

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Staff Presentation Worksheet

Presentation Date: June 29, 2010 Time: 2:00 pm Length: 30 min

Presentation Title: Fuller Road Station Community Proposed Code

Department: DTD, Strategic Planning

Presenters: Project staff: Shari Gilevich and Scott Pemble

POLICY QUESTION

Shall the County proceed to Board hearings with the proposed Fuller Road Station Community Plan and use a master plan process to achieve a future street grid in a portion of the proposed Station Community area ?

ISSUE & BACKGROUND

The Fuller Road Recommended Plan was approved by the Board in June 2007, with direction to develop form-based code for the station area. During development of the form-based code, elements of the Recommended Plan changed because resolutions to issues with the Recommended Plan were created.

The proposal, ZDO-226, Fuller Road Station Community code, was presented to the Planning Commission on May 24 and June 14, 2010. ODOT, TriMet and the Development Agency submitted requests to continue the hearing to allow more time to analyze how the future street grid (a change from the Recommended Plan) would be implemented and to review recent code language. Metro also submitted comments to encourage the County to "consider strengthening its requirements for future street connectivity." The Planning Commission unanimously decided not to continue the hearing.

Issues presented for discussion today are as follows:

- How to represent a future street grid for commercial development between 82nd Avenue and Fuller Road, south of Johnson Creek Boulevard. Most of the property is owned by Sterling Realty (SRO). Home Depot and R. Langdon are other owners.
- Use of a master plan to achieve the future street grid, and the threshold for when a master plan is required.
- The development assumptions used in the traffic analysis.

Future Street Grid and Master Plan

A map in the 2007 Recommended Plan had lines showing a future street grid to create a more accessible, pedestrian friendly area. The lines made connections to Fuller Road through existing buildings on the SRO and Hope Depot parcels. SRO representatives opposed this map due to the negative effect on potential financing and possibly creation of non-conforming development.

County staff and County Counsel have worked with these representatives to reach agreements on how to describe and represent the future street grid concept, and

identify the threshold for when the grid would be master planned. The main features of the proposal are as follows:

- On the Regulating Plan map, show a “master plan” overlay for the subject property. This map will be part of the zoning code.
- Write code language for the master plan area that sets out development features to be achieved in that plan, such as connectivity for pedestrian, bicycle and vehicular movements, transit accessibility and architectural design.
- State the threshold for “substantial development” when the master plan would be required. The proposed threshold to require this master plan is when 75% of gross leasable area is to be redeveloped within one year. Using a high threshold recognizes that dedications or exactions for a street would need to be proportional to the cost of redevelopment.

Planning staff proposes this as a practical approach to achieve the future street grid given existing development and access points that serve the development from 82nd Avenue and Johnson Creek Boulevard. It recognizes that the commercial developments have an existing master plan that has been developed over the past 15 years with county approvals, and that there are long-term, reciprocal easement agreements among the tenants. This approach codifies goals and standards for future redevelopment that will be reviewed by the County under the legal and market conditions at the time of redevelopment.

Assumptions in the Original Traffic Analysis

Questions were raised at the PC hearing about assumptions in the 2007 transportation analysis for the Recommended Plan. The issues were that too much land (for future streets) was removed from the “buildable” area and that the trip generation used was too low for residential development; the implication is that additional significant impacts may result from the proposed zoning.

The 2007 analysis removed acreage from the “buildable” land as that area ultimately would be in streets. Typically, streets are excluded from buildable land calculations, so the reduction matches the future development pattern. Trip generation values were taken from the Institute of Traffic Engineers (ITE) manual according to the transportation consultant who prepared the 2007 analysis.

Traffic impacts will be accounted for in all future development. The traffic analysis determined that two intersections on 92nd Avenue (at Johnson Creek Boulevard and Otty Road) will need improvements under the proposed plan. In addition, future developments in the station community will be evaluated against the County’s concurrency ordinance. If un-forecasted traffic issues are discovered, then development would need to be delayed until needed improvements are made.

QUESTION(S) PRESENTED FOR CONSIDERATION

1. Shall the proposed master plan process, including the high threshold and the code language for the future street grid, be incorporated into the Fuller Road Station Community as the mechanism to achieve future design and street grid for the subject parcels?
2. Shall the county move forward with the traffic analysis completed for the 2007 Recommended Plan?

OPTIONS AVAILABLE

There are two main options to indicate a future street grid in the station community:

- a) Use symbols to show the future street grid. These could be a solid or dashed line (crossing existing buildings), a point at the current access driveways to show where the street grid will be anchored, or arrows from 82nd Avenue and Johnson Creek Boulevard to show more generally that a grid is to be created within an area.
 - Issue: Impact of the lines/symbols on existing development would remain and be contested.
- b) Use the master plan overlay to indicate that a future street grid will be developed for the area. Use specific code language to describe goals and standards for the future street grid.
 - Issue: Concerns are that the code language may not be adequate in the future to achieve the design. There could be ways to circumvent the intent of the code.

There are several options for the threshold for requiring a station community master plan:

- a) Require a master plan when any development occurs. Master plans are currently required for "phased development," and, in addition, updates to existing master plans typically occur with any development action.
- b) Set a threshold at less than 75% of redevelopment to require the station community master plan.
 - Issue: A developer might decide to do nothing with a development in order to avoid the trigger, causing a development to forgo improvements.
- c) Set a threshold of 75% of redevelopment within one year to require a station community master plan. This higher percentage would be an indication that market conditions have changed and support significant changes in the development.
 - Issue: The intent of the code could be circumvented by redevelopment occurring over a period longer than one year.

Traffic analysis options are as follows:

- a) Require a new transportation analysis specific to the proposed Fuller Road station community zone change.
 - Issue: A new traffic analysis would entail creating development assumptions that will also be debated. A traffic analysis would likely cost \$10,000 or more.
- b) Accept the existing transportation analysis conducted for the Recommended Plan, considering that future developments will be evaluated against the concurrency ordinance.
 - Issue: Concern and debates about development assumptions will continue.

RECOMMENDATIONS

The staff respectfully recommends that the Board direct staff to maintain the master plan overlay and process as presented in this study session. The process would

include setting a threshold of 75% redevelopment of gross leasable area within one year for the master plan, and using code language to describe the desired future street grid and other design features for the master plan area.

The staff further recommends that the 2007 traffic analysis be used as the basis for the proposed zone change, with the identified intersections with significant impacts to be added to the County's TSP.

SUBMITTED BY:

Division Director/Head Approval RSP
Department Director/Head Approval CMG
County Administrator Approval _____

For information on this issue or copies of attachments, please contact Shari Gilevich @ 503-742-4523