacturer specification sheets for each of the LED lighting features to be installed on the site.

3. Excepted Lighting.

The following types of lighting are excepted from the requirements of this section.

- a. Residential lighting for single-family attached and detached homes, and duplexes.*
- b. Public street and right-of-way lighting.*
- c. Temporary decorative seasonal lighting provided that individual lamps have a light output of sixty watts or less.*
- d. Temporary lighting for emergency or nighttime work and construction.*
- e. Temporary lighting for theatrical, television, and performance areas, or for special public events.*
- f. Lighting for a special district, street, or building that, according to an adopted municipal plan or ordinance, is determined to require special lighting aesthetics as part of its physical character.*
- g. Lighting required and regulated by the Federal Aviation Administration.*

Finding: Not applicable. The applicant has not proposed excepted lighting.

C. General Review Standard. If installed, all exterior lighting shall meet the functional security needs of the proposed land use without adversely affecting adjacent properties or the community. For purposes of this section, properties that comply with the design standards of subsection D. below shall be deemed to not adversely affect adjacent properties or the community.

Finding: See findings below.

D. Design and Illumination Standards.

General Outdoor Lighting Standard and Glare Prohibition.

1. Outdoor lighting, if provided, shall be provided in a manner that enhances security, is appropriate for the use, avoids adverse impacts on surrounding properties, and the night sky through appropriate shielding as defined in this section. Glare shall not cause illumination on other properties in excess of a measurement of 0.5 footcandles of light as measured at the property line. In no case shall exterior lighting add more than 0.5 footcandle to illumination levels at any point off-site. Exterior lighting is not required except for purposes of public safety. However, if installed, all exterior lighting shall meet the following design standards:

Finding: Complies as proposed. The photometric plan indicates compliance with this standard.

2. Any light source or lamp that emits more than nine hundred lumens (thirteen watt compact fluorescent or sixty watt incandescent) shall be concealed or shielded with a full cut-off style fixture in order to minimize the potential for glare and unnecessary diffusion on adjacent property. All fixtures shall utilize one of the following bulb types: metal halide, induction lamp, compact fluorescent, incandescent (including tungsten-halogen), or high pressure sodium with a color rendering index above seventy.

Finding: Complies as proposed. The applicant has proposed new LED fixtures meeting the intent of this standard.

3. The maximum height of any lighting pole serving a multi-family residential use shall be twenty feet. The maximum height serving any other type of use shall be twenty-five feet, except in parking lots larger than five acres, the maximum height shall be thirty-five feet if the pole is located at least one hundred feet from any residential use.

Finding: Complies as proposed. The proposed mounting height for the two types of pole mounted fixtures are 12' and 20' tall, respectively.

Table 1-17.62.065. Foot-candle Levels

<i>Location</i>	<i>Min</i>	<i>Max</i>	<i>Avg.</i>
<i>Pedestrian Walkways</i>	<i>0.5</i>	<i>7:1 max/min ratio</i>	<i>1.5</i>
<i>Pedestrian Walkways in Parking Lots</i>		<i>10:1 max/min ratio</i>	<i>0.5</i>
<i>Pedestrian Accessways</i>	<i>0.5</i>	<i>7:1 max/min ratio</i>	<i>1.5</i>
<i>Building Entrances</i>	<i>3</i>		
<i>Bicycle Parking Areas</i>	<i>3</i>		
<i>Abutting property</i>	<i>N/A</i>	<i>.05</i>	

Finding: Complies as proposed. The photometric plan indicates compliance with this standard.

5. Parking lots and other background spaces shall be illuminated as unobtrusively as possible while meeting the functional needs of safe circulation and protection of people and property. Foreground spaces, such as building entrances and outside seating areas, shall utilize pedestrian scale lighting that defines the space without glare.

Finding: Complies as proposed. The photometric plan indicates compliance with this standard.

6. Any on-site pedestrian circulation system shall be lighted to enhance pedestrian safety and allow employees, residents, customers or the public to use the walkways at night. Pedestrian walkway lighting through parking lots shall be lighted to light the walkway and enhance pedestrian safety pursuant to Table 1.

Finding: Complies with Conditions. The applicant did not indicate the lighting levels for the pedestrian pathway system. Prior to issuance of a certificate of occupancy the applicant shall provide a revised lighting plan that shows how the pedestrian circulation system will be lighted per Table 1-17.62.065. **See Planning Condition of Approval 10.**

7. Pedestrian Accessways. To enhance pedestrian and bicycle safety, pedestrian accessways required pursuant to OCMC 12.28 shall be lighted with pedestrian-scale lighting. Accessway lighting shall be to a minimum level of one-half foot-candles, a one and one-half foot-candle average, and a maximum to minimum ratio of seven-to-one and shall be oriented not to shine upon adjacent properties. Street lighting shall be provided at both entrances. Lamps shall include a high-pressure sodium bulb with an unbreakable lens.

Finding: Complies with Conditions. See also findings under section 12.04.199. The applicant is required to provide a pedestrian accessway pursuant to section 12.04.199. Prior to issuance of a certificate of occupancy the applicant shall provide a revised lighting plan that shows how the pedestrian circulation system, including the accessway, will be lit pursuant to this standard and Table 1-17.62.065. **See Planning Condition of Approval 10.**

8. Floodlights shall not be utilized to light all or any portion of a building facade between ten p.m. and six a.m.

9. Lighting on automobile service station, convenience store, and other outdoor canopies shall be fully recessed into the canopy and shall not protrude downward beyond the ceiling of the canopy.

Finding: Not applicable. The applicant has not proposed floodlighting or canopy lighting.

10. The style of light standards and fixtures shall be consistent with the style and character of architecture proposed on the site.

11. In no case shall exterior lighting add more than one foot-candle to illumination levels at any point off-site.

12. All outdoor light not necessary for security purposes shall be reduced, activated by motion sensor detectors, or turned off during non-operating hours.

Finding: Complies as proposed. The photometric plan indicates compliance with standards 10-12.

13. Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam of light that will not extend beyond the illuminated object.
14. For upward-directed architectural, landscape, and decorative lighting, direct light emissions shall not be visible above the building roofline.
15. No flickering or flashing lights shall be permitted, except for temporary decorative seasonal lighting.
16. Wireless Sites. Unless required by the Federal Aviation Administration or the Oregon Aeronautics Division, artificial lighting of wireless communication towers and antennas shall be prohibited. Strobe lighting of wireless communication facilities is prohibited unless required by the Federal Aviation Administration. Security lighting for equipment shelters or cabinets and other on-the-ground auxiliary equipment on wireless communication facilities shall be initiated by motion detecting lighting.
17. Lighting for outdoor recreational uses such as ball fields, playing fields, tennis courts, and similar uses, provided that such uses comply with the following standards:
- Maximum permitted light post height: eighty feet.
 - Maximum permitted illumination at the property line: 0.5 foot-candles.

Finding: Not applicable. The applicant has not proposed any of the lighting types in standards 13-17.

17.62.080 Special development standards along transit streets.

A. Purpose. This section is intended to provide direct and convenient pedestrian access to retail, office and institutional buildings from public sidewalks and transit facilities and to promote pedestrian and transit travel to commercial and institutional facilities.

Finding: Complies with Conditions. See also finding under section 17.62.050.A.9. Direct and convenient pedestrian access is a key feature of the proposed plan in order to provide access to the businesses utilizing the Live/work units throughout the site. The applicant provided a detailed discussion of the pedestrian circulation system has been provided under the responses to Sections 17.62.050.A.9 and 17.62.057.F Multifamily standards. In general the overall site plan complies with this standard with the exception of the following portions of the site, where pedestrian access is lacking:

- The large landscaped island situated between Buildings A3 and T2 - there is no common pedestrian path connection to Beaver Creek Road in this location. Pedestrian would be forced to walk in the vehicle drive aisles to traverse the property from southeast to northwest.
- The large landscaped island situated between Buildings A1 and T7 - there is no common pedestrian path connection to Beaver Creek Road in this location. Pedestrian would be forced to walk in the vehicle drive aisles to traverse the property from southeast to northwest.
- Between Buildings T6 and T7 - there is no common pedestrian path connection to Beaver Creek Road in this location;
- Between Buildings T1 and T2 - there is no common pedestrian path connection to Beaver Creek Road in this location.
- The proposed pathway between the west end of Public Street B to Beaver Creek Road between buildings T4 and T5 should be modified to a fully compliant public pedestrian and bicycle accessway. See section 12.04.199 for findings.

The applicant shall provide a revised plan set indicating common pedestrian path connections in the areas defined above in order to provide safe pedestrian access throughout the site. **See Planning Condition of Approval 4.**

B. Applicability. *Except as otherwise provide in this section, the requirements of this section shall apply to the construction of new retail, office and institutional buildings which front on a transit street.*

Finding: Complies as proposed. While the proposed site does not currently front on any transit routes, the site has been designed to comply with this section because of the future plans to extend a current route down Beaver Creek Road to a planned stop at the Meyers Road intersection with potential for further extension south

on Beaver Creek Road. Tri-Met commented that they currently do not serve the corridor in this location but indicated no conflicts with the application (Exhibit 5e).

C. Development Standards.

1. All buildings shall have at least one main building entrance oriented towards the transit street. A main building entrance is oriented toward a transit street if it is directly located on the transit street, or if it is linked to the transit street by an on-site pedestrian walkway that does not cross off-street parking or maneuvering areas.

a. If the site has frontage on more than one transit street, or on a transit street and a street intersecting a transit street, the building shall provide one main building entrance oriented to the transit street or to the corner where the two streets intersect.

b. For building facades over three hundred feet in length on a transit street, two or more main building entrances shall be provided as appropriate and oriented towards the transit street.

2. Main building entrances shall be well lighted and visible from the transit street. The minimum lighting level for building entries shall be three foot-candles. Lighting shall be a pedestrian scale with the source light shielded to reduce glare.

3. In the event a requirement of this section conflicts with other requirements in Title 17, the requirements of this section shall control.

D. Exemptions. *The following permitted uses are exempted from meeting the requirements of subsection C. of this section:*

1. Heavy equipment sales;

2. Motor vehicle service stations, including convenience stores associated therewith;

3. Solid waste transfer stations; and

4. Truck stops, including convenience stores, eating or drinking establishments, overnight accommodations or other similar services associated therewith. A use found by the community development director to be similar to the exempt uses above.

Finding: Complies as proposed. Proposed townhome buildings T1 through T7 face onto Beaver Creek Road of which all units are Live/Work units. Each live/work unit has its main entrance oriented toward Beaver Creek Road and will be provided with the required entry lighting. Building C1 is also located on Beaver Creek Road and has its main entry located off of the open space at the intersection with Meyers Road. Clear access from the transit street to the main building entrance is provided through the open space.

17.62.085 Refuse and recycling standards for commercial, industrial, and multi-family developments.

The purpose and intent of these provisions is to provide an efficient, safe and convenient refuse and recycling enclosure for the public as well as the local collection firm. All new development, change in property use, expansions or exterior alterations to uses other than single-family or duplex residences shall include a refuse and recycling enclosure. The area(s) shall be:

A. Sized appropriately to meet the needs of current and expected tenants, including an expansion area if necessary;

B. Designed with sturdy materials, which are compatible to the primary structure(s);

C. Fully enclosed and visually screened;

D. Located in a manner easily and safely accessible by collection vehicles;

E. Located in a manner so as not to hinder travel lanes, walkways, streets or adjacent properties;

F. On a level, hard surface designed to discharge surface water runoff and avoid ponding;

G. Maintained by the property owner;

H. Used only for purposes of storing solid waste and recyclable materials;

I. Designed in accordance with applicable sections of the Oregon City Municipal Code (including Chapter 8.20—Solid Waste Collection and Disposal) and city adopted policies.

Finding: Complies as proposed. Trash enclosure locations are indicated on the proposed site plan by the letter 'T'. Four stand-alone trash enclosures are provided, located within close proximity of buildings A1, A2, A3 and C1 respectively. The enclosures will be screened by permanent walls on three sides with a gate on the fourth side facing onto the alley loop through which residents and the collection agency will access the bins. The trash enclosures will be designed in a style complimentary to the buildings and are located off the alley aisle as to not interfere with vehicle parking and circulation. Both trash and recycle bins will be provided to meet the estimated demand.

17.62.090 Enforcement.

A. Applications for site plan and design review shall be reviewed in the manner provided in Chapter 17.50. The city building official may issue a certificate of occupancy only after the improvements required by site plan and design review approval have been completed, or a schedule for completion and a bond or other financial guarantee have been accepted by the city.

B. In performing site plan and design review, the review authority shall consider the effect of additional financial burdens imposed by such review on the cost and availability of needed housing types. Consideration of such factors shall not prevent the imposition of conditions of approval found necessary to meet the requirements of this section. The cost of such conditions of approval shall not unduly increase the cost of housing beyond the minimum necessary to achieve the provisions of this title, nor shall such cost prevent the construction of needed housing types. The use of the site plan and design review provisions of this section shall have no effect on dwelling unit densities.

Finding: Complies as proposed. The applicant has reviewed this standard and acknowledged it. The application is not considered "Needed Housing" pursuant to the state definition.

17.62.095 Performance guarantees.

A. Purpose. This section states the requirements for performance guarantees when they are required of an applicant by this section or as a condition of a site plan and design review approval.

B. Types of guarantees. Guarantees by the applicant may be in the form of a performance bond payable to the city in cash, by certified check, time certificate of deposit, irrevocable letter of credit, or other form acceptable to the city. Indemnity agreements may be used by other governmental agencies. Guarantees must be accompanied by a contract. The form of the guarantee and contract must be approved by the city attorney. The community development director is authorized to accept and sign the contract for the city, and to accept the guarantee. The guarantee must be filed with the city recorder.

C. Amount of guarantee. The amount of the performance guarantee must be equal to at least one hundred ten percent of the estimated cost of performance. The applicant must provide written estimates by three contractors with their names and addresses. The estimates must include as separate items all materials, labor, and other costs of the required action.

D. Completion. An inspection and approval of the action or improvement covered by the performance guarantee is required before the performance guarantee is returned. The inspection is done by the Planning Division or by other appropriate city departments. If the action or improvement is not completed satisfactorily within the stated time limits, the city may have the necessary action or improvement completed and seek reimbursement for the work from the performance guarantee. Any remaining funds will be returned to the applicant.

Finding: Complies with Condition. Should performance guarantees be required in order to assure completion of specific site improvements prior to issuance of a certificate of occupancy the applicant shall provide such guarantee in a form approved by the city attorney. **The applicant can meet this standard through Planning Condition of Approval 12.**

CHAPTER 17.52 – OFF-STREET PARKING AND LOADING

17.52.010 Applicability.

The construction of a new structure or parking lot, or alterations to the size or use of an existing structure, parking lot or property use shall require site plan review approval and compliance with this chapter. This chapter does not apply to single- and two-family residential dwellings.

Finding: This chapter applies. The applicant is constructing parking areas within a mixed-use zone district.

17.52.015 Planning commission adjustment of parking standards.

Finding: Not applicable. The applicant is not requesting an adjustment of parking standards.

17.52.020 Number of automobile spaces required.

A. The number of parking spaces shall comply with the minimum and maximum standards listed in Table 17.52.020. The parking requirements are based on spaces per one thousand square feet net leasable area unless otherwise stated.

Table 17.52.020
Number of automobile spaces required.

Table 17.52.020 <i>Number of automobile spaces required.</i> LAND USE	PARKING REQUIREMENTS	
	MINIMUM	MAXIMUM
Multi-Family: Studio	1.00 per unit	1.5 per unit
Multi-Family: 1 bedroom	1.25 per unit	2.00 per unit
Multi-Family: 2 bedroom	1.5 per unit	2.00 per unit
Multi-Family: 3 bedroom	1.75 per unit	2.50 per unit
Retail Store, Shopping Center, Restaurants	4.10	5.00
Office	2.70	3.33

1. Multiple Uses. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.
2. Requirements for types of buildings and uses not specifically listed herein shall be determined by the community development director, based upon the requirements of comparable uses listed.
3. Where calculation in accordance with the above list results in a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall require one space.
4. The minimum required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of vehicles used in conducting the business or use.
5. A change in use within an existing building located in the MUD Design District is exempt from additional parking requirements. Additions to an existing building and new construction are required to meet the minimum parking requirements for the areas as specified in Table 17.52.020 for the increased square footage.

Finding: Complies as proposed. The applicant prepared a table to calculate the amount of parking required:

Unit Type	Quantity	Min. Parking Ratio	Max. Parking Ratio	Min. Stalls	Max. Stalls
Studio Live/Work Stacked Flat Units	11	1	1.5	11	16.5
1---Bed/1---Bath Stacked Flat Units	58	1.25	2	72.5	116
2---Bed/2---Bath Live/Work Stacked Flat Units	15	1.5	2	22.5	30
2---Bed/2---Bath Stacked Flat Units	47	1.5	2	70.5	94
3---Bed/2---Bath Stacked Flat Units	10	1.75	2.5	17.5	25
5---Bed/5---Bath Stacked Flat Units	6	3	5	18	30
Total Stacked Flat Apartment Units	147			212	311.5
3---Bed/2---Bath Live/Work Townhomes	33	1.75	2.5	57.75	82.5
				min	max
Total Units on Site	180		total parking	269.75	394

The following table illustrates the amount of parking proposed by location and type:

Location / Type	# spaces
Beavercreek Road On-Street	26 (Future use)
Meyers Road On-Street	17
Street A – On-Street	27
Street B – On-Street Parallel	18
Street B – On-Street 90 degree	7 (see discussion below)
Bldgs T1-T7 (one car garages)	33
Bldgs T1-T7 (aprons)	33
Bldg C1 lot	17
Alley Loop A	40
Alley Loop B	61
Alley Loop C	78
Total	331 (357 w/ on-street on Beavercreek Road)

The applicant has proposed 331 spaces on the site which falls within the minimum and maximum requirements of 270 minimum spaces and 394 maximum spaces. Additionally, the applicant has proposed 26 on-street parking spaces along Beavercreek Road which are not included in the overall parking count, however this area will be an interim planting area and not a parking lane.

See below for further findings.

B. Parking requirements can be met either onsite, or offsite by meeting the following conditions:

1. Mixed Uses. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (e.g. the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly, up to a maximum reduction of fifty percent, as determined by the community development director.

2. Shared Parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature), that the shared parking facility is within one thousand feet of the potential uses, and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument authorizing the joint use.

3. On-Street Parking. On-street parking may be counted toward the minimum standards when it is on the street face abutting the subject land use. An on-street parking space must not obstruct a required clear vision area and it shall not violate any law or street standard. On-street parking for commercial uses shall conform to the following standards:

a. Dimensions. The following constitutes one on-street parking space:

1. Parallel parking, each [twenty-two] feet of uninterrupted and available curb;

2. [Forty-five/sixty] degree diagonal, each with [fifteen] feet of curb;

3. Ninety degree (perpendicular) parking, each with [twelve] feet of curb.

4. Public Use Required for Credit. On-street parking spaces counted toward meeting the parking requirements of a specific use may not be used exclusively by that use, but shall be available for general public use at all times. Signs or other actions that limit general public use of on-street spaces are prohibited.

C. Reduction of the Number of Automobile Spaces Required. The required number of parking stalls may be reduced in the Downtown Parking Overlay District: Fifty percent reduction in the minimum number of spaces required is allowed prior to seeking further reductions in [sub]sections 2. and 3. below:

Finding: Complies with Conditions. The applicant did not propose any mixed uses on the site that were not discussed above. The total parking provided on site is 331 stalls per 180 units for an average of 1.83 stalls per dwelling unit which falls within the range allowed as calculated in the table above.

The applicant has proposed adequate off-street parking as well as on-street parking for the Live-Work units. The applicant has not proposed nor is required to provide more parking than is required under this section.

None of the business areas exceed 500 square feet in area, therefore 1 stall per live/work unit is required for a total 59 stalls. Shared use of the on-street parking has been proposed for meeting the parking requirements for the live/work units. 26 on-street parallel stalls along Beaver Creek Road would be available exclusively to the live/work units (not included in the overall site parking total as they are located on the existing public street) while the remaining parking needs are proposed to be met with on-street parking along Meyers Road extension and new internal public streets.

The on-street parallel parking within the site would not at any time be assigned to residents and the hours of business operation of the live/work units, and would not materially overlap the residential uses; the primary use hours for the live/work users would occur during the daytime hours while many residents are away.

The on-street parking proposed on Beaver Creek Road will be available for use when traffic and market conditions are appropriate. In the meantime, there are 33 apron parking spaces available for customers for the 33 townhome Live-Work units in addition to the 33 garage parking for townhome residents. The applicant purposely did not include the Beaver Creek Road on-street parking spaces in the overall parking count, but once the additional spaces are available the site can claim an additional 26 spaces in addition to the 331 spaces provided within the site.

On-street parking has been included in the total parking stalls however the applicant indicates that the on-street parking will not be labeled in any way to restrict their use by the general public.

The applicant proposed seven “head-in” or 90-degree parking spaces on Street B abutting the community center. Per OCMC 17.52.030.A, groups of more than four parking spaces shall be so located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley. The applicant’s transportation engineer shall provide an analysis and explanation showing that the proposed configuration is safe and does not create backing or unsafe maneuvering conditions in the public right-of-way, otherwise the applicant shall provide revised plans for the re-configuration, re-location or elimination of the 90-degree parking spaces. If needed, there is sufficient space to replace these seven spaces through the addition of four parallel parking spaces in front of the Community Center and three off-street spaces within easy walking distance of the Community Center. This is a minor revision that the applicant can provide through Condition of Approval 20.

Staff finds that the parking proposed can meet this standard through compliance with Engineering Condition of Approval 20.

1. Transit Oriented Development. For projects not located within the Downtown Parking Overlay District, the community development director may reduce the required number of parking stalls up to twenty-five percent when it is determined that a project in a commercial center (sixty thousand square feet or greater of retail or office use measured cumulatively within a five hundred-foot radius) or multi-family development with over eighty units, is adjacent to or within one thousand three hundred twenty feet of an existing or planned public transit street and is within one thousand three hundred twenty feet of the opposite use (commercial center or multi-family development with over eighty units).

Finding: Not applicable. This is not a TOD project within the Downtown Parking Overlay District.

2. Reduction in Parking for Tree Preservation. The community development director may grant an adjustment to any standard of this requirement provided that the adjustment preserves a regulated tree or grove so that the reduction in the amount of required pavement can help preserve existing healthy trees in an undisturbed, natural condition. The amount of reduction must take into consideration any unique site conditions and the impact of the reduction on parking needs for the use, and must be approved by the community development director. This reduction is discretionary.

Finding: Not applicable. The applicant has not requested an adjustment of the parking standards to preserve trees.

3. Transportation Demand Management.

Finding: Not applicable. The applicant has not proposed to utilize Transportation Demand Management.

17.52.030 Standards for automobile parking.

A. Access.

Ingress and egress locations on public thoroughfares shall be located in the interests of public traffic safety. Groups of more than four parking spaces shall be so located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley. No driveway with a slope of greater than fifteen percent shall be permitted without approval of the city engineer.

Findings: Complies with conditions. See section 17.62.050 of this report.

B. Surfacing.

Required off-street parking spaces and access aisles shall have paved surfaces adequately maintained. The use of pervious asphalt/concrete and alternative designs that reduce storm water runoff and improve water quality pursuant to the city's stormwater and low impact development design standards are encouraged.

Findings: Complies as proposed. The applicant has proposed to use paved surfaces for the parking areas.

C. Drainage.

Drainage shall be designed in accordance with the requirements of Chapter 13.12 and the city public works stormwater and grading design standards.

Findings: Complies with conditions. See section 13.12.090 of this report.

D. Dimensional Standards.

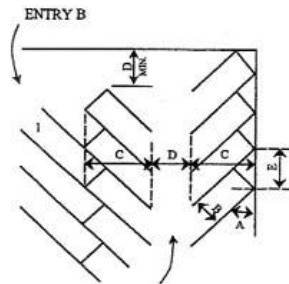
1. Requirements for parking developed at varying angles are according to the table included in this section. A parking space shall not be less than seven feet in height when within a building or structure, and shall have access by an all-weather surface to a street or alley. Parking stalls in compliance with the American with Disabilities Act may vary in size in order to comply with the building division requirements. Up to thirty-five percent of the minimum required parking may be compact, while the remaining required parking stalls are designed to standard dimensions. The community development director may approve alternative dimensions for parking stalls in excess of the minimum requirement which comply with the intent of this chapter.

2. Alternative parking/plan. Any applicant may propose an alternative parking plan. Such plans are often proposed to address physically constrained or smaller sites, however innovative designs for larger sites may also be considered. In such situations, the community development director may approve an alternative parking lot plan with variations to parking dimensions of this section. The alternative shall be consistent with the intent of this chapter and shall create a safe space for automobiles and pedestrians while providing landscaping to the quantity and quality found within parking lot landscaping requirements.

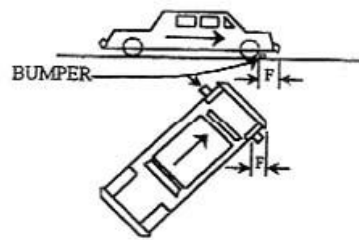
PARKING STANDARD

A Parking Angle		B Stall Width	C Stall to Curb	D Aisle Width	E Curb Length	F Overhang
0 degrees		8.5	9.0	12	20	0
30 degrees	Standard Compact	9' 8'	17.3' 14.9'	11' 11'	18' 16'	
45 degrees	Standard Compact	8.5 8.5	19.8' 17.0'	13' 13'	12.7' 11.3'	1.4

60 degrees	Standard Compact	9' 8'	21' 17.9'	18' 16'	10.4' 9.2'	1.7
90 degrees	Standard Compact	9' 8'	19.0' 16.0'	24' 22'	9' 8'	1.5



TYPICAL PARKING LAYOUT
;sz=9.5q; ENTRY A



NOTE: SPACE 1 CONTINGENT UPON ENTRY B

;sz=9.5q; OVERHANG

;sz=9.5q; NOTE: Overhang dimensions are intended to indicate possible location from parking area edge for location of bumpers.

E. Carpool and Vanpool Parking. 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."

Finding: Complies with Conditions. As shown on the site plan and discussed in the applicant's narrative, the proposal includes several group parking areas that are accessed by paved driveways that are located behind the buildings. In the interest of public safety, in no case are there groups of more than four parking spaces that would require backing up into public streets. No driveway slopes are greater than 15% and a conceptual drainage plan has been prepared by the civil engineer and submitted as part of this application package.

Per OCMC 17.52.030.A, groups of more than four parking spaces shall be so located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley. The applicant's transportation engineer shall provide an analysis and explanation showing that the proposed configuration is safe and does not create backing or unsafe maneuvering conditions in the public right-of-way, otherwise the applicant shall provide revised plans for the re-configuration, re-location or elimination of the 90-degree parking spaces. **See Planning Condition of Approval 12.**

Pursuant to standard E of this section the proposal is for a new development with more than 75 parking spaces. Regardless of the proposed use, the development is required to designate and 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. Prior to Building Permit issuance, the applicant shall provide

a revised parking plan that conforms to Standard E which designates and identifies 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. **See Planning Condition of Approval 11.**

The applicant's proposal to provide parallel parking along Beaver Creek Road is supported by planning staff from an urban design perspective in order to promote improved customer access to ground floor commercial space that is expected within the live-work units.

However, the on-street parking proposal has met with some concern that the future desired condition is not immediately compatible with existing conditions today, which is a high volume semi-rural county arterial corridor with a posted speed limit of 40-mph, and that the safety of vehicles maneuvering into parallel parking spaces as well as travelling vehicles in the travel lane of Beaver Creek Road may be compromised.

Therefore, the Beaver Creek Road on-street parking spaces shall not be constructed. Instead this area shall be an interim landscaping strip / planting area until parking along Beaver Creek Road is determined to be safe by the County or City. **See Engineering Condition of Approval 25.**

17.52.040 Bicycle parking standards.

A. Purpose-Applicability. To encourage bicycle transportation to help reduce principal reliance on the automobile, and to ensure bicycle safety and security, bicycle parking shall be provided in conjunction with all uses other than single-family dwellings or duplexes.

B. Number of Bicycle Spaces Required. For any use not specifically mentioned in Table A, the bicycle parking requirements shall be the same as the use which, as determined by the community development director, is most similar to the use not specifically mentioned. Calculation of the number of bicycle parking spaces required shall be determined in the manner established in Section 17.52.020 for determining automobile parking space requirements. Modifications to bicycle parking requirements may be made through the site plan and design, conditional use, or master plan review process.

TABLE A Required Bicycle Parking Spaces*

<i>USE</i>	<i>MINIMUM BICYCLE PARKING</i>	<i>MINIMUM BICYCLE PARKING - COVERED - The following percentage of bicycle parking is required to be covered</i>
<i>Multi-family (three or more units)</i>	<i>1 per 10 units (minimum of 2)</i>	<i>50% (minimum of 1)</i>

Where two options for a requirement are provided, the option resulting in more bicycle parking applies. Where a calculation results in a fraction, the result is rounded up to the nearest whole number.

** Covered bicycle parking is not required for developments with two or fewer stalls.*

C. Security of Bicycle Parking. Bicycle parking facilities shall be secured. Acceptable secured bicycle parking area shall be in the form of a lockable enclosure onsite, secure room in a building onsite, a covered or uncovered rack onsite, bicycle parking within the adjacent right-of-way or another form of secure parking where the bicycle can be stored, as approved by the decision maker. All bicycle racks and lockers shall be securely anchored to the ground or to a structure. Bicycle racks shall be designed so that bicycles may be securely locked to them without undue inconvenience and, when in the right-of-way shall comply with clearance and ADA requirements.

D. Bicycle parking facilities shall offer security in the form of either a lockable enclosure or a stationary rack to which the bicycle can be locked. All bicycle racks and lockers shall be securely anchored to the ground or to a structure. Bicycle racks shall be designed so that bicycles may be securely locked to them without undue inconvenience.

Location of Bicycle Parking:

1. Bicycle parking shall be located on-site, in one or more convenient, secure and accessible location. The city engineer and the community development Director may permit the bicycle parking to be provided within the right-of-way provided adequate clear zone and ADA requirements are met. If sites have more than one building, bicycle parking shall be distributed as appropriate to serve all buildings. If a building has two or more main building entrances, the review authority may require bicycle parking to be distributed to serve all main building entrances, as it deems appropriate.

2. Bicycle parking areas shall be clearly marked or visible from on-site buildings or the street. If a bicycle parking area is not plainly visible from the street or main building entrance, a sign must be posted indicating the location of

the bicycle parking area. Indoor bicycle parking areas shall not require stairs to access the space unless approved by the community development director.

3. All bicycle parking areas shall be located to avoid conflicts with pedestrian and motor vehicle movement.

a. Bicycle parking areas shall be separated from motor vehicle parking and maneuvering areas and from arterial streets by a barrier or a minimum of five feet.

b. Bicycle parking areas shall not obstruct pedestrian walkways; provided, however, that the review authority may allow bicycle parking in the right-of-way where this does not conflict with pedestrian accessibility.

4. Accessibility.

a. Outdoor bicycle areas shall be connected to main building entrances by pedestrian accessible walkways.

b. Outdoor bicycle parking areas shall have direct access to a right-of-way.

c. 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, unless otherwise determined by the community development director, city engineer, or planning commission.

Finding: Complies as proposed. Per Table A of this section a minimum of 1 bicycle parking stall is required for every 10 units in multi-family uses with three or more units with 50% of stalls required to be covered. For 183 proposed units on site, 18 bicycle stalls are required, 9 to be covered. The proposed site plan accounts for bicycle parking for the townhome units to be provided for within the attached garages; leaving the required stalls to be distributed among the stacked flat style buildings (A1-A3 and C1).

The proposed locations are indicated on the site plan at both ends of the buildings A1-A3 as well as at the parking lot side central entrance. Building C1 has a rack located in the plaza in front of the main building entrance. The locations shown represent stationary hoop-style bike racks securely attached to paved surfaces to which residents/visitors would utilize personal locks to store their bikes. The racks located at each end of buildings A1-A3 are positioned under a building cantilever above providing the code required cover.

All bike racks are located in close proximity to building entrances and adjacent to but not in the circulation path for convenience and to avoid conflicts with pedestrian and motor vehicle movement while maintaining direct access to a right of way.

The bicycle parking is shown in plan details on Sheets A1 and A2.

17.52.060 Parking lot landscaping.

Purpose. The purpose of this code section includes the following:

- 1. To enhance and soften the appearance of parking lots;*
- 2. To limit the visual impact of parking lots from sidewalks, streets and particularly from residential areas;*
- 3. To shade and cool parking areas;*
- 4. To reduce air and water pollution;*
- 5. To reduce storm water impacts and improve water quality; and*
- 6. To establish parking lots that are more inviting to pedestrians and bicyclists.*

Finding: Complies as proposed. See findings below.

A. Development Standards.

- 1. The landscaping shall be located in defined landscaped areas that are uniformly distributed throughout the parking or loading area.*
- 2. All areas in a parking lot not used for parking, maneuvering, or circulation shall be landscaped.*
- 3. Parking lot trees shall be a mix of deciduous shade trees and coniferous trees. The trees shall be evenly distributed throughout the parking lot as both interior and perimeter landscaping to provide shade.*
- 4. Required landscaping trees shall be of a minimum two-inch minimum caliper size (though it may not be standard for some tree types to be distinguished by caliper), planted according to American Nurseryman Standards, and selected from the Oregon City Street Tree List;*
- 5. Landscaped areas shall include irrigation systems unless an alternate plan is submitted, and approved by the community development director, that can demonstrate adequate maintenance;*
- 6. All plant materials, including trees, shrubbery and ground cover should be selected for their appropriateness to the site, drought tolerance, year-round greenery and coverage and staggered flowering periods. Species found on the Oregon City Native Plant List are strongly encouraged and species found on the Oregon City Nuisance Plant List are prohibited.*

7. The landscaping in parking areas shall not obstruct lines of sight for safe traffic operation and shall comply with all requirements of Chapter 10.32, Traffic Sight Obstructions.

8. Landscaping shall incorporate design standards in accordance with Chapter 13.12, Stormwater Management.

Finding: Complies as proposed. The applicant has prepared a landscaping plan that conforms to this section and sections B through E as described below, while respecting the need to provide for open spaces for a multi-family development within the Mixed Use Corridor zone.

B. Perimeter Parking Lot Landscaping and Parking Lot Entryway/Right-of-Way Screening.

Parking lots shall include a five-foot wide landscaped buffer where the parking lot abuts the right-of-way and/or adjoining properties. In order to provide connectivity between non-single-family sites, the community development director may approve an interruption in the perimeter parking lot landscaping for a single driveway where the parking lot abuts property designated as multi-family, commercial or industrial. Shared driveways and parking aisles that straddle a lot line do not need to meet perimeter landscaping requirements.

1. The perimeter parking lot are[a] shall include:

a. Trees spaced a maximum of thirty-five feet apart (minimum of one tree on either side of the entryway is required).

When the parking lot is adjacent to a public right-of-way, the parking lot trees shall be offset from the street trees;

b. Ground cover, such as wild flowers, spaced a maximum of 16-inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and

c. An evergreen hedge screen of thirty to forty-two inches high or shrubs spaced no more than four feet apart on average. The hedge/shrubs shall be parallel to and not nearer than two feet from the right-of-way line. The required screening shall be designed to allow for free access to the site and sidewalk by pedestrians. Visual breaks, no more than five feet in width, shall be provided every thirty feet within evergreen hedges abutting public right-of-ways.

Finding: Complies as proposed. To a large extent this standard does not apply since the parking areas proposed are either on-street, do not abut the right-of-way, or are located surrounding large lawn areas on the private alley loops located behind the buildings, which are placed in close proximity to the public Right-of-Way pursuant to other standards in the Site Plan and Design Review sections of Chapter 17.62. Along public streets, this standard is met through the use of the planter strip which is at least 5' wide in all cases. Elsewhere the perimeter parking lot standard has been met for the large 58-space lot along the northern property line, and for the parking lot serving Building C-1. The applicant has exceeded this standard.

C. Parking Area/Building Buffer.

Parking areas shall be separated from the exterior wall of a structure, exclusive of pedestrian entranceways or loading areas, by one of the following:

1. Minimum five-foot wide landscaped planter strip (excluding areas for pedestrian connection) abutting either side of a parking lot sidewalk with:

a. Trees spaced a maximum of thirty-five feet apart;

b. Ground cover such as wild flowers, spaced a maximum of sixteen-inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees; and

c. An evergreen hedge of thirty to forty-two inches or shrubs placed no more than four feet apart on average; or

2. Seven-foot sidewalks with shade trees spaced a maximum of thirty-five feet apart in three-foot by five-foot tree wells.

Finding: Complies as proposed. The applicant has proposed adequate parking area/building buffer landscaping where applicable in accordance with standard 1(a)-(c) for the parking lots that abut buildings A3, C1, and the Community Center.

D. Interior Parking Lot Landscaping.

Surface parking lots shall have a minimum ten percent of the interior of the gross area of the parking lot devoted to landscaping to improve the water quality, reduce storm water runoff, and provide pavement shade. Interior parking lot landscaping shall not be counted toward the fifteen percent minimum total site landscaping required by Section 17.62.050(1) unless otherwise permitted by the dimensional standards of the underlying zone district. Pedestrian

walkways or any impervious surface in the landscaped areas are not to be counted in the percentage. Interior parking lot landscaping shall include:

- a. A minimum of one tree per six parking spaces.
- b. Ground cover, such as wild flowers, spaced a maximum of sixteen-inches on center covering one hundred percent of the exposed ground within three years. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees.
- c. Shrubs spaced no more than four feet apart on average.
- d. No more than eight contiguous parking spaces shall be created without providing an interior landscape strip between them. Landscape strips shall be provided between rows of parking shall be a minimum of six feet in width and a minimum of ten feet in length.
- e. Pedestrian walkways shall have shade trees spaced a maximum of every thirty-five feet in a minimum three-foot by five-foot tree wells; or

Trees spaced every thirty-five feet, shrubs spaced no more than four feet apart on average, and ground cover covering one hundred percent of the exposed ground. No bark mulch shall be allowed except under the canopy of shrubs and within two feet of the base of trees.

Finding: Complies as proposed. The applicant's landscaping plan sheets L1 through L5 were prepared by Steven Shapiro, ASLA, an Oregon registered Landscape Architect. The number of trees planted in the interior landscaping is adequate. All interior and perimeter parking lots have been landscaped per code. All trees selected will be a minimum of 2" caliper in size. All groundcover is spaced a maximum of 16" and no shrubs are spaced more than 4' on center. Tree spacing along pedestrian walkways and/or appropriately spaced shrubs and ground cover is proposed which meets this standard.

E. Installation.

1. All landscaping shall be installed according to accepted planting procedures, according to American Nurseryman Standards.
2. The site, soils and proposed irrigation systems shall be appropriate for the healthy and long-term maintenance of the proposed plant species.
3. Certificates of occupancy shall not be issued unless the landscaping requirements have been met or other arrangements have been made and approved by the city, such as the posting of a surety.

Finding: Complies as proposed. All interior and perimeter parking lots have been landscaped per code. All trees selected will be a minimum of 2" caliper in size. All groundcover is spaced a maximum of 16" and no shrubs are spaced more than 4' on center.

17.52.070 Alternative landscaping plan.

Finding: Not applicable. The applicant did not propose an alternative landscaping plan.

17.52.080 Maintenance.

Finding: Complies as proposed. The applicant acknowledges responsibility for the maintenance of all parking areas.

17.52.090 Loading areas.

Finding: Not applicable. The development proposal does anticipate the need to provide loading areas for vehicles with a 40-foot wheel-base pursuant to this section since it is primarily a residential development. Staff agrees.

CHAPTER 13.12 - STORMWATER MANAGEMENT

13.12.050 Pursuant to each of the subsections below, proposed activities may be required to meet the performance standards for stormwater conveyance, stormwater quantity or stormwater quality.

13.12.050.A. Stormwater Conveyance.

The stormwater conveyance requirements of this chapter shall apply to all stormwater systems constructed with any development activity, except as follows:

1. The conveyance facilities are located entirely on one privately owned parcel;
 2. The conveyance facilities are privately maintained; and
 3. The conveyance facilities receive no stormwater runoff from outside the parcel's property limits.
- Those facilities exempted from the stormwater conveyance requirements by the above subsection will remain subject to the requirements of the Oregon Uniform Plumbing Code. Those exempted facilities shall be reviewed by the building official.

Finding: Complies with Conditions. Stormwater conveyance is required. Please refer to section 13.12.090 of this report for a discussion of storm water.

13.12.050.B. Stormwater Quantity Control.

The stormwater quantity control requirements of this chapter shall apply to the following proposed activities, uses or developments:

13.12.050.B.1. Activities located wholly or partially within water quality resource areas pursuant to Chapter 17.49 that will result in the creation of more than five hundred square feet of impervious surface within the WQRA or will disturb more than one thousand square feet of existing impervious surface within the WQRA as part of a commercial or industrial redevelopment project. These square footage measurements will be considered cumulative for any given seven-year period;

Finding: Not Applicable. The development is not within the Natural Resources Overlay District.

13.12.050.B.2 Activities that create more than two thousand square feet of impervious surface, cumulated over any given seven year period; or

Finding: Complies with Conditions. Stormwater quantity control is required. Please refer to section 13.12.090 of this report for a discussion of storm water. Storm water quantity control is required as there will be more than 2,000 square feet of new impervious area.

13.12.050.B.3 Redevelopment of a commercial or industrial land use that will disturb more than five thousand square feet of existing impervious surface. This five thousand square foot measurement cumulates over any given seven year period;

Finding: Not Applicable. The proposal is not redevelopment under this section.

13.12.050.B.4 An exemption to the stormwater quantity control requirements of this chapter will be granted in the following circumstances:

- a. The development site discharges to a stormwater quantity control facility approved by the city engineer to receive the developed site runoff after verification that the facility is adequately sized to receive the additional stormwater, or,
- b. The development site discharges to one of the following receiving bodies of water: Willamette River, Clackamas River or Abernethy Creek; and either lies within the one hundred year floodplain or is up to ten feet above the design flood elevation as defined in Chapter 17.42

Finding: Not Applicable. The proposed development does not meet the requirements of the exemption.

13.12.050.C. Stormwater Quality Control.

The stormwater quality control requirements of this chapter shall apply to the following proposed activities, uses or developments:

13.12.050.C.1. Category A. Activities subject to general water quality requirements of this chapter:

- a. The construction of four or more single-family residences;
- b. Activities located wholly or partially within water quality resource areas pursuant to Chapter 17.49 that will result in the creation of more than five hundred square feet of impervious surface within the WQRA or will disturb more than one thousand square feet of existing impervious surface within the WQRA as part of a commercial or industrial redevelopment project. These square footage measurements will be considered cumulative for any given seven year period; or
- c. Activities that create more than eight thousand square feet of new impervious surface for other than a single-family residential development. This eight thousand square foot measurement will be considered cumulative for any given seven year period;

d. An exemption to the stormwater quantity control requirements of this subsection will be granted if the development site discharges to a stormwater quality control facility approved by the city engineer to receive the developed site runoff after verification that the facility is adequately sized to receive the additional stormwater.

Finding: Complies with Conditions. Please refer to section 13.12.090 of this report for a discussion of storm water. Storm water quality control is required as there will be more than 8,000 square feet of new impervious area.

13.12.050.C.2 Category B. Uses Requiring Additional Management Practices.

In addition to any other applicable requirements of this chapter, the following uses are subject to additional management practices as contained in the Public Works Stormwater and Grading Design Standards:

- a. Fuel dispensing facilities;*
- b. Bulk petroleum storage in multiple stationary tanks;*
- c. Solid waste storage areas for commercial, industrial or multi-family uses;*
- d. Loading and unloading docks for commercial or industrial uses; or*
- e. Covered vehicle parking for commercial or industrial uses.*

Finding: Not Applicable. The proposed work does not include these elements.

13.12.050.C.3 Category C. Clackamas River Watershed.

In addition to any other applicable requirements of this chapter, any development that creates new waste discharges and whose stormwater runoff may directly or indirectly flow into the Clackamas River is subject to additional requirements associated with Oregon Administrative Rules (OAR) 340-41-470 (Thee Basin Rule).

Finding: Not Applicable. No new waste discharges or new stormwater flow will occur with this development.

13.12.090 Approval criteria for engineered drainage plans and drainage report.

An engineered drainage plan and/or drainage report shall be approved only upon making the following findings:

- A. The plan and report demonstrate how the proposed development and stormwater management facilities will accomplish the purpose statements of this chapter;*
- B. The plan and report meet the requirements of the Public Works Stormwater and Grading Design Standards adopted by resolution under Section 13.12.020;*
- C. Unless otherwise exempted by Section 13.12.050(B), the plan and report includes adequate stormwater quantity control facilities, so that when the proposed land development activity takes place, peak rates and volumes of runoff:*
 - 1. Do not exceed the capacity of receiving drainage conveyance facilities;*
 - 2. Do not increase the potential for streambank erosion; and*
 - 3. Do not add volume to an off-site closed depression without providing for mitigation.*
- D. Unless otherwise exempted by Section 13.12.050(C), the proposed development includes:*
 - 1. Adequate stormwater quality control facilities, so that when the proposed land development activity takes place, the temperature and overall pollution level of stormwater runoff is no greater than the water entering. When no water enters a project, then stormwater runoff shall be compared to rain samples; and*
 - 2. Stormwater quality control facilities which:*
 - a. Are in compliance with applicable National Pollutant Discharge Elimination System (NPDES) requirements;*
 - b. Minimize the deterioration of existing watercourses, culverts, bridges, dams and other structures; and*
 - c. Minimize any increase in nonpoint source pollution.*
- E. The storm drainage design within the proposed development includes provisions to adequately control runoff from all public and private streets and roof, footing, and area drains and ensures future extension of the current drainage system.*
- F. Streambank erosion protection is provided where stormwater, directly or indirectly, discharges to open channels or streams. The postdevelopment peak stormwater discharge rate from a development site for the two year, twenty-four hour duration storm event shall not exceed fifty percent of the two year, twenty-four hour predevelopment peak runoff rate.*
- G. Specific operation and maintenance measures are proposed that ensure that the proposed stormwater quantity control facilities will be properly operated and maintained.*

Finding: Complies with Conditions. The applicant has provided a preliminary stormwater report and a preliminary stormwater plan. The proposed plan shows that all of the stormwater will be directed to the

existing roadside ditch on Beavercreek Road at the northerly end of the development. The proposed system includes the following elements:

The parking area and buildings A1, T5, T6 and T7 will be collected and discharged to a private underground detention pond. This is followed by a flow control manhole, cartridge filter system for treatment, and a high flow bypass of the treatment. This discharges to the proposed public storm main on Meyers Road.

The remainder of the stormwater management system south of Meyers Road is collected and discharged to a public stormwater pond that provides both detention and treatment. This also discharges to the public storm main on Meyers Road. This system collects both public stormwater from the streets, and private storm water from the buildings and two parking lots.

The stormwater generated from the area north of Meyers Road will be collected and run through a water quality manhole before discharging to the public system on Meyers Road. The applicant has not proposed detention for this part of the system.

A vegetated swale is proposed along Beavercreek Road intended to provide both detention and treatment before discharging to the public collection system at Meyers Road.

All of the stormwater is then discharged to the roadside ditch on Beavercreek Road.

The applicant has indicated in the preliminary stormwater drainage report there will be no downstream impact due to detention requirements.

A review of the existing conditions and topography indicates that a portion of the stormwater run-off is likely to flow away from Beavercreek Road. There is an existing natural drainage that is on the east side of the site and runs roughly parallel with Beavercreek Road. There is a second smaller drainage that eventually discharges to Beavercreek Road. A portion of the existing stormwater run-off is likely to flow to the drainage instead of the road thereby discharging to a new location which may not have the capacity regardless of the detention. The downstream analysis submitted is not sufficient to show there will be no impacts.

The applicant shall provide a more detailed downstream analysis and identify the implications of the change of discharge location. The results of the analysis could signal additional stormwater management improvements, such as increased detention, enlarged capacity and erosion prevention measures specific to the discharge location.

The applicant shall sign a standard "Maintenance Covenant and Access Easement". The developer will be responsible for operating and maintaining the private storm water facilities including collection piping, detention and treatment facilities. The City will be granted access to inspect the stormwater facilities, and retain authority to require maintenance or repairs to the facilities by the developer.

Detention is not provided for the entire site in the proposed stormwater management system. Locations that are not detained include Meyers Road and the portion of the site north of Meyers Road. The applicant shall either provide additional detention facilities or over-detain the rest of the site in order to meet the standards.

Stormwater treatment is not provided for Meyers Road. The applicant will need to provide treatment such as a Low Impact Development (LID) method prior to discharge to the public system. This would be consistent with the Beavercreek Concept Plan.

The applicant has indicated that they may construct stormwater swale along Beavercreek Road, located between the proposed on-street parking and sidewalk on Beavercreek Road. This will cause people to either walk through the storm facility or on Beavercreek Road until they can access a crosswalk. The applicant will need to address this issue through modifying the swale design to incorporate pedestrian egress zone with sidewalk connectors across the stormwater swale. If stormwater swales are not constructed, the applicant shall meet the requirements of providing stormwater detention and treatment through the other proposed stormwater facilities and over detention within the proposed stormwater pond as may be determined through the final stormwater management plan.

Staff has determined it is possible, likely and reasonable the applicant can meet this standard by complying with Engineering Conditions of Approval 1, 2, 3, 11, 12, 13, 14, 15 and 16.

EXHIBITS

Exhibits listed as (On-File) are available for review by contacting the Planning Division.

1. Conditions of Approval (See in front of Staff Report)
 - a. Community Development - Planning Division
 - b. Public Works - Engineering Services Division
2. Application (On-File)
 - a. Initial Application submitted
 - i. Narrative
 - ii. Materials and Colors
 - iii. Pre-Application Notes
 - iv. Arborist Report
 - v. Archeological Reports
 - vi. Live-Work Concept Narrative
 - vii. Transportation Impact Analysis
 - viii. Neighborhood Meeting Notes
 - ix. Stormwater Analysis
 - x. Title Report
 - b. Additional Completeness Items
 - i. Plan Revisions
 - ii. Narrative
 - iii. Code Responses
 - c. Floor Area Ratio Calculations
 - d. Revised application materials
 - i. Sewer Analysis by Keller and Associates
 - ii. CRW Water connection proposal
 - e. Parking Calculations
3. Public Notice (On-File)
 - a. First Public Notice
 - b. Second Public Notice
4. Public Comments (On-File)
 - a. First Public Notice
 - i. Ron and Wendy Carter
 - ii. Caufield NA
 - iii. Graser / Lindsay
 - iv. Oliveira
 - v. Gufreda
 - vi. Hamlet of Beavercreek
 - vii. Kosinski
 - b. Second Public Notice (On-File)
 - i. Graser / Lindsay
 - ii. Kosinski
 - iii. Mary Johnson
 - iv. Ron and Wendy Carter
5. Agency Comments (On-File)
 - a. Clackamas River Water (CRW)
 - b. Clackamas Fire District #1 (CCFD#1)
 - c. Clackamas County Planning
 - d. ODOT
 - e. Tri-Met

6. Staff Review Comments (On-File)
 - a. Transportation Consultant, Replinger and Associates
 - b. Public Works Memorandum: "Public Works Engineering File Memorandum, dated November 5, 2014, for SP 14-01 Staff Report Findings and Conditions for Sanitary Sewer and Water Service"
7. Planning Annexation File AN 07-02 (On-File)
 - a. City Ord. # 1021
 - b. Metro File CL 1807
8. Planning Re-Zoning File ZC 10-01 (On-File)
 - a. City Ord. #10-1012
 - b. DLCD Adoption Notice 02-0010
 - c. Notice of Decision / Conditions of Approval
9. Applicant's email extending 120-day decision deadline (On-File)