



Town Center Loop W on Tax Lot 500 of Section 13CC, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Kimberly Rybold

Case Files:	DB19-0024	Stage I Preliminary Plan Modification
	DB19-0025	Stage II Final Plan
	DB19-0026	Site Design Review
	DB19-0027	Class 3 Sign Permit

**C. Resolution No. 375. I & E Construction: Ryan McTague, Woodblock Architecture – Representative for I & E Construction – Owner/ Applicant.** The applicant is requesting approval of a Stage II Final Plan Modification, Site Design Review, Class 3 Sign Permit and Type C Tree Removal Plan for a change of use, exterior remodel and expansion of an existing 21,313 square foot building for I & E Construction. The site is located at 27375 SW Parkway Avenue on Tax Lot 303 of Section 11, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Staff: Philip Bradford

Case Files:	DB19-0031	Stage II Final Plan Modification
	DB19-0033	Site Design Review
	DB19-0034	Class 3 Sign Permit
	DB19-0035	Type C Tree Removal Plan

VII. Board Member Communications:  
A. Recent City Council Action Minutes

VIII. Staff Communications:

IX. Adjournment

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting. The City will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting.

- Qualified sign language interpreters for persons with speech or hearing impairments.
- Qualified bilingual interpreters.
- To obtain such services, please call the Planning Assistant at 503 682-4960

DEVELOPMENT REVIEW BOARD MEETING  
JANUARY 13, 2020  
6:30 PM

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- V. Consent Agenda:
  - A. Approval of minutes of September 9, 2019 DRB  
Panel A meeting

**Wilsonville City Hall  
29799 SW Town Center Loop East  
Wilsonville, Oregon**

**Development Review Board – Panel A  
Minutes– September 9, 2019 6:30 PM**

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**I. Call to Order**

Chair **Joanne Linville** called the meeting to order at 6:30 p.m.

**II. Chair’s Remarks**

The Conduct of Hearing and Statement of Public Notice were read into the record.

**III. Roll Call**

Present for roll call were: Joann Linville, Jennifer Willard, Daniel McKay, and Angela Niggli

Staff present: Daniel Pauly, Barbara Jacobson, Kim Rybold

**IV. Citizens’ Input** This is an opportunity for visitors to address the Development Review Board on items not on the agenda. There were no comments.

**V. Consent Agenda:**

A. Approval of minutes of August 12, 2019 DRB Panel A meeting

**Daniel McKay moved to approve the August 12, 2019 DRB Panel A meeting minutes as presented. Angela Niggli seconded the motion, which passed 3 to 0 to 1 with Jennifer Willard abstaining.**

**VI. Public Hearing:**

A. **Resolution No. 367. Industrial Focus: Gavin Russell, CIDA Architects & Engineers – Representative for David Nicoli, Nicoli Pacific LLC – Owner.** The applicant is requesting approval of a Stage II Final Plan, Site Design Review, Class III Sign Review and Type C Tree Removal Plan for development of Phase I of a new three-phase multi-tenant industrial complex. The subject site is located on Tax Lots 300 and 500 of Section 14A, Township 3 South, Range 1 West, Clackamas County, Oregon. Staff: Cindy Luxhoj

Case Files: DB19-0013 Stage II Final Plan  
DB19-0014 Site Design Review  
DB19-0015 Class III Sign Review  
DB19-0016 Type C Tree Removal Plan

*This item was continued to this date and time certain at the August 12, 2019 DRB Panel A meeting.*

*The applicant has withdrawn the application. No public hearing will be held.*

**B. Resolution No. 369. Wilsonville Library Sign: Pat Duke, City of Wilsonville – Applicant/Owner.** The applicant is requesting approval of a Class 3 Sign Permit and Waiver for a new digital changeable copy monument sign at Wilsonville Public Library. The subject property is located at 8200 SW Wilsonville Road on a portion of Tax Lot 601 of Section 24, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Kimberly Rybold

Case Files: DB19-0030 Class 3 Sign Permit and Waiver

**Chair Linville** called the public hearing to order at 6:36 p.m. and read the conduct of hearing format into the record. All Board members declared for the record that they had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

**Kim Rybold, Associate Planner**, announced that the criteria applicable to the application were stated on pages 1 and 2 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room.

**Ms. Rybold** presented the Staff report via PowerPoint, briefly outlining the proposed sign's location and features with these key comments.

- The proposed monument sign contained a digital changeable copy sign within the overall sign area. The inclusion of the digital sign necessitated a Class III sign permit and associated waiver to allow for the electronic changeable copy sign.
- In March of 2019, City Council approved a Signage and Wayfinding Plan in hopes of developing a coordinated system of signage for City buildings, as well as other wayfinding signage and gateways into the city. The Wilsonville Public Library was the first building to upgrade its signage consistent with the Signage and Wayfinding Plan.
  - Features of the proposed sign that aligned with the Signage and Wayfinding Plan included building signs that featured a ledgerstone base, an aluminum sign cabinet with a corten powder coating finish with a bronze-like color, and white pin lettering that identified the library's location along with a font and style consistent with the Signage and Wayfinding Plan.
- Per City Code, certain signs listed as prohibited could be more aptly described as conditionally permitted. As such, a waiver was required for digital changeable copy signs, and specific criteria applied to the sign, such as automatic dimming technology that adjusted for ambient light, and conditions that the luminance could not exceed 5,000 candelas per sq meter between sunrise and sunset, or 500 candelas per sq meter between sunset and sunrise.
  - Also of note was the distinction between a changing image sign and a changeable copy sign. A changing image sign was identified as having the appearance of movement or copy change with a frequency less than once per 15 minutes and was outright prohibited per the Development Code. In contrast, a changeable copy sign had a frequency of copy change of at least 15 minutes or more and could be conditionally permitted through the DRB with a waiver.

- The proposed sign was consistent with the City's Wayfinding Signage Plan and the visual impact to the site and surrounding properties was substantially the same as other signs in the area. The digital sign would provide a sleek technological option to provide information about library activities, including community events and library programming. Ultimately, it would provide for easier maintenance and upkeep than a manual changeable copy sign.
- The proposal met with the conditions of approval listed in the Staff report and would not negatively impact safety. As always, content was not considered in the decision to approve a changeable copy sign.
- Staff recommended approval of the Class III Sign Permit and Waiver with the conditions as noted in the Staff report.

**Chair Linville** confirmed there were no questions for Staff and called for the Applicant's presentation.

**Daniel Pauly, Planning Manager**, noted he was representing the Applicant tonight. He had helped Mr. Duke prepare the application and Ms. Rybold had reviewed it.

**Pat Duke, Library Director**, stated the sign was the result of a Metro Community Enhancement Grant received within the last two years that brought an opportunity to the library and City to provide information for the community. The two-line signs currently on either side of Memorial Dr and Rebecca St would be removed. He believed it was nice that the proposed library sign was the first Wayfinding Plan piece that would be used by the City. The proposed sign would give the library the opportunity to be able to reach out to the community with its services and the services of the City itself. The library would be in control of the sign from day to day, and he believed it would be changed maybe once per day, as the library did not have much going on. However, the new sign would be a nice addition and allow the library to push its services out to the community and make a better connection with the community.

**Daniel McKay** asked why the library was removing the other two signs instead of replacing them.

**Mr. Duke** replied he did not believe the other two signs would be necessary. The existing signs were old, ugly, and at minimum needed to be replaced. At this point, they would simply be removed, and if that turned out to be a mistake, the library would do something else. The smaller signs that directed library patrons into the parking lot along Rebecca St and Memorial Dr might be replaced.

**Mr. McKay** responded the two signs might be good advertising for people coming from Memorial Park since the library was situated in such a way that it was not obvious it was a library until people got to Wilsonville Rd.

**Mr. Duke** responded that was fair, and believed the smaller signs next to the driveways were sufficient for that purpose.

**Chair Linville** noted Mr. Duke said the library would change the sign once per day and asked if the sign would therefore be static, with two or three items on it for the entire day, similar to the example provided to Staff. (Slide 4)

**Mr. Duke** replied that was a reasonable option. If there was more going on in the community or additional events, that approach might be changed. He believed the sign's usage would evolve to a degree over time, but changing the sign once a day would be sufficient to begin.

**Chair Linville** asked if he foresaw a situation in which the sign would change every 15 minutes.

**Mr. Duke** replied that was always a possibility. Changing the sign in that manner would imply that the sign displayed one message at a time. It was originally designed to have two or three messages displayed at a time, although it was possible that displaying only one message at a time was better. If that became the case, particularly in the summer, the sign might be changed more often, and every 15 minutes could be reasonable.

**Chair Linville** asked if the library was able to program how often the sign changed copy and how the technology worked.

**Mr. Duke** replied he believed that was how it worked, but he did not know any technology details other than it was run by a computer.

**Chair Linville** noted there was no one in the audience to provide testimony. She confirmed there were no other questions and closed the hearing at 6:53 pm.

**Jennifer Willard moved to approve Resolution No. 369. The motion was seconded by Angela Niggli and passed unanimously.**

**Chair Linville** read the rules of appeal into the record.

## **VII. Board Member Communications**

- A. Results of the August 26, 2019 DRB Panel B meeting
- B. Recent City Council Action Minutes There were no comments.

**Daniel Pauly, Planning Manager**, stated that in August, DRB Panel B had a hearing regarding last year's DRB approval of a subdivision in Villebois. Presently, Staff did not know when the subdivision would be built or by whom as the property transaction had fallen through. Through the earlier review process, it was determined that the planned street could not be built due to topography and steep grade. During a prior phase, a street stub had been built and the DRB had addressed the vacation of that street stub. The issue would go before City Council for final action on September 16.

**Kimberly Rybold, Senior Planner** noted in August, City Council had made some minor modifications to the City's Mixed and Solid Waste and Recyclables Code to bring it in line with

future changes that might impact storage area relative to food waste. Those Code updates would apply to any future applications that dealt with commercial, industrial, or mixed-use spaces.

### **VIII. Staff Communications**

**Kimberly Rybold, Senior Planner** noted that at the September 16 meeting, City Council would appoint Chair Linville to the City Council. She congratulated Chair Linville and thanked her for her wisdom and time spent on the DRB, wishing her good luck and success in her next endeavor.

**Chair Linville** thanked Staff, noting Ms. Rybold had been very helpful since she came on, and Mr. Pauly had been the standard bearer for the DRB and provided much assistance. She appreciated everything he had done. She thanked Barbara Jacobson for her legal advice that helped DRB run their meetings. She felt guilty leaving her colleagues on DRB without completing her term. She realized that due to Fred's departure and her own, the DRB would be shorthanded but believed they would still do well. She thanked the Board for being good colleagues and for all of the good work they had done. She was excited to join the City Council and looked forward to the opportunity to expand her decision-making, adding her time on the Board would be helpful in her Council work.

**Barbara Jacobson** thanked Chair Linville for all of her hard work on DRB.

**Staff** explained that Vice Chair Willard would chair the meetings on an interim basis until a new Chair was found. A recruitment announcement had already been made, and the DRB's replacements were anticipated to be appointed in October or November. At the next meeting, Ms. Willard would begin the meeting as Chair, but had the option of electing a permanent Chair and Vice Chair. The Chair and Vice Chair positions were usually incumbents, as opposed to new Board members, because incumbents had experience. Because Panel A was down to three Board members, Panel B members might be called on to help until the new appointments were made, especially if a current Board member was absent or to bring the Panel up to five members for major decisions.

### **IX. Adjournment**

The meeting adjourned at 7:02 p.m.

Respectfully submitted,

Paula Pinyerd, ABC Transcription Services, Inc. for  
Shelley White, Planning Administrative Assistant



DEVELOPMENT REVIEW BOARD MEETING  
JANUARY 13, 2020  
6:30 PM

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- V. Consent Agenda:
  - B. Approval of minutes of December 9, 2019 DRB  
Panel A meeting

**Wilsonville City Hall  
29799 SW Town Center Loop East  
Wilsonville, Oregon**

**Development Review Board – Panel A  
Minutes– December 9, 2019 6:30 PM**

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**I. Call to Order**

Acting Chair Shawn O’Neil called the meeting to order at 6:31 p.m.

**II. Chair’s Remarks**

The Conduct of Hearing and Statement of Public Notice were read into the record.

**III. Roll Call**

Present for roll call were: Shawn O’Neil (Panel B), Daniel McKay, and Angela Niggli

Staff present: Daniel Pauly, Barbara Jacobson, Kimberly Rybold, and Philip Bradford

**IV. Citizens’ Input** This is an opportunity for visitors to address the Development Review Board on items not on the agenda. There were no comments.

**V. Consent Agenda:**

A. Approval of minutes of September 9, 2019 DRB Panel A meeting

This item was postponed due to the lack of a quorum.

**Kimberly Rybold, Senior Planner**, introduced new Associate Planner Phillip Bradford, who had joined Staff from the City of Columbus, Ohio, where he worked in development review. She noted that he brought a very good eye to detail in his review of projects that would be very useful.

**Philip Bradford, Associate Planner**, stated that prior to working at the City of Columbus, he worked in the Portland, Oregon area in the private sector, including a lot of projects in Villebois and noted that his background was in planning and architecture.

**VI. Public Hearing:**

A. **Resolution No. 372. Stafford Woods Master Sign Plan Update: Security Signs, Inc. – Representative for Stafford Woods LLC – Owner/Applicant.** The applicant is requesting approval of an updated Master Sign Plan for Stafford Woods. The subject property is located at 25030 SW Parkway Avenue on Tax Lot 90000 of Section 2AD, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon. Staff: Philip Bradford

Case Files: DB19-0036 Class 3 Master Sign Plan

**Chair O’Neil** called the public hearing to order at 6:35 p.m. and read the conduct of hearing format into the record. All Board members declared for the record that they had visited the site.

No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

**Philip Bradford, Associate Planner**, announced that the criteria applicable to the application were stated on page 1 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room.

**Mr. Bradford** presented the Staff report via PowerPoint, noting the subject site's location and highlighting the background regarding the request for the updated Master Sign Plan with these key comments:

- A Master Sign Plan was approved for the Stafford Woods development in 2006 with the land use application and accounted for the wall signs based on the tenants intended to occupy the building after completion. (Slide 3) The building was eventually replatted as a condominium and multiple commercial tenant improvements had changed the interior layout, creating new tenant spaces.
  - In 2017, IVC received approval for a new building sign, which included channel letter signs of a height and location not approved in the original Master Sign Plan. (Slide 4)
- The proposed Master Sign Plan would allow for more flexibility for future tenants, along with the ability to have external signage while maintaining a cohesive look with a similar square footage allowance to that of the 2006 Master Sign Plan. (Slide 5)
  - The proposed Master Sign Plan also incorporated prior signage approvals and provided a framework for the approval of future tenant signs, sizes, and placement requirements for areas not accounted for in the original Master Sign Plan.
- He reviewed the applicable Master Sign Plan criteria (Slide 6), noting the proposed signage was compatible with multi-tenant office buildings consistent with the Planned Development Commercial (PDC) zone. No evidence or testimony had been received that indicated the updated Master Sign Plan would create a nuisance or negative impact on surrounding properties.
- The proposed Master Sign Plan allowed for building signs in appropriate locations relative to existing design elements, such as landscaping and architecture. Specifically, if Signs C and G (Slide 5) were proposed, the tenants would be required to remove the brick bump-out in the structure.
  - All signs would be consistently constructed out of LED halo illuminated brushed stainless steel. The plan also considered future needs by accounting for future interior changes to the building, such as consolidation of ground floor tenant spaces from four to two.
  - If Signs B or G were not used, the remaining position could be 54 sq ft per the tenant frontage allowances, and an 18 sq ft transfer from the adjacent facades.
    - If that did not occur, the signs would be as shown on Slide 5, based on the square footage of the existing tenant spaces.
- Based on the information provided, Staff recommended approval of the Class 3 Sign Permit, with conditions as noted in the Staff report.

**Chair O'Neil** confirmed there were no questions of Staff and called for the Applicant's presentation.

**Joseph Platt, Security Signs, 2424 SE Holgate, Portland, OR** noted the original Sign Plan was pretty restrictive and presented quite a few challenges, even requiring a very specific font, which resulted in not being able to use the font that the tenant had.

- IVC was one of the first to be outside of that font, and while it did require some extra work with the Planning Department, it did not require a full DRB meeting. Now that halo illuminated letters and flat cut out letters were part of the Sign Plan, signs could be created for tenants that looked good and did not take away from the general flavor of the original plan. Signs would not just be copper plate font as indicated initially by the original architect and the building owner, Heather Westing. He noted sample sign was displayed at the back of the room.

**Angela Niggli** inquired about the placement for Signs G and C. The notes on the building elevation shown on Page 16 of 18 of the Staff report indicated that Signs G and C were allowed as long as the brick bump-out was removed. She asked if that meant the full height of the brick bump-out, or only where the sign was being placed.

**Mr. Platt** confirmed the entire bump-out would have to be removed in that particular sign band area. He also confirmed the sign could be placed to the left or right of the bump-out if the sign was small enough to fit in that area.

**Ms. Niggli** stated her concern was that the building was symmetrical, with the current signs centered over the space so signs placed to the left or right of either space would not look right. She proposed that future signage be centered and the bump-out removed regardless of the sign's size, so it would be centered in that bay. She asked if there would be any situation in those spaces where there would be a different tenant on either side of the windows.

**Mr. Platt** replied he did not think so.

**Andy Labunsky, Atlas Property Management, 25030 SW Parkway Ave, Wilsonville, OR** stated he represented the Stafford Woods Condominium Association and was also an owner in the building. He stated the space in question was about 2,500 sq ft, so it was possible that there could be two tenants, but it was pretty unlikely that someone would want to have that small of a space and put two different signs up.

- He confirmed he would be fine with having the signage centered and the bump-out removed.
- He explained that the Master Sign Plan revision was initially sparked by Tenant C wanting the sign to be the width of that space as represented in the building elevation and removing the architectural element had been discussed.

**Chair O'Neil** asked whether Board Member Niggli's proposal, while not necessarily the Board's position, was something Mr. Labunsky was willing to adopt.

**Mr. Labunsky** replied yes, noting the opportunity and flexibility now available would not restrict anyone too far.

**Daniel Pauly, Planning Manager**, stated Staff concurred with Board Member Niggli's suggestion, adding that having signage consistently placed at the center of the tenant space made sense from an architectural and compatibility standpoint.

**Chair O'Neil** noted no citizens in the audience were present to provide public testimony and therefore, no rebuttal from the Applicant was necessary. He closed the public hearing at 6:49 pm.

There was a brief discussion regarding how to best phrase the motion.

**Daniel McKay** asked if the signs were vertically centered or if that was part of the original Master Sign Plan.

**Kimberly Rybold, Senior Planner**, confirmed the two existing signs as shown on the west elevation appeared to be both vertically and horizontally centered in the sign band. (Page 16)

**Daniel Pauly, Planning Manager**, added the only clarification regarded the sign band, because on the lower tenant spaces where the possibility existed for two sign locations, if a tenant took up the entire half of that space on the bottom floor, the sign was not to be centered on the tenant space.

**Ms. Rybold** confirmed that signage would be centered on the defined sign band.

**Daniel McKay** moved to approve Resolution No. 372, with an amendment to ensure that all signs are centered vertically and horizontally on the sign band. **Angela Niggli** seconded the motion, which passed unanimously.

**Chair O'Neil** read the rules of appeal into the record.

## **VII. Board Member Communications**

- A. Results of the October 28, 2019 DRB Panel B meeting
- B. Results of the November 25, 2019 DRB Panel B meeting
- C. Recent City Council Action Minutes

**Kimberly Rybold, Senior Planner**, highlighted the projects reviewed during the October and November DRB Panel B meetings, noting the October meeting included a similar application to update the Master Sign Plan for the Wilsonville Business Center.

- The November Panel B meeting addressed the Willamette Water Supply Program. A new raw water intake facility would be constructed on the City's water treatment plant property, which would include modifications to the lower site with additional park improvements

along the river bank, as well as a new electrical building to support that project on the upper site, which was a bit farther north where Arrowhead Creek Ln came in. Construction for those projects was expected to start sometime in 2020.

### **VIII. Staff Communications**

**Kimberly Rybold, Senior Planner**, stated two items would likely come before DRB Panel A in January, a pump station in Memorial Park and a Dutch Bros. Coffee shop in the Town Center area. The public hearing notices were expected to go out during the week of Christmas.

**Daniel Pauly, Planning Manager**, noted the pump station proposed at Memorial Park would replace the current sewer pump station located at the bottom of the drive.

**Daniel McKay** asked for an update about recruiting new Board members since the Board had lost a Board member in September.

**Barbara Jacobson, City Attorney**, stated the Mayor was in the process of interviewing candidates for several boards, including DRB Panel A.

### **IX. Adjournment**

The meeting adjourned at 6:57 p.m.

Respectfully submitted,

Paula Pinyerd, ABC Transcription Services, Inc. for  
Shelley White, Planning Administrative Assistant

**DRB Panel A Board Members in Attendance:**

**Daniel McKay**

*(Please circle one)*

Approve

Deny

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Angela Niggli**

*(Please circle one)*

Approve

Deny

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**DRB Panel B Board Member in Attendance:**

**Shawn O'Neil**

*(Please circle one)*

Approve

Deny

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**DEVELOPMENT REVIEW BOARD MEETING  
JANUARY 13, 2020  
6:30 PM**

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VI. Public Hearing:

**A. Resolution No. 373. Memorial Park Sewer Pump Station: Eddie Kreipe, Murraysmith – Representative for City of Wilsonville – Owner/Applicant.** The applicant is requesting approval of a Site Design Review and Type C Tree Removal Plan for a Sewer Pump Station, portion of the planned regional trail and associated improvements in Memorial Park. The site is located on Tax Lot 691, Section 24, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Philip Bradford

Case Files:	DB19-0037	Site Design Review
	DB19-0038	Type C Tree Removal Plan



**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 373**

**A RESOLUTION ADOPTING FINDINGS AND CONDITIONS OF APPROVAL, APPROVING A SITE DESIGN REVIEW AND TYPE C TREE REMOVAL PLAN FOR A SEWER PUMP STATION, PORTION OF THE PLANNED REGIONAL TRAIL AND ASSOCIATED IMPROVEMENTS IN MEMORIAL PARK. THE SITE IS LOCATED ON TAX LOT 691, SECTION 24, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. EDDIE KREIPE, MURRAYSMITH – REPRESENTATIVE FOR CITY OF WILSONVILLE –OWNER/ APPLICANT.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated January 6, 2020, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on January 13, 2020, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated January 6, 2020, attached hereto as Exhibit A1, , with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB19-0037 through DB19-0038; Site Design Review and Type C Tree Removal Plan for sewage pump station and associated improvements.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 13<sup>th</sup> day of January, 2020 and filed with the Planning Administrative Assistant on \_\_\_\_\_. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.

\_\_\_\_\_  
Acting Chair, Panel A  
Wilsonville Development Review Board

Attest:

\_\_\_\_\_  
**Shelley White, Planning Administrative Assistant**



Exhibit A1  
Staff Report  
Wilsonville Planning Division  
Memorial Park Pump Station

Development Review Board Panel 'A'  
Quasi-Judicial Public Hearing

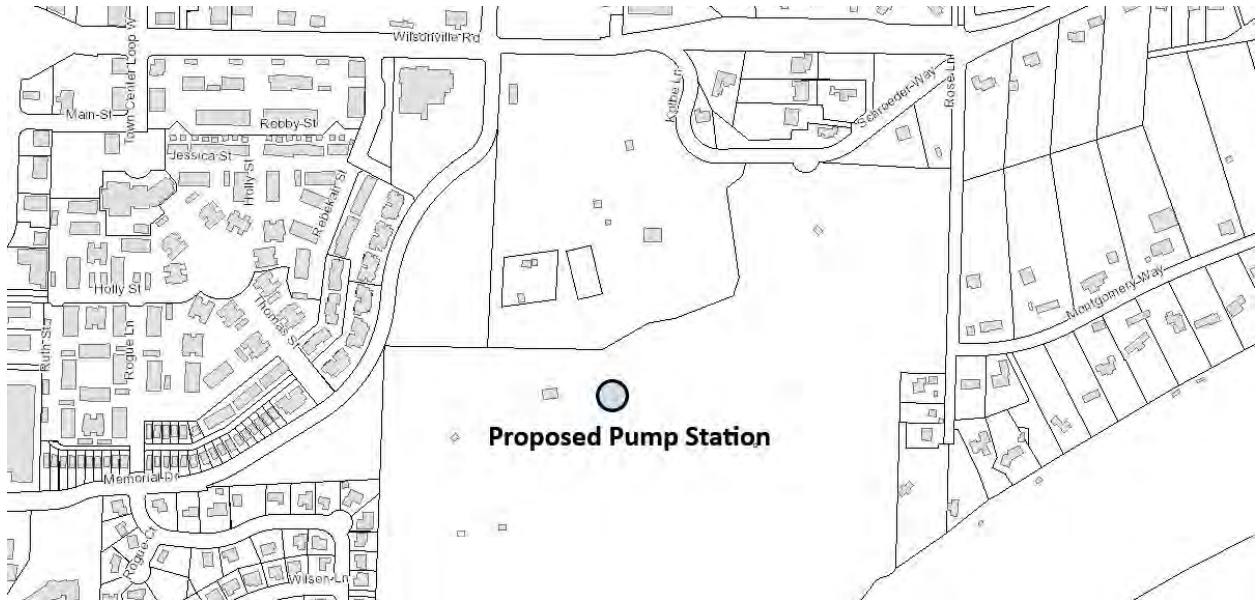
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<b>Hearing Date:</b>	January 13, 2020
<b>Date of Report:</b>	January 6, 2020
<b>Application Nos.:</b>	DB19-0037 Site Design Review DB19-0038 Type C Tree Removal Plan
<b>Request/Summary:</b>	Class 3 Site Design Review and Type C Tree Removal Plan for the proposed pump station in Memorial Park.
<b>Location:</b>	Central Memorial Park, directly north of the athletic fields. The property is specifically known as Portion of Tax Lot 691, Section 24, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon
<b>Owner:</b>	City of Wilsonville
<b>Applicant:</b>	Mike Nacrelli City of Wilsonville
<b>Applicant's Representative:</b>	Eddie Kreipe Murraysmith
<b>Comprehensive Plan Designation:</b>	Public Lands
<b>Zone Map Classification:</b>	PF (Public Facility)
<b>Staff Reviewers:</b>	Philip Bradford, Associate Planner Khoi Le PE, Development Engineering Manager Kerry Rappold, Natural Resources Manager
<b>Staff Recommendation:</b>	<u>Approve with conditions</u> the requested Site Design Review and Type C Tree Removal Plan request.

**Applicable Review Criteria:**

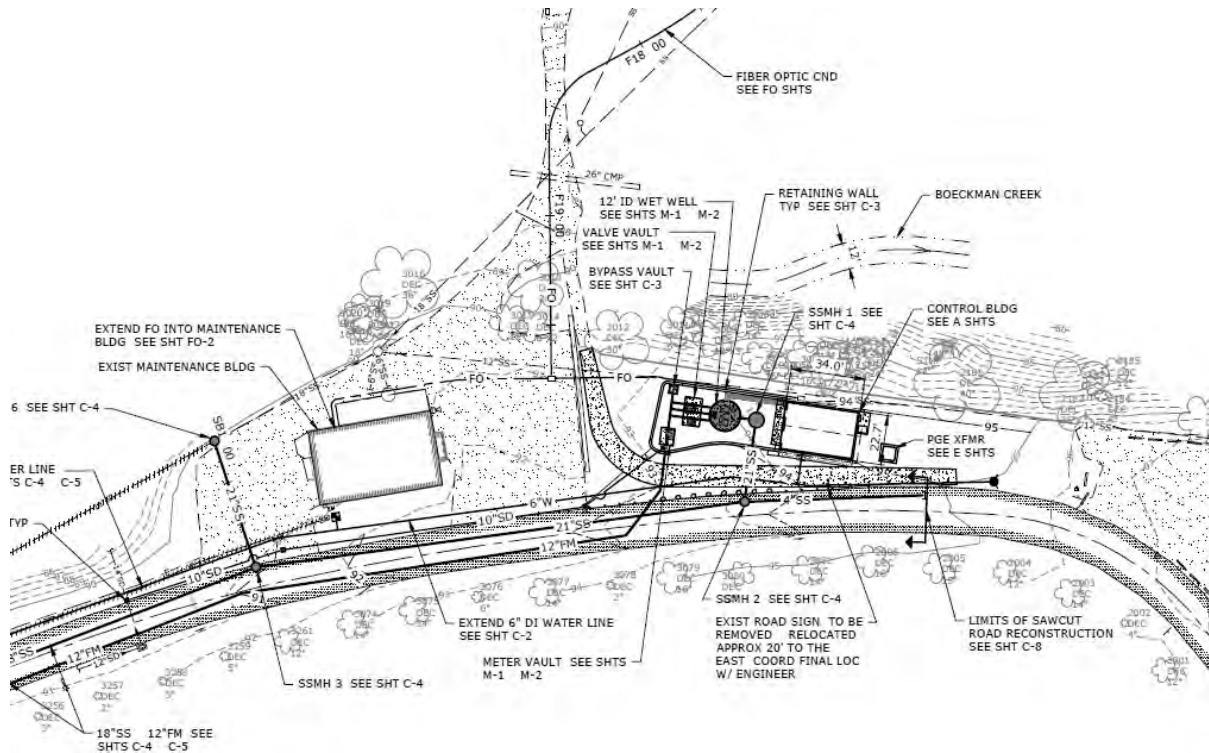
<b><u>Development Code:</u></b>	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.136, 4.131 (.03)	Public Facility (PF) Zone
Sections 4.133.00 through 4.133.05	Wilsonville Road Interchange Area Management Plan (IAMP) Overlay Zone
Sections 4.139.00 through 4.139.11	Significant Resource Overlay Zone (SROZ)
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600-4.640.20	Tree Preservation and Protection
<b><u>Other Planning Documents:</u></b>	
Memorial Park Master Plan (City of Wilsonville Resolution No. 2536)	
Parks and Recreation Comprehensive Master Plan (2018)	

## Vicinity Map



### Background/Summary:

The City of Wilsonville currently owns and operates an existing sewage pump station in Memorial Park. The existing pump station does not have the capacity to serve future development in the Frog Pond area and is located 3 feet below the 100 year flood plain elevation. The existing pump station and associated equipment is reaching the end of its expected design life and needs to be replaced to meet current standards. The City is proposing a new pump station located above the flood plain with the capacity to meet the projected increase in flow. The new pump station is proposed in a location consistent with the Memorial Park Master Plan and is designed to complement existing structures located within the park. As part of the pump station project, a portion of the regional trail shown on the Memorial Park Master Plan will be constructed and the existing pump station will be converted into a storage facility utilized by Parks and Recreation.



## Proposed Pump Station

### Discussion Points:

#### Flood and Seismic Resiliency

The existing pump station is situated 3 feet below the 100-year flood plain elevation of 93.0' feet. The new pump station is located on higher ground two feet above the flood plain with a base elevation of 95 feet. This meets the requirements of the Oregon Department of Environmental Quality Standards for pump station construction. This allows the proposed pump station to remain accessible during a 100 year storm event. The soils in the area of both the existing and proposed pump stations within Memorial Park have a high probability of liquefaction and ground deformation during a seismic event. The proposed pump station has been designed to mitigate for a seismic event by using a series of piles to support the building and adjacent underground structures. The force main pipe will have restrained joints to prevent separation.

#### Pump Station Design

The proposed pump station design closely fits in with the existing structures within Memorial Park. The roofline and roof material is similar to the metal gable roof designs found in the structures adjacent to the Murase Plaza playground and the river shelter. The color palette is muted and consists of darker earth tones in order to blend in with the surrounding park landscape. The building materials are all low maintenance and will be a combination of rough faced colored CMU block and metal louvers, doors, and roof.

## Park Access During Construction

The project team anticipates that vehicle access along the existing access road within Memorial Park will be restricted during the construction of underground utilities. This is necessary to ensure public safety. The City will minimize use restrictions. The City plans temporary pedestrian access around the work zone during construction and use of the sports fields will remain.

### Comments Received:

None received
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### Conclusion and Conditions of Approval:

Staff has reviewed the Applicant's analysis of compliance with the applicable criteria. The Staff report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, Staff recommends that the Development Review Board approve the proposed application (DB19-0037, DB19-0038) with the following conditions:

### Planning Division Conditions:

#### Request A: DB19-0037 Site Design Review

- |               |  |
|---------------|--|
| <b>PDA 1.</b> | Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding 21.  |
| <b>PDA 2.</b> | All landscaping required and approved by the Board shall be installed prior to use of the parking area, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding 40. |
| <b>PDA 3.</b> | The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or   |

	Development Review Board, pursuant to the applicable sections of Wilsonville’s Development Code. See Finding 41.
<b>PDA 4.</b>	All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered as allowed by Wilsonville’s Development Code. See Findings 42 and 43.
<b>PDA 5.</b>	The following requirements for planting of shrubs and ground cover shall be met: <ul style="list-style-type: none"> <li>• Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch.</li> <li>• Native topsoil shall be preserved and reused to the extent feasible.</li> <li>• Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings.</li> <li>• All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10” to 12” spread.</li> <li>• Shrubs shall reach their designed size for screening within three (3) years of planting.</li> <li>• Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum.</li> <li>• No bare root planting shall be permitted.</li> <li>• Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting.</li> <li>• Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.</li> <li>• Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding 50.</li> </ul>
<b>PDA 6.</b>	Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. See Finding 53.
<b>PDA 7.</b>	All lighting fixtures shall be fully shielded. See finding A58.
<b>PDA 8.</b>	The applicant shall submit an updated lighting plan showing final mounting locations and mounting heights. See finding A60.
<b>PDA 9.</b>	Site lighting shall be reduced to 50% of the requirement set forth in the Oregon Energy Efficiency Specialty Code from 11 p.m. to dawn. See Finding A62.

Request B: DB19-0038 Type C Tree Plan

<b>PDB 1.</b>	This approval for removal applies only to the 6 trees identified in the Applicant’s submitted materials. All other trees on the property shall be maintained unless removal is approved through separate application.
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<b>PDB 2.</b>	The Applicant shall submit an application for a Type 'C' Tree Removal Permit on the Planning Division's Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the Applicant shall provide the City's Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff.
<b>PDB 3.</b>	The Applicant/Owner shall install the required 6 mitigation trees, as shown in the Applicant's sheets L5 of Exhibit B1, per Section 4.620 WC.
<b>PDB 4.</b>	The permit grantee or the grantee's successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees for two (2) years after the planting date. A "guaranteed" tree that dies or becomes diseased during the two (2) years after planting shall be replaced.
<b>PDB 5.</b>	Prior to site grading or other site work that could damage trees, the Applicant/Owner shall install six-foot-tall chain-link fencing around the drip line of preserved trees. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. See Finding D14.

*The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City's Community Development Department or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.*

**Engineering Division Conditions:**

None received
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**Master Exhibit List:**

The following exhibits are hereby entered into the public record by the Development Review Board as confirmation of its consideration of the application as submitted. This is the exhibit list that includes exhibits for Planning Case Files DB19-0037 and DB19-0038.

Planning Staff Materials



- A1. Staff report and findings (this document)
- A2. Staff's Presentation Slides for Public Hearing (to be presented at Public Hearing)
- A3. Memorial Park Master Plan

Materials from Applicant

- B1. Applicant's Narrative and Submitted Materials
  - Development Permit Application Form
  - Project Narrative
  - Tax Map
  - Geotechnical Report
  - Outdoor Lighting Information
  - Building Rendering
  - Color Board
  - Tree Layout and Data
  - Arborist Report
  - Drawings and Plans
    - G-1 Cover
    - G-2 Legend
    - G-3 Abbreviations
    - ESC-1 Tree Protection and Erosion Control Notes
    - ESC-2 Tree Protection and Erosion Control Details
    - ESC-3 Tree Protection and Erosion Control Plan STA FM1+00 to STA FM5+60
    - ESC-4 Tree Protection and Erosion Control Plan STA FM5+60 to STA FM8+00
    - C-1 Site Plan
    - C-2 Pump Station Utility Plan
    - C-3 Pump Station Grading and Surfacing Plan
    - C-4 Off-Site Utility Plan STA FM1+00 to STA FM4+20
    - C-5 Off-Site Utility Plan STAFM4+20 to STA FM8+00
    - A-1 Code Sheet
    - A-2 Roof and Floor Plans
    - A-3 Exterior Elevations
    - E-5 Lighting Plan
    - L-1 Irrigation Plan
    - L-2 Irrigation Schedules, Details and Notes
    - L-3 Irrigation Details and Notes
    - L-4 Irrigation Details and Notes
    - L-5 Planting Plan
    - L-6 Planting Details

Development Review Team Correspondence

None received

Other Correspondence

None received

**Procedural Statements and Background Information:**

1. The statutory 120-day time limit applies to this application. The City received the application on November 1, 2019. On November 20, 2019 staff concluded a completeness review within the statutorily allowed 30-day review period and found the application to be complete. The City must render a final decision for the request, including any appeals, by March 19, 2020.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	PF	Park
East:	PF	Park
South:	PF	Park
West:	PF	Park

3. Previous Planning Approvals:  
83DR06 Memorial Park Master Development Plan  
83PCA10A Memorial Park Conditional Use  
87PC26 Memorial Park Conditional Use  
91DR21 Architecture and Landscaping, Phase 1  
91PC17 Memorial Park Comprehensive Plan Map Amendment  
91PC25 Memorial Park Master Plan Plan Review, Zone Change, and Willamette River Greenway CUP.  
DB13-0030 Memorial Park Parking Lot
4. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

## Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

### General Information

#### Application Procedures-In General Section 4.008

The City is processing the application in accordance with the applicable general procedures of this Section.

#### Initiating Application Section 4.009

The application submittal was on behalf of the property owner, City of Wilsonville, and an authorized representative signed the application.

#### Pre-Application Conference Subsection 4.010 (.02)

The City held a Pre-application conference on May 31, 2018 (PA18-0005) in accordance with this subsection.

#### Lien Payment before Approval Subsection 4.011 (.02) B.

No applicable liens exist for the subject property. The application can thus move forward.

#### General Submission Requirements Subsection 4.035 (.04) A.

The applicant has provided all of the applicable general submission requirements contained in this subsection.

#### Zoning-Generally Section 4.110

This proposed development is in conformity with the applicable zoning district and general development regulations listed in Sections 4.150 through 4.199 have been applied in accordance with this Section.

## Request: DB19-0037 Site Design Review

As described in the Findings below, the applicable criteria for this request are met or will be met by Conditions of Approval.

### Public Facility Zone Standards

#### Permitted Uses

Subsection 4.136 (.02)

- A1.** Public utilities and buildings and the associated trails and pathways are outright permitted uses in the Public Facility Zone.

#### Dimensional Standards

Subsection 4.136 (.04)

- A2.** The lot size is much in excess of the minimum 1-acre and the front and rear setbacks of 30 feet and sideyard setback of 10 feet are greatly exceeded. The proposal does not impact street frontages or setbacks. No buildings or structures greater than 35 feet tall.

#### Site Design Review Required

Subsection 4.136 (.08) A.

- A3.** The City is applying the Site Design Review standards of Sections 4.400 through 4.450 to the proposal. See Findings for Sections 4.400 through 4.450 below.

#### Master Plans in the Public Facility Zone

Subsection 4.136 (.08) B.

- A4.** The current proposal, while consistent with the Memorial Park Master Plan, does not seek to review or approve a Master Plan for an entire development, but rather seeks Site Design Review of the proposed sewage pump station. This section does not require review under Section 4.140 for the proposed development, as it does not involve the review or approval of a Master Plan.

#### Block and Access Standards- Adequate Connectivity for Peds, Bikes, and Vehicles

Subsections 4.136 (.09) and 4.131 (.03)

- A5.** The proposed pump station will take access from existing points along Memorial Drive and Wilsonville Road. Since the pump station will not be accessed by the general public, there are no proposed parking areas other than an area for authorized personnel to access the site without impacting other traffic on the internal access roads within Memorial Park. The City plans to construct a segment of the regional trail shown on the Memorial Park Master Plan as part of the pump station project meeting the above standards.

## **Objectives of Site Design Review**

### **Proper Functioning of the Site**

Subsection 4.400 (.02) A. and Subsection 4.421 (.03)

- A6.** The professionally designed site demonstrates significant thought to make the site functional and safe.

### **High Quality Visual Environment**

Subsection 4.400 (.02) A. and Subsection 4.421 (.03)

- A7.** Professional landscaping and a professional, site specific, pump station building design supports a quality visual environment, appropriate for the aesthetic of a developed park area.

### **Encourage Originality, Flexibility, and Innovation**

Subsection 4.400 (.02) B. and Subsection 4.421 (.03)

- A8.** The applicant proposes landscaping professionally designed specifically for the site. Sufficient flexibility exists to connect future portions of the regional trail into the trail segment constructed concurrently with the proposed pump station.

### **Discourage Inharmonious Development**

Subsection 4.400 (.02) C. and Subsection 4.421 (.03)

- A9.** As indicated in Finding A8 above the professional unique design of the landscaping and site support a high quality visual environment and thus prevent monotonous, drab, unsightly, dreary development. Use of long lasting materials as well as new landscaping will make the site more harmonious with adjacent and nearby development.

### **Proper Site Relationships**

Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

- A10.** The applicant has prepared a professional site-specific design that carefully considers the relationship of the pump station with other improvements to the site, existing and planned. The pump station building is screened with landscaping that has been designed to blend the site in with the surrounding natural environment. The trail segment and landscaping provided on site serve as a focal point or gateway feature to those entering this section of Memorial Park via the trail. The pump station building has been given proper attention to match the architectural style of existing buildings in the park.

### **Proper Relationships with Surroundings**

Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

- A11.** Consistent with the adopted Memorial Park Master Plan the proposed pump station has been designed and located to relate to and serve Memorial Park by minimizing the visual

impact of the structure and providing superior landscaping around the structure to integrate it with the surrounding tree grove.

#### Regard to Natural Aesthetics

Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

**A12.** The applicant is proposing the removal of two (2) Bigleaf Maple trees (*Acer macrophyllum*) in poor condition and four (4) dead European White Birch trees (*Betula pendula*). The applicant plans to mitigate the removal of these trees on a basis of one tree planted for each tree removed. The proposed additional landscaping will enhance the natural aesthetic of the site.

#### Attention to Exterior Appearances

Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

**A13.** The professionally designed pump station building demonstrates attention was given to the exterior appearance of the pump station and how it relates to other structures within Memorial Park.

#### Protect and Enhance City's Appeal

Subsection 4.400 (.02) E. and Subsection 4.421 (.03)

**A14.** Memorial Park serves as a marquee park in the City's system and as such provides great appeal as an amenity to residents, employees, and visitors. Adding amenities and supporting the build out of the park consistent with the adopted Memorial Park Master Plan while not impacting significant natural areas or decreasing existing amenities enhances the park while protecting the existing park.

#### Stabilize Property Values/Prevent Blight

Subsection 4.400 (.02) F. and Subsection 4.421 (.03)

**A15.** Adding planned public utilities consistent with the Memorial Park Master Plan enhances the portion of the park and stabilizes its value. The proposed improvements help this portion of the park stay in good repair and not become blighted. The pump station is intended to serve future capacity needs in the Frog Pond neighborhood to the north of Memorial Park, thus stabilizing and improving property values off-site.

#### Adequate Public Facilities

Subsection 4.400 (.02) G. and Subsection 4.421 (.03)

**A16.** Adequate public facilities are already in place in Memorial Park. The proposed pump station does not adversely impact public facilities and services.

#### Pleasing Environments and Behavior

Subsection 4.400 (.02) H. and Subsection 4.421 (.03)

**A17.** Memorial Park serves as a marquee park in the City's system and as such provides great appeal as an amenity to residents, employees, and visitors. Adding amenities and

supporting the build out of the park consistent with the adopted Memorial Park Master Plan enhances the pleasing environment of the park.

#### Civic Pride and Community Spirit

Subsection 4.400 (.02) I. and Subsection 4.421 (.03)

**A18.** Memorial Park serves as a marquee park in the City's system and as such contributes significantly to civic pride and community spirit tied to an identify of a park-rich city. Adding amenities and supporting the build out of the park consistent with the adopted Memorial Park Master Plan enhances the park's contribution.

#### Favorable Environment for Residents

Subsection 4.400 (.02) J. and Subsection 4.421 (.03)

**A19.** Memorial Park serves as a marquee park in the City's system and as such contributes significantly to a favorable, park-rich environment for residents. Adding amenities and supporting the build out of the park consistent with the adopted Memorial Park Master Plan enhances the park's contribution.

### **Jurisdiction and Power of the DRB for Site Design Review**

#### Development Must Follow DRB Approved Plans

Section 4.420

**A20.** These criteria will be satisfied by Condition of Approval PDA 1 ensures construction, site development, and landscaping are carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. The City will not issue any building permits prior to DRB approval. The applicant has not requested any variances from site development requirements.

### **Design Standards**

#### Preservation of Landscaping

Subsection 4.421 (.01) A.

**A21.** The proposal has been designed with maximum regard to the natural terrain and existing features in the area.

#### Harmony of Proposed Buildings to Environment

Subsection 4.421 (.01) B.

**A22.** The proposed pump station has been designed to match the architectural style of other existing buildings within Memorial Park. The proposed landscaping around the pump station building has been designed to screen and blend the pump station in with the surrounding natural environment.

#### Special Attention to Drives, Parking, and Circulation- Access Points

Subsection 4.421 (.01) C.

**A23.** The applicant proposes no change to existing parking, driveways, or circulation areas.

Special Attention to Drives, Parking, and Circulation- Interior Circulation  
Subsection 4.421 (.01) C.

**A24.** The applicant proposes no change to existing parking, driveways, or circulation areas.

Special Attention to Drives, Parking, and Circulation- Pedestrian and Vehicle Separation  
Subsection 4.421 (.01) C.

**A25.** The design separates pedestrian and vehicle circulation except at necessary cross walks.

Special Attention to Drives, Parking, and Circulation- Safe and Convenient Parking Areas  
Subsection 4.421 (.01) C.

**A26.** The applicant does not propose any parking areas.

Special Attention to Drives, Parking, and Circulation- Parking Detracting from Design  
Subsection 4.421 (.01) C.

**A27.** The applicant does not propose any parking areas.

Special Attention to Surface Water Drainage  
Subsection 4.421 (.01) D.

**A28.** For any new impervious surface requiring stormwater treatment the applicant will provide a professionally designed stormwater system consistent with City standards.

Harmonious Above Ground Utility Installations  
Subsection 4.421 (.01) E.

**A29.** No above ground utility installations are proposed.

Indication of Sewage Disposal  
Subsection 4.421 (.01) E.

**A30.** The applicant does not propose any sewer disposal.

Advertising Features Do Not Detract  
Subsection 4.421 (.01) F.

**A31.** The applicant does not propose any advertising features.

Screening and Buffering of Special Features  
Subsection 4.421 (.01) G.

**A32.** The applicant does not propose any special features requiring additional screening or buffering.



Design Standards Apply to All Buildings, Structures, Signs, and Features  
Subsection 4.421 (.02)

A33. The applicant's design considers the design standards for all features.

Conditions of Approval to Ensure Proper and Efficient Function  
Subsection 4.421 (.05)

A34. Staff does not recommend any additional conditions of approval to ensure the proper and efficient functioning of the development.

Color or Materials Requirements  
Subsection 4.421 (.06)

A35. No specific paints or colors are being required.

**Standards for Mixed Solid Waste and Recycling Areas**

Mixed Solid Waste and Recycling Areas  
Subsections 4.430 (.02)-(.04)

A36. The applicant does not propose any new mixed solid waste and recycling areas. Mixed solid waste and recycling area requirements do not address public facility uses. No changes in solid waste volume is anticipated as this is an unoccupied structure, therefore this subsection does not apply.

**Site Design Review Submission Requirements**

Submission Requirements  
Section 4.440

A37. The applicant has provided a site plan drawn to scale and a detailed landscape plan.

**Time Limit on Site Design Review Approvals**

Void after 2 Years  
Section 4.442

A38. The Applicant plans to develop the proposed project within two years and understands that the approval will expire after two years if a building permit has not been issued unless the City grants an extension.

**Installation of Landscaping**

Landscape Installation or Bonding  
Subsection 4.450 (.01)

A39. Condition of Approval PDA 2 will assure installation or appropriate security.

Approved Landscape Plan Binding  
Subsection 4.450 (.02)

**A40.** Condition of Approval PDA 3 provides ongoing assurance approved landscaping is installed and maintained.

#### Landscape Maintenance and Watering

Subsection 4.450 (.03)

**A41.** Condition of Approval PDA 4 will ensure continual maintenance of landscaping in a substantially similar manner as originally approved by the Board.

#### Limitation to Modifications of Landscaping

Subsection 4.450 (.04)

**A42.** Condition of Approval PDA 4 provides ongoing assurance of conformance with this criterion by preventing modification or removal without the appropriate City review.

### **Landscaping Standards**

#### Intent and Required Materials

Subsections 4.176 (.02) C. through I.

**A43.** The general landscape standard applies as substantial distance exists between the pump station and any neighboring development and the pump station is not adjacent to the street. The only areas with new landscaping proposed are adjacent to the pump station building. The adjacent areas remain in their current state. As applicable, the trees are within 30 feet of each other, as required, and the remaining area has sufficient shrubs and groundcover as to not leave bare soil.

#### Landscape Area Min 15% of Lot

Subsections 4.176 (.03)

**A44.** The subject lot, which is primarily vegetated park area, will continue to exceed the landscape minimum.

#### Landscaping in a Variety of Areas

Subsections 4.176 (.03)

**A45.** The design for the proposed pump station places landscaping in three distinct areas.

#### Landscaping Encouraged Adjacent to Structures

Subsections 4.176 (.03)

**A46.** The design for the proposed pump station places landscaping on both sides of the pump station structure.

#### Landscaping to Define, Soften, Screen Building and Off-Street Parking

Subsections 4.176 (.03)

**A47.** The landscape design softens the overall look of the pump station by adding a natural element, partially screening the building from the surrounding park.

#### Landscape Materials Achieve Balance Between Plant Forms, Textures, Heights Subsections 4.176 (.03)

**A48.** A variety of trees, shrubs, and groundcover are proposed surrounding the pump station. The use of many different types of plant species provides a variety of forms, textures, and heights to provide interest and balance each other with their variety.

#### Shrubs and Groundcover Materials Requirements Subsection 4.176 (.06) A.

**A49.** Condition of Approval PDA 5 requires meeting the detailed requirements of this subsection. Of particular note, Sheet L-5 of the applicant's plan set, shows 1-gallon containers. The Condition of Approval requires 2-gallon containers.

#### Plant Materials Requirements-Trees Subsection 4.176 (.06) B.

**A50.** As stated on Sheet L-6 of the applicant's plan set, Exhibit B1, the plant material requirements for trees will be met as follows:

- Trees are B&B (Balled and Burlapped)
- Tree are 2" caliper.

#### Plant Species Requirements Subsection 4.176 (.06) E.

**A51.** The applicant's landscape plan (Sheet L-5) provides sufficient information showing the proposed landscape design meets the standards of this subsection related to use of native vegetation and prohibited plant materials.

#### Landscape Installation and Maintenance Standards Subsection 4.176 (.07)

**A52.** The installation and maintenance standards are met or will be met by Condition of Approval PDA 6 as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival
- Within one growing season, the applicant must replace in kind plants that die, unless the City approves appropriate substitute species.
- The applicant's Sheet L-1 provides for an irrigation system.

#### Landscape Plan Requirements Subsection 4.176 (.09)

**A53.** Applicant's Sheet L-5 in Exhibit B1 show all existing and proposed landscape areas. The to-scale plans show the type, installation size, number and placement of materials. Plans

include a plant material list. Plants identification is by both their scientific and common names.

#### Completion of Landscaping Subsection 4.176 (.10)

**A54.** The applicant has not requested to defer installation and thus must install landscaping prior to occupancy.

### **Outdoor Lighting**

#### Applicability of Outdoor Lighting Standards Sections 4.199.20 and 4.199.60

**A55.** Proposed is a new exterior lighting system for a public facility project. The outdoor lighting standards thus apply.

#### Outdoor Lighting Zones Section 4.199.30

**A56.** The subject property is within LZ1.

#### Optional Lighting Compliance Methods Subsection 4.199.40 (.01) A.

**A57.** The applicant has the option of the performance or prescriptive method. The applicant has selected to comply with the prescriptive method.

#### Maximum Lamp Wattage and Shielding Subsection 4.199.40 (.01) B. 1. and Table 7

**A58.** The applicant proposes 13, 36, and 44 watt lamp wattage and Condition of Approval PDA 7 ensures the fixtures are fully shielded. The maximum allowed wattage for fully shielded luminaires in LZ 1 is 70 watts.

#### Oregon Energy Efficiency Code Compliance Subsection 4.199.40 (.01) B. 2.

**A59.** The applicant will demonstrate compliance with the Oregon Energy Efficiency Code, Exterior Lighting prior to construction.

#### Maximum Mounting Height Subsection 4.199.40 (.01) B. 3.

**A60.** The applicant proposes to meet the mounting height shown for LZ1 in Table 8. Condition of approval PDA 8 ensures the above standard is met.

#### Setback from Property Line Subsection 4.199.40 (.01) B. 4.

**A61.** With a mounting height of 25 feet, the required setback for the luminaires is 75 feet. The only light within 75 feet of a property line is the first one from the street. However, when applying Exception 2 to measure the setback from the setback line of the property across Wilsonville Road or Memorial Drive, the setback is well in excess of 75-feet.

#### Lighting Curfew

Subsection 4.199.40 (.01) D.

**A62.** The park is open 5 a.m. to 10 p.m. The standards permit full intensity lighting from dusk to one hour after closing, which is 11 p.m. Condition of Approval PDA 9 requires the lighting to be reduced to 50% of the requirements set forth in the Oregon Energy Efficiency Specialty Code from 11 p.m. to dawn.

### **Wilsonville Road Interchange Area Management Plan (IAMP) Overlay Zone**

#### Where IAMP Regulations Apply

Section 4.133.02

**A63.** The subject property is wholly within the IAMP Overlay Zone, the applicable IAMP standards thus apply.

#### IAMP Permitted Land Uses

Section 4.133.03

**A64.** The proposed park supporting use is consistent with the underlying PF zone.

#### Access Management Applicability

Subsections 4.133.04 (.01) – (.03)

**A65.** Section 4.004 requires a development permit for the proposed pump station and associated improvements, thus the IAMP requirements apply.

#### Access Management Plan Consistency

Subsection 4.133.04 (.04) A.

**A66.** The IAMP does not address access Memorial Park.

#### Joint ODOT Review

Subsection 4.133.04 (.04) A.

**A67.** The proposal does not impact any accesses or access areas addressed by the IAMP.

#### Cross Access Easements

Subsection 4.133.04 (.05)

**A68.** No tax lots identified in the Access Management Plan are involved in the proposed development.

#### Traffic Impact Analysis

Subsection 4.133.01 (.01)

**A69.** The proposed pump station is designed to be accessed by exclusively by city staff. The pump station building is replacing an existing pump station located on the same lot, therefore there is no change to the PM trips generated on site. A Traffic Impact Analysis is not required for this proposed development.

### **On-site Pedestrian Access and Circulation**

On-site Pedestrian Access and Circulation  
Section 4.154

**A70.** The proposed design provides continuous and direct connections to the public right-of-way, the existing community garden, and the planned off-leash dog area. The surfaces are smooth concrete or asphalt. Except for the crosswalk near the entry of the parking area, the submitted plans show all internal pedestrian pathways vertically separated from vehicle circulation and parking areas. The crosswalk will be marked. The plans show all pathways at least 5 feet wide.

### **Parking and Loading**

Parking, Loading, and Bicycle Parking  
Section 4.155 (.02) and (.03)

**A71.** Off-street parking and loading requirements do not address public facility uses. No changes in off-street parking demand is anticipated, as staff accessing the existing pump station already report to the site. No off-street parking spaces, loading areas, or bicycle parking spaces are proposed as part of the pump station project. Existing parking, loading, and bicycle parking areas are located throughout Memorial Park.

### **Other Development Standards**

Access, Ingress, and Egress  
Section 4.167

**A72.** The proposed pump station does not contain vehicular access to public or private streets.

Natural Features and Other Resources  
Section 4.171

**A73.** While the Memorial Park property is rich with natural and other resources the area of the planned improvements is generally an open field and the proposal does not negatively affect any significant natural or other resources.

### **Public Safety and Crime Prevention**

Design for Public Safety  
Subsection 4.175 (.01)

A74. Staff finds no evidence, nor has not received any testimony, indicating the design of the site would lead to crime or negatively affect public safety.

#### Surveillance and Access

Subsection 4.175 (.03)

A75. No parking or loading areas are proposed. No areas of particular vulnerability to crime have been identified warranting additional surveillance. The site is accessible by police during routine patrol.

#### Lighting to Discourage Crime

Subsection 4.175 (.04)

A76. The applicant designed the lighting in accordance with the City's outdoor lighting standards, which will provide sufficient lighting to discourage crime.

### **Parks and Recreation Master Plans**

#### Memorial Park Master Plan Consistency

Memorial Park Master Plan Preferred Option

A77. As shown on page 35 of Exhibit A3, a new pump station located between the New Picnic Shelter and New Skate Spot, is part of the preferred option adopted by City Council with Resolution 2536 following public outreach and involvement, review by the Parks and Recreation Advisory Board, and the Planning Commission.

## Request B: DB19-0038 Type C Tree Removal Plan

### Type C Tree Removal-General

Tree Related Site Access  
Subsection 4.600.50 (.03) A.

- B1.** The applicant understands the City has access to the property to verify information regarding trees.

Review Authority  
Subsection 4.610.00 (.03) B.

- B2.** As the requested removal is a component of the Memorial Park Pump Station, as under review by the Development Review Board, the tree removal is thus a component application in need of review the DRB.

Conditions of Approval  
Subsection 4.610.00 (.06) A.

- B3.** Staff does not recommend additional conditions pursuant to this subsection.

Completion of Operation  
Subsection 4.610.00 (.06) B.

- B4.** It is understood the tree removal will be completed by the time construction of the pump station is completed, which is a reasonable time frame for tree removal.

Security for Permit Compliance  
Subsection 4.610.00 (.06) C.

- B5.** Staff does not anticipate the need for a bond requirement ensuring compliance with the tree removal plan, as a bond is required for overall landscaping.

Tree Removal Standards  
Subsection 4.610.10 (.01)

- B6.** The standards of this subsection are met as follows:
- Standard for the Significant Resource Overlay Zone: The proposed tree removal is located within the Significant Resource Overlay zone.
  - Preservation and Conservation: The applicant considered tree preservation throughout site design, and has limited tree removal to trees that are necessary to remove for development or have declining health.
  - Development Alternatives: No significant wooded areas or trees exist on the portion of the site impacted by the project; therefore, design alternatives are not applicable.



- Land Clearing: The site developed as a park in phases since the late 1960's, therefore additional land clearing is not proposed, and will not be a result of this development application.
- Residential Development: The proposed Pump Station does not involve residential development.
- Compliance with Statutes and Ordinances: The proposed landscape plan provides the necessary tree replacement and protection, according to the requirements of tree preservation and protection ordinance.
- Relocation or Replacement: Tree removal is limited to areas necessary for construction, or in situations addressing nuisances that warrant removal.
- Limitation: The trees proposed for removal were determined to be in conflict with the proposed pump station building or in poor condition. The applicant used careful consideration during the design to protect as many existing trees as possible, and the design limits tree removal to the minimum that is feasible for the construction to go forward. Therefore, the applicant has shown the tree removal, as proposed, is reasonable under these circumstances.
- Additional Standards: A tree survey is included in the applicant's materials. All utilities presently exist on site and the applicant does not propose to relocate any because of this application; therefore, there are no anticipated tree/utility conflicts or adverse environmental consequences.

#### Review Process

Subsection 4.610.40 (.01)

**B7.** The review of this tree plan is concurrent with Site Design Review.

#### Tree Maintenance and Protection Plan

Section 4.610.40 (.02)

**B8.** The applicant has submitted the necessary copies of a Tree Maintenance and Protection Plan. See the applicant's submitted tree inventory, tree locations site plan, and arborist report in Exhibit B1.

#### Replacement and Mitigation

##### Tree Replacement Requirement

Subsection 4.620.00 (.01)

**B9.** The applicant is proposing the removal of two (2) Bigleaf Maple trees (*Acer macrophyllum*) in poor condition and four (4) dead European White Birch trees (*Betula pendula*). Six trees are proposed for removal, and the applicant's proposed landscape plan reflects six mitigation trees, meeting the minimum one to one ratio requirement.

#### Basis for Determining Replacement

Development Review Board Panel 'A' Staff Report January 6, 2020

Exhibit A1

Memorial Park Pump Station

DB19-0037, DB19-0038

Page 24 of 25

Subsection 4.620.00 (.02)

**B10.** The applicant proposes six trees for removal, and proposes six be planted as mitigation, meeting a one to one ratio. Trees will meet the minimum caliper requirement, which a Condition of Approval ensures.

#### Replacement Tree Requirements

Subsection 4.620.00 (.03)

**B11.** A condition ensures the applicant meet all relevant requirements of this Subsection.

#### Replacement Tree Stock Requirements

Subsection 4.620.00 (.04)

**B12.** A condition of approval will ensure the appropriate quality for replacement trees.

#### Replacement Trees Locations

Subsection 4.620.00 (.05)

**B13.** The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development.

### **Protection of Preserved Trees**

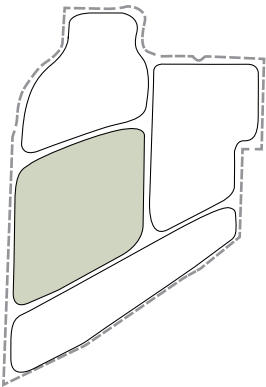
#### Tree Protection During Construction

Section 4.620.10

**B14.** While the submitted arborist report includes suitable tree protection plans during construction, the conditions of approval assure the applicant meet all applicable requirements of this Section and the requirements of RD-1230, Public Works Standards drawing on Tree Protection Fencing.



Figure 18 - WEST AREA ENLARGEMENT



West Area

- 1 New Regional Trail
- 2 New Picnic Shelter with Restroom
- 3 New Pump Station
- 4 New Skate Spot
- 5 New Parking
- 6 Restroom Improvements
- 7 New Nature Based Play
- 8 (2) New Tennis Courts
- 9 (2) Existing Tennis Courts
- 10 (2) New Covered Pickle Ball Court
- 11 (2) Existing Pickle Ball Courts
- 12 Update shelter with new Concessions
- 13 New Synthetic Turf Soccer
- 14 New Synthetic Turf Ballfield
- 15 Natural Turf Soccer and Ballfields
- 16 Open Lawn
- 17 Basketball Court, (1) full court (south) and (2) 1/4 courts (north)
- 18 Sand Volleyball Courts
- 19 Boeckmen Creek
- 20 Existing Parking
- 21 New Vegetated Buffer
- 22 New Synthetic Turf Area
- 23 Existing Play Area with new perimeter fence
- 24 Multi-use path with emergency / service access
- 25 Forest Shelter Improvements



Existing Ballfield



Pickleball Example



Sand Volleyball Example

## WEST AREA

The West area of Memorial Park contains major programmatic elements including ball fields, open lawn, parking, play areas, court sports and shelters.

## SPORTS FIELDS

Ballfields 1,2,3,4 remain in their current locations. Ballfield 5 shifts to the east, sharing space with the open unprogrammed lawn space. The fields are significantly updated with lighting, dugouts, backstops, foul ball protection and seating improvements. Portable outfield and foul territory fencing provides flexibility at all fields to efficiently switch sports of field sizes. Ballfields 1 and 2 are upgraded to synthetic turf with drainage below (with future consideration for ballfield 3), increasing the usability of the fields in terms of scheduling efficiency and seasonal extension (shown as dark colored turf, Figure 18). The synthetic turf area is extended beyond the fields to the northeast providing a flexible use/warm up space. The remaining fields and open lawn space, likely renovated, will remain natural turf.

## SPORTS COURTS

Two existing tennis courts remain in place with two new courts to the north. The courts are striped for pickleball use as well. Two existing uncovered pickleball courts remain with two new covered pickleball courts added. A covered spectator seating area with bleachers allows spectators to watch tennis or pickleball while sheltered from the elements. Two basketball hoops with 1/4 courts are provided adjacent to tennis and pickleball for casual play. A concession building is proposed near the court sports and ball fields (12, Figure 18). The concession building has covered seating areas and can be used as registration and ceremony space for events. On the south side of the open lawn area one basketball court and two sand volleyball courts are proposed.



Nature Play Example



Future Picnic Shelter with Restroom



Paved Path Example



Existing Parking Lot

## PLAY

The existing play area adjacent to the primary pedestrian corridor will remain and be upgraded with child security fencing (23, figure 18). A nature based play loop is incorporated offering children an alternative play experience integrated into the parks mature forest (7, figure 18). A new skate spot is located the east of the access road for safety and surveillance 4, figure 18). The skate spot is designed specifically to preserve mature trees, integrating them into the skate area.

## STRUCTURES

Several new structures are proposed: (1) new restroom (6, figure 18) at the eastern parking lot, (1) shelter with concession at sports fields, and a new lift station to be installed. Existing facilities that will remain in place and receive upgrades to accommodate new use/ capacity include: Rest room at sports fields (6, Figure 18), and existing maintenance barn to be converted to rentable picnic shelter (2, Figure 18). The Forest shelter will receive improvements to its structure as well as site improvements including removing the berm to visually and physically to provide greater connectivity to the ballfields

## TRAILS

Several trail types are proposed. The paved regional trail connects to the west into the adjoining neighborhood. A 12' major paved path runs along the southern edge of ballfields. The major path connects the two new parking lots together, providing emergency and service vehicle access as well as access to the lift station during a 100yr flood event. Soft surface trails connect to the major 12' trail. Bench seating is proposed intermittently along the regional trail and major trails.

## PARKING

Parking is upgraded to include two new paved parking areas, increasing the total parking count to 434 paved spaces (362 existing including informal gravel lots). The existing paved lot is renovated at the north intersection to clarify park circulation. The new lots are strategically distributed to provide easy access to all park uses, to be safe, and protect significant vegetation.

**DEVELOPMENT REVIEW BOARD MEETING  
JANUARY 13, 2020  
6:30 PM**

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VI. Public Hearing:

**B. Resolution No. 374. Dutch Bros. Drive-thru Coffee Shop: Casey McGuirl, McGuirl Designs & Architecture – Representative for Douglas Fry – Owner/Applicant.** The applicant is requesting approval of a Stage I Preliminary Plan Modification, a Stage II Final Plan, Site Design Review and Class 3 Sign Permit for a drive-thru coffee shop with outdoor seating. The site is located at 29702 SW Town Center Loop W on Tax Lot 500 of Section 13CC, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Kimberly Rybold

Case Files: DB19-0024	Stage I Preliminary Plan Modification
DB19-0025	Stage II Final Plan
DB19-0026	Site Design Review
DB19-0027	Class 3 Sign Permit

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 374**

**A RESOLUTION ADOPTING FINDINGS AND CONDITIONS OF APPROVAL, APPROVING A STAGE I PRELIMINARY PLAN MODIFICATION, A STAGE II FINAL PLAN, SITE DESIGN REVIEW AND CLASS 3 SIGN PERMIT FOR A DRIVE-THRU COFFEE SHOP WITH OUTDOOR SEATING. THE SITE IS LOCATED AT 29702 SW TOWN CENTER LOOP W ON TAX LOT 500 OF SECTION 13CC, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. CASEY MCGUIRL – MCGUIRL DESIGNS AND ARCHITECTURE – REPRESENTATIVE FOR DOUGLAS FRY – OWNER/ APPLICANT.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated January 6, 2020, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on January 13, 2020, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated January 6, 2020, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB19-0024 through DB19-0027; Stage I Preliminary Plan Modification, Stage II Final Plan, Site Design Review, and Class III Sign Review.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 13<sup>th</sup> day of January, 2020 and filed with the Planning Administrative Assistant on \_\_\_\_\_. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.

\_\_\_\_\_  
Acting Chair - Panel A  
Wilsonville Development Review Board

Attest:

\_\_\_\_\_  
**Shelley White, Planning Administrative Assistant**



Exhibit A1  
Staff Report  
Wilsonville Planning Division  
Dutch Bros. Drive-thru Coffee Shop  
  
Development Review Board Panel 'A'  
Quasi-Judicial Public Hearing

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<b>Hearing Date:</b>	January 13, 2020
<b>Date of Report:</b>	January 6, 2020

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<b>Application Nos.:</b>	DB19-0024 Stage I Preliminary Plan Modification DB19-0025 Stage II Final Plan DB19-0026 Site Design Review DB19-0027 Class 3 Sign Permit
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**Request/Summary:** The review before the Development Review Board is a Class III Stage I Preliminary Plan Revision, Stage II Final Plan, Site Design Review, and Sign Permit for the development of a drive-thru coffee shop.

**Location:** 29702 SW Town Center Loop West. The property is specifically known as Tax Lot 500, Section 13CC, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.

**Owner/Applicant:** Douglas Fry

**Applicant's Representative:** Casey McGuirl  
McGuirl Designs & Architecture

**Comprehensive Plan Designation (Time of Application):** Commercial

**Comprehensive Plan Designation (Current):** Town Center

**Zone Map Classification (Time of Application):** PDC-TC (Planned Development Commercial-Town Center)

**Zone Map Classification (Current):** TC (Town Center)

**Staff Reviewers:** Kimberly Rybold, AICP, Senior Planner  
Khoi Le, PE, Development Engineering Manager

**Staff Recommendation:** Approve with conditions the Stage I Preliminary Plan Modification, Stage II Final Plan, Site Design Review request, and Class III Sign Permit.



**Applicable Review Criteria:**

<b><u>Development Code:</u></b>	
Section 4.001	Definitions
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.116	Standards Applying to Commercial Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.131.05 ( <i>note: this section was omitted per Ordinance No. 835, effective 6/5/2019</i> )	Planned Development Commercial-Town Center Zone (PDC-TC)
Sections 4.133.00 through 4.133.05	Wilsonville Road Interchange Area Management Plan (IAMP) Overlay Zone
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Section 4.156.01 through 4.156.11	Signs
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.179	Mixed Solid Waste and Recycling
Sections 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
<b><u>Other Planning Documents:</u></b>	
Wilsonville Comprehensive Plan	
Previous Land Use Approvals	

## Vicinity Map



### Background:

The subject property is part of the Town Center Master Plan approved in the 1980s, which envisioned a variety of commercial uses. This master plan serves as the Stage I Preliminary Plan per Subsection 4.140 (.07) for the proposed project. In 2006, the site was partitioned resulting in Tax Lot 500, the 0.52-acre subject site. In 2008, the DRB approved a revised Stage I Preliminary Plan, Stage II Final Plan, Site Design Review, and Master Sign Plan for a 5,000-square-foot paint store. The Stage II Final Plan, Site Design Review request, and Master Sign Plan request expired in 2012.

The City recently adopted the Town Center Plan, a long-term, community-driven vision to transform Wilsonville's Town Center into a vibrant, walkable destination that inspires people to come together and socialize, shop, live, and work. As part of this work, a new zoning designation, Town Center, and associated Development Code Section 4.132 were adopted for the entire Town Center Area to implement the Town Center Plan's recommendations. These standards support the creation of a walkable Town Center and main street, with design standards regulating building placement, building height, parking location, and drive through facilities. The plan and associated Zone Map and Development Code amendments went into effect on June 5, 2019. As the subject applications were submitted to the City on June 4, 2019, the standards applicable at the time the City received the application (Section 4.131.05, Planned Development Commercial-Town Center, see Exhibit A2) are used in determining compliance with City standards.

## **Summary:**

### Stage I Preliminary Plan Modification (DB19-0024)

The proposed Stage I Preliminary Plan Modification simply modifies the planned use for the subject site from service commercial to drive-thru coffee shop.

### Stage II Final Plan (DB19-0025)

The Stage II Final Plan reviews the function and design of the drive-thru coffee shop and associated site layout. All services are available for the site. The traffic study shows that proposed site traffic will not cause any significant impacts requiring vehicular mitigation; however, crosswalk enhancements are recommended to support anticipated pedestrian trips to the coffee shop's walk-up window. The site includes parking, circulation areas, pedestrian connections, and landscaping meeting or exceeding City standards.

### Site Design Review (DB19-0026)

The applicant used appropriate professional services to design structures on the site using quality materials and design. The proposed building uses neutral colored materials such as brick, wood grain plank, and concrete masonry with metal panel siding. Furthermore, landscaping materials meet or exceed City standards.

### Class III Sign Permit (DB19-0027)

The applicant proposes four channel letter/logo face lit wall signs, one on the north and west elevations and two on the east elevation. The sign area is below the sign code allowance for each elevation. The sign placement is within definable sign bands blending appropriately with the architecture consistent with City standards. The applicant also proposes one internally illuminated monument sign at the corner of Town Center Loop West and Park Place, along with directional signs to assist in site circulation. The landscape design avoids conflicts between trees, shrubs, and signs.

## **Traffic and Parking:**

The trip generation analysis within the Traffic Impact Analysis (see Exhibit B2) performed by the City's consultant, DKS Associates, evaluated both a medical clinic and the drive-thru coffee shop, with subsequent site plan evaluation and mitigation measures reflecting the existing site plan which only proposes the drive-thru coffee shop. For the purpose of this summary, only trip generation information for the drive-thru coffee shop is included. Trip generation information is based on the 10<sup>th</sup> Edition of the Institute of Transportation Engineers (ITE) trip generation rates. The proposed drive-thru coffee shop will generate 96 total and 11 net PM Peak traffic trips. Consistent with standard methodology, the traffic study applied pass-by trip reductions to account for vehicles already on adjacent streets likely to stop at the coffee shop and resume their previous route, resulting in 11 net PM Peak traffic trips. While PM Peak traffic trips are used by

the City to measure whether a proposed project will meet the City's operational standards, the study also examined AM Peak traffic trips and found the proposed project would result in 167 total and 18 net AM Peak traffic trips.

To supplement this analysis, the study conducted trip generation surveys at two existing Dutch Bros Coffee locations in the Portland Metro region during the AM and PM peak periods. Historical trip generation survey data for a Dutch Bros located in Dallas, Oregon was also used as it has similar amenities. Taken together, these locations had a range of PM peak hour rates from 72 to 114 trips, a number generally consistent with the proposed project's ITE trip generation rate.

The Traffic Impact Analysis identifies the most probable used intersections for evaluation as:

- Wilsonville Road/Town Center Loop West
- Town Center Loop West/Citizens Drive
- Town Center Loop West/Park Place
- Park Place/Site Driveway

The study intersections will continue to perform at Level of Service D or better and thus meet City standards with the exception of the intersection of Town Center Loop West/Citizens Drive, which will fall to a Level of Service F under the Existing + Stage II + Project scenario. However, since the minor street approach (Citizens Drive) is privately owned, it is not required to meet the City's operational standards.

For the purpose of evaluating parking standards, the proposed development falls into the use category of fast food restaurant listed in Table 5 of Section 4.155. The parking minimum is 9.9 spaces per 1000 square feet, and the parking maximum is 14.9 per 1000 square feet. As the proposed building is 509 square feet, the minimum number of parking spaces is six and the maximum number of parking spaces is seven. The applicant proposes to utilize 21 existing parking spaces on site (including two spaces partially located on the adjacent property to the south) to meet the project's parking requirements, exceeding the allowed range. However, given that there is no net increase in existing parking spaces and that these existing spaces are shared with adjacent development, the parking requirements of the Development Code are met. Two ADA-accessible spaces are proposed.

## **Public Comments and Responses:**

None Received

## **Discussion Points:**

### **Pedestrian Facilities Improvements**

As part of the traffic study, DKS, the City's traffic consultant, conducted counts of pedestrians using the walk-up window at the Happy Valley and Beaverton Dutch Bros. locations. During the AM peak hour, it was observed that on average up to 15 customers used the walk-up service

window, while on average up to eight customers used the walk-up service window during the PM peak hour. A similar increase in pedestrian demand is expected associated with the proposed Dutch Bros. coffee shop. Given this, and the existing land uses on the west side of Town Center Loop West, the traffic study recommends installation of a marked crosswalk, pedestrian refuge island, intersection lighting, and rectangular rapid flashing beacons (RRFB) with signage on the south leg of the Town Center Loop West intersection with Park Place to provide a safe enhanced pedestrian crossing. A marked crosswalk is also recommended on the east leg of this intersection.

These improvements will ensure a direct enhanced crossing to connect pedestrians to the project site from the retail, office, and hotel uses on the west side of Town Center Loop West, as the nearest protected pedestrian crossing point is located at the Wilsonville Road traffic signal, approximately 525 feet south of the project site. This will also make pedestrians more visible at this location due to the curvature of the roadway for southbound vehicles on Town Center Loop West. With the build out of the development, queuing at these locations is estimated to increase and the marked crosswalks will improve pedestrian visibility, increasing pedestrian safety.

### Onsite Vehicular Queuing

The traffic study includes an analysis of site circulation and queuing for the proposed drive-thru. The site plan shows two drive-thru aisles, which merge into a single lane prior to reaching the drive-thru service window. As designed, this aisle can hold approximately 13 vehicles. As part of the trip generation surveys conducted for local Dutch Bros. locations, the traffic study found that maximum queues of 12 vehicles were observed both in the AM and PM peak hours. Given this, it is expected that the design of the drive-thru aisles will accommodate anticipated vehicular queuing, with sufficient room on the remainder of the site to store additional vehicles without impacting the public right-of-way.

## Conclusion and Conditions of Approval:

Staff has reviewed the Applicant’s analysis of compliance with the applicable criteria. The Staff report adopts the applicant’s responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, Staff recommends that the Development Review Board approve the proposed application (DB19-0024 through DB19-0027) with the following conditions:

### Planning Division Conditions:

#### Request A: DB19-0024 Stage I Preliminary Plan Revision

No conditions for this request
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#### Request B: DB19-0025 Stage II Final Plan

<b>PDB 1.</b> The approved final plan shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved preliminary or final development plan may be approved by the Planning Director through the Class I Administrative Review Process if such changes are consistent
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	with the purposes and general character of the development plan. All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. See Finding B13.
<b>PDB 2.</b>	All travel lanes shall be constructed to be capable of carrying a twenty-three (23) ton load. See Finding B52.

**Request C: DB19-0026 Site Design Review**

<b>PDC 1.</b>	Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding C15.
<b>PDC 2.</b>	All landscaping required and approved by the Board shall be installed prior to issuance of any occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding C38.
<b>PDC 3.</b>	The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville's Development Code. See Finding C39.
<b>PDC 4.</b>	All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered as allowed by Wilsonville's Development Code. See Findings C40 and C41.
<b>PDC 5.</b>	The following requirements for planting of shrubs and ground cover shall be met: <ul style="list-style-type: none"> <li>• Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch.</li> <li>• Native topsoil shall be preserved and reused to the extent feasible.</li> <li>• Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings.</li> <li>• All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10" to 12" spread.</li> </ul>

- Shrubs shall reach their designed size for screening within three (3) years of planting.
- Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum.
- No bare root planting shall be permitted.
- Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting.
- Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.
- Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding C42.

**PDC 6.** Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. See Finding C45.

Request D: DB19-0027 Class III Sign Permit

**PDD 1.** The approved signs shall be installed in a manner substantially similar to the plans approved by the DRB and stamped approved by the Planning Division.

*The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City's Community Development Department or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.*

**Engineering Division Conditions:**

**PF 1.** Prior to Issuance of the Public Works Permit, Public Works Plans and Public Improvements shall conform to the "Public Works Plan Submittal Requirements and Other Engineering Requirements" in Exhibit C1.

**PF 2.** Prior to Issuance of the Public Works Permit, the applicant shall submit a storm drainage report to Engineering for review and approval. The storm drainage report shall demonstrate the proposed development is in conformance with the Low Impact Development (LID) treatment and flow control requirements. Pervious

	Paver Area accounted for impervious area reduction proposed onsite shall also be included in the report. The applicant shall submit the "Impervious Area Threshold Determination Form" (ST-6000) to receive credit for the proposed pervious area.
<b>PF 3.</b>	Prior to Issuance of the Public Works Permit, the applicant shall provide to Engineering documents/site plans/designs demonstrating that storm drainage system serving the development site is separate and independent from the storm drainage system serving the parcel to the south, Tax Lot 31W13CC00400. The applicant shall also provide to Engineering documents/site plans/design demonstrating public storm run-off in Park Place is collected and conveyed separately and independently from the private storm system located on the development site.
<b>PF 4.</b>	Prior to Site Commencement, an approved Erosion Control Permit must be obtained and onsite erosion control measures must be in place.
<b>PF 5.</b>	Prior to issuance of the Final Building Certificate of Occupancy, the applicant shall record a 10-foot-wide public shared use path easement along the site's frontage on Town Center Loop West.
<b>PF 6.</b>	Prior to issuance of the Final Building Certificate of Occupancy, the applicant shall record a public pedestrian easement over the entirety of the existing sidewalk along the site's frontage on Park Place.
<b>PF 7.</b>	Prior to issuance of the Final Building Certificate of Occupancy, the applicant shall construct a 10-foot wide public concrete shared use path along the site's frontage on Town Center Loop West.
<b>PF 8.</b>	Prior to issuance of the Final Building Certificate of Occupancy, the applicant shall construct a midblock pedestrian crossing adjacent to the site on Town Center Loop West as recommended in the Transportation Impact Analysis prepared by DKS dated September 25, 2019. The pedestrian midblock crossing must be 10 feet wide with ADA Ramps on both sides of Town Center Loop West. The improvements must also include a pedestrian refuge island and a rectangular rapid flashing beacon (RRFB) on each side of the road. The RRFB must be designed and constructed in accordance with Clackamas County Design and Construction Standards.
<b>PF 9.</b>	Prior to issuance of the Final Building Certificate of Occupancy, the applicant shall construct a pedestrian crosswalk on Park Place as recommended in Transportation Impact Analysis prepared by DKS dated September 25, 2019. The pedestrian crosswalk must be 10 feet wide with ADA Ramps on both sides of Park Place.
<b>PF 10.</b>	Prior to issuance of the Final Building Certificate of Occupancy, the applicant shall install an intersection streetlight adjacent to the site on Park Place as recommended in Transportation Impact Analysis prepared by DKS dated September 25, 2019.
<b>PF 11.</b>	There are joint separations in the current sanitary sewer main 25 feet south of where the new connection serving the development is proposed. Prior to issuance of the Final Building Certificate of Occupancy, the applicant shall replace the existing 6-



	inch sanitary sewer pipe located directly to the south of the site and on Tax Lot 31W13CC00400 with an 8-inch pipe and install a manhole at the end of the pipe.
<b>PF 12.</b>	Prior to issuance of the Final Building Certificate of Occupancy, improvements to separate the public storm run-off and private storm run-off as well as to separate storm run-off from the development site and from the parcel to the south must be constructed.
<b>PF 13.</b>	Prior to the issuance of the Final Building Certificate of Occupancy, the applicant shall install a water meter, a sanitary sewer lateral, and a storm drainage lateral to serve the proposed site. Where located either in the right-of-way or in the public easement, these facilities must be designed and constructed in accordance with the Public Works Standards and Detail Drawings.
<b>PF 14.</b>	Onsite LID facilities and Pervious Paver Area accounted for impervious area reduction if proposed must be constructed prior to issuance of the Final Building Certificate of Occupancy. These facilities must also be maintained properly in order to provide the required treatment and flow control appropriately. Therefore, the applicant must execute a Stormwater Maintenance Easement Agreement with the City. The Agreement must be recorded at the County prior to Issuance of the Final Building Certificate of Occupancy.

**Master Exhibit List:**

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case Files DB19-0024 through DB19-0027. The exhibit list below reflects the electronic record posted on the City’s website and retained as part of the City’s permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City’s website and retained as part of the City’s permanent electronic record shall be controlling for all purposes.

Planning Staff Materials

- A1.** Staff report and findings (this document)
- A2.** Development Code Section 4.131.05 (omitted from the Development Code per Ordinance No. 835, effective 6/5/2019)
- A3.** Staff’s Presentation Slides for Public Hearing (to be presented at Public Hearing)

Materials from Applicant

- B1.** Signed Application From
- B2.** Applicant’s Narrative and Submitted Materials
  - Narrative
  - Exhibit 01 Impervious Area Threshold Determination Form
  - Exhibit 02 Exterior Lighting Comcheck Form

- Exhibit 03 Signage Package (Separate from Narrative Document)
- Exhibit 04 Outdoor Furniture Specs
- Exhibit 05 Republic Services Approval Letter
- Exhibit 06 Geotechnical Report
- Exhibit 07 Exterior Light Fixture Specs
- Exhibit 08 Planned Business Community Declaration of Easements, Covenants, Conditions and Restrictions for Wilsonville Town Center Property
- Exhibit 09 DKS Traffic Study

**B3.** Drawings and Plans

Architectural Plans

- Sheet A061 Site Plan
- Sheet A062 Site Plan – Lighting & Area Calcs
- Sheet A101 Building Floor Plan
- Sheet A201 Building Elevations I
- Sheet A301 Building Sections
- Sheet A800 Building Renderings

Civil Plans

- Sheet C1 Cover Sheet
- Sheet C2 Existing Conditions
- Sheet C3 Site Plan
- Sheet C4 Utility Plan
- Sheet C5 Details
- Sheet C6 Details

Landscape Drawings

- Sheet L0.1 Specifications
- Sheet L0.2 Specifications
- Sheet L0.3 Specifications
- Sheet L2.1 Irrigation Plan
- Sheet L3.1 Planting Plan

ALTA/NSPS Land Title Survey

**B4.** Signage Package

Development Review Team Correspondence

- C1.** Engineering Conditions and Requirements
- C2.** TVF&R Comments and Conditions

Other Correspondence

N/A

## Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application on June 4, 2019. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on June 28, 2019. The applicant submitted additional material on September 27, 2019. On October 24, 2019, staff conducted a second completeness review and found the application remained incomplete. The applicant submitted additional material on November 7, 2019. Planning Staff deemed the application complete on November 19, 2019. The City must render a final decision for the request, including any appeals, by March 18, 2020.
2. Surrounding land uses are as follows:

Compass Direction	Current Zone (Previous):	Existing Use:
North:	TC (PDC-TC)	Restaurant
East:	TC (PDC-TC)	Bank, Retail
South:	TC (PDC-TC)	Bank
West:	TC (PDC-TC)	Town Center Loop West, Commercial Office

3. Previous Planning Approvals:

Case	Project	Subject	T3S R1W Tax Map(s), Tax Lot(s)
89 PC 17	Town Center Market	Stage I	13 - 500, 600, 601
89 PC 50	Wilsonville Town Center Shopping Center	Stage I	13 - 500, 600, 601 14D - 200, 300, 405
90 PC 15	Wilsonville Market Place	Stage II, Phase I	13 - 500, 600, 601 14D - 200
90 DR 13	Wilsonville Market Place Town Center	Architectural & Landscape, Master Sign Plan, Variance	13 - 500, 600, 601 14D - 200
91 PC 43	Capital Realty (Project Thunder)	Stage I Mod.; Stage II, Phase II; Mod. to 90 PC 15 condition	13 - 500, 300 14D - 101, 102, 200, 201

Case	Project	Subject	T3S R1W Tax Map(s), Tax Lot(s)
91 DR 29	Project Thunder	Site Design Review, Master Sign Plan for Phase II	14 - 101, 200
04AR14	Capital Realty Corp.	Tentative Partition Plat	13 - 501, 502, 503, 600, 605, 606, 607 14D - 219, 222
DB07- 0014 et. al.	Miller Paint	Stage I Modification, Stage II, Site Design Review, Master Sign Plan	13CC - 500
AR10- 0014	Miller Paint	One-year Extension	13CC - 500
AR10- 0063	Miller Paint	One-year Extension	13CC - 500

- The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

## Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

### General Information

#### Application Procedures-In General Section 4.008

The processing of the application is in accordance with the applicable general procedures of this Section.

#### Initiating Application Section 4.009

The property owner, Douglas Fry, signed the application.

#### Pre-Application Conference Subsection 4.010 (.02)

The City held a Pre-application conference (PA18-0002) in accordance with this subsection.

#### Lien Payment before Approval Subsection 4.011 (.02) B.

No applicable liens exist for the subject property. The application can thus move forward.

#### General Submission Requirements Subsection 4.035 (.04) A.

The applicant has provided all of the applicable general submission requirements.

#### Zoning-Generally Section 4.110

This proposed development is in conformity with the applicable zoning district at the time of application and City review uses the general development regulations listed in Sections 4.150 through 4.199.

## Request A: DB19-0024 Stage I Preliminary Plan Modification

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Planned Development Regulations

#### Planned Development Purpose & Lot Qualifications

Subsection 4.140 (.01) and (.02)

- A1.** The proposal is to modify a development previously approved as a planned development meeting the planned development purpose and lot qualifications.

#### Ownership Requirements

Subsection 4.140 (.03)

- A2.** The property owner, Douglas Fry, signed the application.

#### Professional Design Team

Subsection 4.140 (.04)

- A3.** Casey McGuirl of McGuirl Designs & Architecture is the coordinator of a professional design team including an architect, engineers, and a landscape architect, among other professionals.

#### Comprehensive Plan Consistency

Subsection 4.140 (.06)

- A4.** The proposed project, as found elsewhere in this report, complies with the Planned Development Commercial-Town Center zoning designation, which implements the Comprehensive Plan designation of 'Commercial' for this property at the time of application submission. The subject property's current Comprehensive Plan designation of Town Center became effective subsequent to the submission of this application.

#### Application Requirements

Subsection 4.140 (.07)

- A5.** The City has scheduled the proposed Stage I Preliminary Plan modification for a public hearing before the Development Review Board in accordance with this subsection and the applicant has met all the applicable submission requirements as follows:
- The property affected by the Stage I Preliminary Plan modification is under an application by the property owner.
  - The applicant submitted a Stage I Preliminary Plan modification request on a form prescribed by the City.
  - The applicant identified a professional design team and coordinator. See Finding A3.
  - The applicant stated the proposed change of use for the subject site within the previously approved master plan.

- The applicant provided the boundary information.
- The applicant has submitted sufficient topographic information.
- The applicant provided a tabulation of the land area to be devoted to various uses.
- The applicant proposes a single phase of development for the proposed modification.
- Any necessary performance bonds will be required.

## **Planned Development Commercial-Town Center (PDC-TC) Zone**

### Typically Permitted Uses

Subsection 4.131.05 (.02)-(.03)

- A6.** The proposed drive-thru coffee shop, replacing the service commercial use previously approved in the Stage I Preliminary Plan, falls within the typically recommended use definition of coffee shop for the PDC-TC zone.

### Block and Access Standards

Subsections 4.131.05 (.07) and 4.131 (.03)

- A7.** No changes to blocks or access spacing are proposed.

## **Request B: DB19-0025 Stage II Final Plan Revision**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

## **Planned Development Regulations-Generally**

### Planned Development Purpose & Lot Qualifications

Subsection 4.140 (.01) and (.02)

- B1.** The proposed Stage II Final Plan for development of the site is consistent with the Planned Development Regulations purpose statement.

### Ownership Requirements

Subsection 4.140 (.03)

- B2.** The property owner, Douglas Fry, signed the application.

### Professional Design Team

Subsection 4.140 (.04)

- B3.** Casey McGuirl of McGuirl Designs & Architecture is the coordinator of a professional design team including an architect, engineers, and a landscape architect, among other professionals.

## Stage II Final Plan Submission Requirements and Process

### Stage II Submission Within 2 Years of Stage I

Subsection 4.140 (.09) A.

- B4.** The submission of the Stage II Final Plan is concurrent with submission of a revised Stage I Preliminary Plan.

### Development Review Board Role

Subsection 4.140 (.09) B.

- B5.** The Development Review Board review considers all applicable permit criteria set forth in the Planning and Land Development Code and staff recommends the Development Review Board approve the application with conditions of approval.

### Stage I Conformance, Submission Requirements

Subsection 4.140 (.09) C.

- B6.** The Stage II plans substantially conform to the concurrently submitted revised Stage I Preliminary Plan. The applicant's submitted drawings and other documents show all the additional information required by this subsection.

### Stage II Final Plan Detail

Subsection 4.140 (.09) D.

- B7.** The applicant's submitted materials provide sufficiently detailed information to indicate fully the ultimate operation and appearance of the development, including a detailed site plan, landscape plans, and elevation drawings.

### Submission of Legal Documents

Subsection 4.140 (.09) E.

- B8.** The Development Review Board does not require any additional legal documentation for dedication or reservation of public facilities.

### Expiration of Approval

Subsection 4.140 (.09) I. and Section 4.023

- B9.** The Stage II Approval, along with other associated applications, will expire two (2) years after approval, absent the granting of an extension in accordance with these subsections.

### Consistency with Plans

Subsection 4.140 (.09) J. 1.

- B10.** The site's zoning at the time of application, Planned Development Commercial-Town Center, is consistent with the Commercial designation in the Comprehensive Plan that applied to the property at the time of application. The frontage improvements along the subject property, in regards to sidewalk width, do not currently meet the Transportation System Plan and Bicycle and Pedestrian Master Plan requirement for a 10-foot sidewalk



along this interior section of Town Center Loop West. In describing the relationship to other City Plans the 2013 TSP references the 2006 Bicycle and Pedestrian Master Plan and states it should be used for added clarity and direction when not in conflict with the TSP. Figure 4-4 of the TSP, Major Bicycle and Pedestrian Needs, identifies connectivity barriers within Town Center. Page 22 of the Bicycle and Pedestrian Master Plan provides additional clarity and direction relevant to the subject site. Project C2, a priority 1 project, is “Expanding the width of the current sidewalk on the interior of Town Center Loop to 10 feet would create a shared use path that would provide greater safety and accessibility to Town Center for pedestrians and bicyclists.” The applicant proposes widening the Town Center Loop sidewalk to 10 feet along the entirety of their frontage consistent with the relevant City plans to improve safety and accessibility.

Although the 2013 Transportation Systems Plan (amended 2016) indicates Town Center Loop West as a major arterial requiring 95 to 107 feet of right-of-way, roadway construction has been completed and no additional widening is planned. Sufficient right-of-way currently exists.

#### Traffic Concurrency

Subsection 4.140 (.09) J. 2.

- B11.** As shown in the Transportation Impact Analysis in Exhibit B2, the LOS D standard will continue to be met by existing street improvements at the studied intersections with existing, planned, and this proposed development as follows:
- Wilsonville Road/Town Center Loop West – LOS D, Volume to Capacity: 0.56
  - Town Center Loop West/Citizens Drive – LOS A/F, Volume to Capacity: 0.49
  - Town Center Loop West/Park Place – LOS A/D, Volume to Capacity: 0.53
  - Park Place/Site Driveway – LOS A/C, Volume to Capacity: 0.30

It should be noted that the operations shown above for the intersection of Town Center Loop West/Citizens Drive do not meet the City’s level of service standard. This approach operates as LOS F in future scenarios, but since the minor street approach is privately owned it is not required to meet the City’s operational standards.

#### Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

- B12.** The site is a pad within a developed area of the City. Facilities and services, including utilities, are generally available in the immediate area to serve the proposed development. There are joint separations in the current sanitary sewer main 25 feet south of where the new connection serving the development is proposed. Condition of Approval PF 11 will ensure that these joint separations are mitigated so that adequate sanitary sewer service can be provided to the site.

The traffic study included counts of pedestrians using the walk-up window at the Happy Valley and Beaverton Dutch Bros. locations. During the AM peak hour, it was observed

that on average up to 15 customers used the walk-up service window, while on average up to eight customers used the walk-up service window during the PM peak hour. A similar increase in pedestrian demand is expected associated with the proposed Dutch Bros. coffee shop. Given this, and the existing land uses on the west side of Town Center Loop West, Condition of Approval PF 8 requires installation of a marked crosswalk, pedestrian refuge island, intersection lighting, and rectangular rapid flashing beacons (RRFB) with signage on the south leg of the Town Center Loop West intersection with Park Place to provide a safe enhanced pedestrian crossing. Condition of Approval PF 9 requires a marked crosswalk on the east leg of this intersection. This will make pedestrians more visible at this location due to the curvature of the roadway for southbound vehicles on Town Center Loop West. With the build out of the development, queuing at these locations is estimated to increase and the marked crosswalks will improve pedestrian visibility, increasing pedestrian safety.

#### Adherence to Approved Plans

Subsection 4.140 (.09) L.

- B13.** Condition of Approval PDB 1 ensures adherence to approved plans except for minor revisions by the Planning Director.

### **Standards Applying to Commercial Developments in Any Zone**

#### Wholly Enclosed Commercial Operations and Exceptions

Subsection 4.116 (.05)

- B14.** All business will be conducted wholly within a completely enclosed building, with the exception of the covered walk-up window, which does not exceed five percent of the floor area of the building, and outdoor seating area as allowed by this subsection.

#### Commercial Uses to Meet Industrial Performance Standards

Subsection 4.116 (.07)

- B15.** As indicated in Finding B33, the proposed development meets industrial performance standards.

#### Commercial Development Generally

Subsection 4.116 (.10)

- B16.** The subject property meets the lot development standards for commercial developments as follows:
- It does not abut any more restrictive zones; thus no general setbacks are required.
  - The proposed structure is 19 feet 2 inches feet tall, less than the maximum building height of 35 feet.
  - There is no limitation on minimum lot size, maximum lot coverage, or minimum street frontage.

Commercial Off-Street Parking Requirements  
Subsection 4.116 (.12)

**B17.** Off-street parking is provided consistent with Section 4.155, see Findings B39 through B49.

Commercial Signs  
Subsection 4.116 (.13)

**B18.** Signs are being reviewed in accordance with Sections 4.156.01 through 4.156.11. See Request D.

**Standards Applying in All Planned Development Zones**

Underground Utilities  
Subsection 4.118 (.02)

**B19.** The applicant's plans show all utilities underground.

Waivers  
Subsection 4.118 (.03)

**B20.** The applicant does not request any waivers.

Other Requirements or Restrictions  
Subsection 4.118 (.03) E.

**B21.** Staff does not recommend any additional requirements or restrictions pursuant to this subsection.

Impact on Development Cost  
Subsection 4.118 (.04)

**B22.** Implementation of standards and imposing conditions beyond minimum standards and requirements do not unnecessarily increase the cost of development. The added width of the sidewalk along Town Center Loop is the minimum requirement for consistency with the Transportation System Plan and Bicycle and Pedestrian Master Plan. See Finding B10.

Requiring Tract Dedications or Easements for Recreation Facilities, Open Space, Public Utilities  
Subsection 4.118 (.05)

**B23.** Staff does not recommend any additional tract dedication for recreational facilities, open space, or easements for orderly extension of public utilities consistent with this subsection. Easements required not addressed by this subsection include a 10-foot public shared path easement over the site's frontage on Town Center Loop West (Condition of Approval PF 5) and a public sidewalk easement over the existing sidewalk along the site's frontage on Park Place (Condition of Approval PF 6).

Habitat Friendly Development Practices  
Subsection 4.118 (.09)

**B24.** Clearing of the subject site occurred many years ago with original development of the Town Center area. The site's current condition is a vacant grass field, with the east portion of the site developed as a parking lot. Aside from parking lot trees in this area, which the applicant proposes to retain, no significant native vegetation or other features with significant habitat value exist on the site.

**Planned Development Commercial-Town Center (PDC-TC) Zone**

Typically Permitted Uses  
Subsection 4.131.05 (.02)-(.03)

**B25.** The proposed drive-thru coffee shop, replacing the service commercial use previously approved in the Stage I Preliminary Plan, falls within the typically recommended use definition of coffee shop for the PDC-TC zone.

**Wilsonville Road Interchange Area Management Plan (IAMP) Overlay Zone**

Where IAMP Regulations Apply  
Section 4.133.02

**B26.** The subject property is wholly within the IAMP Overlay Zone, as shown on Figure I-1 of this section. The IAMP standards are thus being applied.

IAMP Permitted Land Uses Same as Underlying Zone Subject to IAMP Restrictions  
Section 4.133.03

**B27.** The applicant proposes a use consistent with the underlying PDC-TC zoning that existed at the time of application. No IAMP requirements would further restrict the proposed use.

Access Management Applicability  
Subsections 4.133.04 (.01) – (.03)

**B28.** The applicant proposes modification of a Stage I planned development and approval of a Stage II Final Plan within the IAMP Overlay Zone. The access management standards and requirements thus apply. However, the applicant proposes no new accesses to City streets, and no accesses shown for closure or restriction in the IAMP exist on the site.

Access Management Plan Consistency  
Subsection 4.133.04 (.04) A.

**B29.** The applicant proposes using existing access to Town Center Loop West consistent with the IAMP Access Management Plan.

Joint ODOT Review of Access  
Subsection 4.133.04 (.04) B.

**B30.** The applicant does not propose any new accesses requiring ODOT and City review.

Cross Access Easements  
Subsection 4.133.04 (.05)

**B31.** The proposal does not include any tax lots identified in the Access Management Plan requiring additional consideration of cross access easements. A cross-access easement with the property to the south and east currently exists as illustrated within the applicant's Exhibit B2.

Traffic Impact Analysis Required  
Subsection 4.133.05 (.01)

**B32.** DKS Associates performed a Traffic Impact Analysis consistent with this subsection. See Exhibit B2.

### **Industrial Performance Standards**

Industrial Performance Standards  
Subsection 4.135 (.05)

**B33.** As required by Subsection 4.116 (.07), the proposed project meets the performance standards of this subsection as follows:

- Pursuant to standard A (enclosure of uses and activities), all non-parking activities and uses will be completely enclosed with the exception of the walk-up window and outdoor seating as noted in Finding B14.
- Pursuant to standard B (vibrations), there is no indication that the proposed development will produce vibrations detectable off site without instruments.
- Pursuant to standard C (emissions), there is no indication the proposed use would produce the odorous gas or other odorous matter.
- Pursuant to standard D (open storage), outdoor storage of mixed solid waste and recycling will be screened from off-site view.
- Pursuant to standard E (night operations and residential areas), the proposed use is not located within 100 feet of a residential district.
- Pursuant to standard F (heat and glare), the applicant proposes no exterior operations creating heat and glare.
- Pursuant to standard G (dangerous substances), there are no prohibited dangerous substances expected on the development site.
- Pursuant to standard H (liquid and solid wastes), staff has no evidence that the operations would violate standards defined for liquid and solid waste.
- Pursuant to standard I (noise), staff has no evidence that noise generated from the proposed operations would violate the City's Noise Ordinance and noises produced in violation of the Noise Ordinance would be subject to the enforcement procedures

established in WC Chapter 6 for such violations.

- Pursuant to standard J (electrical disturbances), staff has no evidence that the proposed use would have any prohibited electrical disturbances.
- Pursuant to standard K (discharge of air pollutants), staff has no evidence that the proposed use would produce any prohibited discharge.
- Pursuant to standard L (open burning), the applicant proposes no open burning.
- Pursuant to standard M (outdoor storage), the applicant proposes outdoor storage of mixed solid waste and recycling with the appropriate surface material and screening consistent with City standards.
- Pursuant to standard N (unused area landscaping), no unused areas will be bare.

### **On-site Pedestrian Access and Circulation**

#### Continuous Pathway System

Subsection 4.154 (.01) B. 1.

**B34.** As shown on the applicant's site plan in Exhibit B3, pedestrian pathways currently exist along Town Center Loop West and Park Place. The proposed site layout plan will add a new connection from the Park Place sidewalk to the proposed coffee shop and adjacent outdoor gathering plaza.

#### Safe, Direct, Convenient Pathways

Subsection 4.154 (.01) B. 2.

**B35.** The proposed pedestrian pathways are flat, paved sidewalks. Where crossing the parking area and drive aisles, the applicant proposes using ADA ramps and detectible warning surfaces. The pathways provide direct access to the walk-up window and from the parking area. Pathways connect to all primary (and secondary) building entrances.

#### Vehicle/Pathway Separation-Vertical or Horizontal

Subsection 4.154 (.01) B. 3.

**B36.** The proposed design of pedestrian pathways provides for vertical separation from vehicle circulation areas.

#### Crosswalks Clearly Marked

Subsection 4.154 (.01) B. 4.

**B37.** The proposed pedestrian pathway will be clearly marked with contrasting paint in locations where it crosses parking areas, clearly delineating the pedestrian pathway.

#### Pathways Width and Surface-5 Foot Wide, Durable Surface

Subsection 4.154 (.01) B. 5.

**B38.** The applicant a pathway constructed of concrete except at crosswalks, where it uses asphalt and has a width of no less than five feet.

## Parking and Loading

Parking Design Standards  
Section 4.155 (.02) and (.03)

**B39.** The applicable parking designs standards are met as follows:

Standard	Met	Explanation
Subsection 4.155 (.02) General Standards		
B. All spaces accessible and usable for Parking	<input checked="" type="checkbox"/>	The applicant proposes using an existing, legally established parking lot.
J. Sturdy bumper guards of at least 6 inches to prevent parked vehicles crossing property line or interfering with screening or sidewalks.	<input checked="" type="checkbox"/>	Parking spaces adjacent to the walkway will utilize concrete bumpers to prevent interference. No other parking spaces would interfere with screening as screening areas are wider than code requirements.
K. Surfaced with asphalt, concrete or other approved material.	<input checked="" type="checkbox"/>	The existing parking lot and proposed drive aisles will be surfaced with asphalt.
Drainage meeting City standards	<input checked="" type="checkbox"/>	Drainage is professionally designed and being reviewed to meet City standards.
L. Lighting won't shine into adjoining structures or into the eyes of passers-bys.	<input checked="" type="checkbox"/>	Existing parking lot lighting will be maintained on the site.
N. No more than 40% of parking compact spaces.	<input checked="" type="checkbox"/>	All parking spaces are proposed to be standard spaces.
O. Where vehicles overhand curb, planting areas at least 7 feet in depth.	<input checked="" type="checkbox"/>	All planting areas adjacent to the parking lot exceed 7 feet in depth.
Subsection 4.155 (.03) General Standards		
A. Access and maneuvering areas adequate.	<input checked="" type="checkbox"/>	The site plan uses an existing parking area. The new drive through lane provides a minimum 12-foot travel lane for one-way travel.
A.1. Loading and delivery areas and circulation separate from customer/employee parking and pedestrian areas.	<input checked="" type="checkbox"/>	The proposal does not include any loading or delivery areas nor does the City require any.
Circulation patterns clearly marked.	<input checked="" type="checkbox"/>	The parking lot and circulation design is typical of a drive-thru and intuitive to a driver familiar with typical commercial parking lots.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	<input checked="" type="checkbox"/>	The plans clearly delineate separate vehicle and pedestrian traffic areas and separate them except for crosswalks.
C. Safe and Convenient Access, meet ADA and ODOT Standards.	<input checked="" type="checkbox"/>	The proposed parking and access enable the meeting of ADA and ODOT standards.

For parking areas with more than 10 spaces, 1 ADA space for every 50 spaces.	☒	The proposal provides 2 ADA parking spaces for 19 parking spaces, both adjacent to the main entrance.
D. Where possible, parking areas connect to adjacent sites.	☒	The applicant proposes use of an existing parking lot that is connected to adjacent sites to the east and south.
Efficient on-site parking and circulation	☒	The careful and professional design of the parking provides for safety and efficiency and is a typical design with standard parking space and drive aisle size and orientation.

### Minimum and Maximum Number of Parking Spaces

Subsection 4.155 (.03) G., Table 5

**B40.** For the purpose of determining parking standards, the proposed development falls into the use category of fast food (with drive-thru) listed in Table 5. The parking minimum is 9.9 spaces per 1000 square feet. The parking maximum is 14.9 per 1000 square feet. The proposed building is 509 square feet. Thus the minimum number of parking spaces is 6 (.509\*9.9 rounded up to the nearest whole space) and the maximum number of parking spaces is 7 (.509\*14.9 rounded down to the nearest whole space). The proposal utilizes an existing parking lot, retaining 19 full spaces and two partial spaces on the subject property. While this number of spaces exceeds the maximum allowed for the proposed use, this parking was previously approved and constructed prior to the creation of the subject taxlot and is shared with the adjacent commercial property to the south and east. As the proposed development does not increase the overall number of parking spaces on the subject property, the requirements of this subsection are met.

### Parking Area Landscaping

#### Minimizing Visual Dominance of Parking

Subsection 4.155 (.03) B.

**B41.** The applicant proposes landscaping around the parking area helping to minimize the visual dominance of the paved parking area.

#### 10% Parking Area Landscape Requirement

Subsection 4.155 (.03) B. 1.

**B42.** The parking area is 14,650 square feet, requiring 1,465 square feet of interior parking lot landscaping to meet this standard. Approximately 2,000 square feet of parking lot landscaping is site contains approximately 6,323 square feet of landscaping, exceeding overall site requirements while surrounding and screening the parking area.



### Landscape Screening of Parking

Subsection 4.155 (.03) B. 1.

**B43.** The proposed design screens the parking and circulation area from adjacent rights-of-way using the low screen landscaping standard. Due to the shared nature of the existing parking lot, screening is not required along the eastern and southern edges of the property.

### Tree Planting Area Dimensions

Subsection 4.155 (.03) B. 2.

**B44.** The landscape plan includes five existing and three new tree planting areas for parking lot trees meeting the minimum eight-foot by eight-foot requirement.

### Parking Area Tree Requirement

Subsection 4.155 (.03) B. 2. and 2. a.

**B45.** With 19 full spaces, the stated ratio of one tree for every eight spaces or fraction thereof requires three parking area trees. The landscape plan shows eight trees in planting areas spread throughout and adjacent to the parking area.

### Parking Area Landscape Plan

Subsection 4.155 (.03) B. 2. a.

**B46.** The applicant's landscape plan includes the proposed parking area.

### Parking Area Tree Clearance

Subsection 4.155 (.03) B. 2. b.

**B47.** The applicant could typically maintain all trees listed for planting in the parking area and expected to overhand the parking areas to provide a 7-foot clearance.

## **Bicycle Parking**

### Required Bicycle Parking

Section 4.155 (.04) A. 1.

**B48.** A fast food with drive-thru use requires one bicycle parking space per 4,000 square feet, or a minimum of four bicycle parking spaces. The proposed 509-square-foot building requires four bicycle parking spaces, which are shown on the site plan.

### Bicycle Parking Standards

Section 4.155 (.04) B.

**B49.** The applicant's plans show bicycle parking spaces at least two feet in width and 6 feet in length, with at least five feet of maneuvering space behind each space, meeting the Development Code's minimum requirements. The plans show bicycle racks anchored to the pavement. The location of bicycle parking is approximately 12 feet from the building's walk up window, less than the 30-foot maximum allowed.

## Other Development Standards

### Access, Ingress, and Egress Section 4.167

**B50.** Site access is via existing private drives intersecting with Park Place and Town Center Loop West.

### Natural Features and Other Resources Section 4.171

**B51.** The property is a graded pad previously prepared for development with an existing parking lot on the eastern portion of the site. Aside from the existing parking lot trees to be preserved and street trees along Park Place, no significant native vegetation or other resources in need of protection exist on the site.

### Access Drives and Travel Lanes Subsection 4.177 (.08)

**B52.** The design of the access drives provides clear travel lanes, free from obstructions. The design shows all travel lanes as asphalt. Condition of Approval PDB 2 requires a 23-ton carrying capacity for the pavement. The existing and new access lanes provide sufficient emergency access to the building.

### Outdoor Lighting Sections 4.199.20 through 4.199.60

**B53.** The outdoor lighting standards apply to The proposal is required to meet the Outdoor Lighting Standards. See Request C, Findings C48 through C55.

### Underground Installation of Utilities Sections 4.300-4.320

**B54.** The applicant proposes only underground utilities; no existing overhead utilities exist requiring undergrounding.

## Public Safety and Crime Prevention

### Design for Public Safety, Surveillance and Access Subsections 4.175 (.01) and (.03)

**B55.** The proposed site layout includes walkways reasonably close to the parking lot and building. Building windows are visible from vehicular areas including the public right-of-way, providing opportunity for “eyes on the street.”

Addressing and Directional Signing  
Subsection 4.175 (.02)

**B56.** Addressing will meet public safety standards. The building permit process will ensure conformance. Directional signs area proposed to aid circulation throughout the site.

Lighting to Discourage Crime  
Subsection 4.175 (.04)

**B57.** Lighting design is in accordance with the City’s outdoor lighting standards, which will provide sufficient lighting to discourage crime.

**Landscaping Standards**

Landscaping Standards Purpose  
Subsection 4.176 (.01)

**B58.** In complying with the various landscape standards in Section 4.176 the applicant has demonstrated the Stage II Final Plan is in compliance with the landscape purpose statement.

Landscape Code Compliance  
Subsection 4.176 (.02) B.

**B59.** The applicant requests no waivers or variances to landscape standards. All landscaping and screening must comply with standards of this section.

Intent and Required Materials  
Subsections 4.176 (.02) C. through I.

**B60.** The applicant’s planting plan implements the landscaping standards and integrates general and low screen landscaping throughout the site, consistent with professional landscaping and design best practices. In addition, the applicant proposes screening meeting the high wall standard to screen the outdoor mixed solid waste and recycling area.

Landscape Area and Locations  
Subsection 4.176 (.03)

**B61.** The subject site is 22,809 square feet in area, requiring 3,421 square feet of landscaping to meet the 15 percent landscaping requirement. Proposed non-turf landscaping totals approximately 4,500 square feet, which covers approximately 19 percent of the site. In addition to existing tree islands within the parking area, low screen landscaping provides a tight ring around the proposed drive-thru lanes and along the north and west edges of the parking area, buffering these areas from off-site view. Landscaping also lines the outdoor seating area, providing a buffer between the outdoor gathering space and the drive-thru lanes. Three new parking lot trees are proposed along with two others in the turf areas, with two smaller trees adjacent to the outdoor seating area. The proposed landscaping is a mix of native and non-native vegetation, including five species of trees, 12

species of shrubs, four species of ground covers and perennials, and four species of grasses and vines.

### Buffering and Screening

Subsection 4.176 (.04)

**B62.** The same zone borders the site on every side, with comparable commercial and office uses and parking areas in every direction. The adjacent uses do not warrant any screening or buffering. The building includes a three-foot-tall parapet that completely screens roof-mounted equipment, as required by this subsection. A six-foot masonry wall and painted steel doors screen the mixed solid waste and recycling storage area.

### Landscape Plan Requirements

Subsection 4.176 (.09)

**B63.** The applicant's submitted landscape plans are drawn to scale and show the type, installation size, number and placement of materials. Plans include a plant material list identifying plants by both their scientific and common names. An irrigation plan is included within the landscape plans.

### Turf in Non-residential Development

Subsection 4.176 (.06) A. 3.

**B64.** The applicant's submitted landscape plans show approximately 1,700 square feet of sod lawn, exceeding 10 percent of the landscaped area. Given the site's relatively small size, sufficient water and irrigation is available to maintain the areas planted with sod. As the 15 percent minimum landscaping requirement is exceeded without inclusion of the area to be planted with sod, the amount of sod area shown on the landscape plans is acceptable.

### Mixed Solid Waste and Recyclables Storage

#### DRB Review of Adequate Storage Area, Minimum Storage Area

Subsections 4.179 (.01)

**B65.** The proposed drive-thru coffee kiosk requires provision of 10 square feet plus 4 square feet per 1000 square feet of floor area of mixed solid waste and recycling storage. At 509 square feet, the building requires 12 square feet of storage. The applicant proposes an enclosure of 336 square feet, well in excess of the minimum.

### Review by Franchise Garbage Hauler

Subsection 4.179 (.07).

**B66.** The applicant's Exhibit B2 includes a letter from Republic Services indicating coordination with the franchised hauler, and that the proposed storage area and site plan meets Republic Services requirements.

## Request C: DB19-0026 Site Design Review

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Site Design Review

Excessive Uniformity, Inappropriateness Design  
Subsection 4.400 (.01) and Subsection 4.421 (.03)

C1. Staff summarizes the compliance with this subsection as follows:

**Excessive Uniformity:** The proposed development is unique to the particular development context and does not create excessive uniformity.

**Inappropriate or Poor Design of the Exterior Appearance of Structures:** The applicant used appropriate professional services to design structures on the site using quality materials and design.

**Inappropriate or Poor Design of Signs:** The applicant used appropriate professionals to design signs meeting City sign standards compatible with the architecture of the building. See also Request D.

**Lack of Proper Attention to Site Development:** The applicant employed the skills of the appropriate professional services to design the site, demonstrating appropriate attention to site development.

**Lack of Proper Attention to Landscaping:** The applicant proposes landscaping exceeding the area requirements professionally designed by a landscape architect, incorporating a variety of plant materials, demonstrating appropriate attention to landscaping.

### Objectives of Site Design Review

Proper Functioning of the Site  
Subsection 4.400 (.02) A. and Subsection 4.421 (.03)

C2. The professionally designed site reuses existing vehicular circulation, improving the site's pedestrian circulation, provides abundant landscaping, and orients the building as it relates to these elements.

High Quality Visual Environment  
Subsection 4.400 (.02) A. and Subsection 4.421 (.03)

C3. A professionally designed building and landscaping along with a professional, site-specific layout supports a quality visual environment, appropriate for the aesthetic of the Town Center Commercial area as exists under the standards in place at the time of application.

Encourage Originality, Flexibility, and Innovation  
Subsection 4.400 (.02) B. and Subsection 4.421 (.03)

- C4. The applicant proposes a building, landscaping, and other site elements professionally designed and original to the company branding. Sufficient flexibility exists to fit the planned development within the site without seeks waivers or variances.

Discourage Inharmonious Development  
Subsection 4.400 (.02) C. and Subsection 4.421 (.03)

- C5. As indicated in Finding C3 above the professional design of the building, landscaping, and other site elements support a high quality visual environment and thus prevent monotonous, drab, unsightly, dreary development. Use of long lasting materials as well as landscaping will make the site more harmonious with adjacent and nearby development.

Proper Relationships with Site and Surroundings  
Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

- C6. The applicant prepared a professional site-specific design that carefully considers the relationship of the building, landscaping, and other improvements with other improvements on and adjacent to the site, existing and planned.

Regard to Natural Aesthetics  
Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

- C7. The applicant does not propose to remove natural features of significant aesthetic value, such as trees or well-established ground cover, or significant contours. The proposed additional landscaping will enhance the natural aesthetic of the site.

Attention to Exterior Appearances  
Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

- C8. The applicant used appropriate professional services to design the exterior of the building, utilizing neutral colors and materials such as wood plank siding, masonry, and brick.

Protect and Enhance City's Appeal  
Subsection 4.400 (.02) E. and Subsection 4.421 (.03)

- C9. The long vacant site is within Wilsonville's Town Center. Adding services and amenities with a quality design enhance the appeal of Town Center over a vacant pad.

Stabilize Property Values/Prevent Blight  
Subsection 4.400 (.02) F. and Subsection 4.421 (.03)

- C10. The long vacant site is within Wilsonville's Town Center. Adding services and amenities with a quality design add value to the Town Center and prevent additional blight on the property.

### Adequate Public Facilities

Subsection 4.400 (.02) G. and Subsection 4.421 (.03)

**C11.** As found in the Stage II Final Plan review (Request B), adequate public facilities will serve the site with the conditions of approval as noted in Finding B12.

### Pleasing Environments and Behavior

Subsection 4.400 (.02) H. and Subsection 4.421 (.03)

**C12.** Site design has been oriented to allow for ease of surveillance, and is clearly identified as either private, semi-private, or public.

### Civic Pride and Community Spirit

Subsection 4.400 (.02) I. and Subsection 4.421 (.03)

**C13.** The proposed coffee kiosk includes outdoor seating areas to encourage gathering, fostering civic pride and community spirit within the Town Center area.

### Favorable Environment for Residents

Subsection 4.400 (.02) J. and Subsection 4.421 (.03)

**C14.** Wilsonville's Town Center contributes to a favorable environment for residents by providing central commercial place in the City to shop and get services. Adding a gathering place with a quality design enhances the Town Center's favorable environment.

## **Jurisdiction and Power of the DRB for Site Design Review**

### Development Must Follow DRB Approved Plans

Section 4.420

**C15.** Condition of Approval PDC 1 ensures construction, site development, and landscaping are carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. The City will not issue any building permits prior to DRB approval.

## **Design Standards**

### Preservation of Landscaping

Subsection 4.421 (.01) A.

**C16.** The proposal will not affect significant existing landscaping, including trees or mature groundcover. Existing parking lot trees will be retained, and the majority of construction will occur on an area that is currently a grass pad.

### Harmony of Proposed Buildings to Environment

Subsection 4.421 (.01) B.

**C17.** The applicant used appropriate professional services to design the exterior of the building to ensure harmony with the environment. The building location has been oriented towards

the existing vehicular aisle, allowing for maximum landscaping along the site's Town Center Loop West frontage.

**Special Attention to Drives, Parking, and Circulation - Access Points**  
Subsection 4.421 (.01) C.

**C18.** The applicant has worked with a professional design team and the City to ensure the drive-thru access meets City standards and is at least 100 feet from Park Place. The proposed site design utilizes existing drive aisles to connect the drive-thru lanes to Park Place.

**Special Attention to Drives, Parking, and Circulation - Interior Circulation**  
Subsection 4.421 (.01) C.

**C19.** The applicant has worked with a professional design team to ensure interior circulation received special attention. The site design utilizes existing drive aisles and parking stalls, providing the necessary access to the building and all parking spaces. The pedestrian circulation on the site is connected to existing sidewalks along Park Place and Town Center Loop West.

**Special Attention to Drives, Parking, and Circulation - Pedestrian and Vehicle Separation**  
Subsection 4.421 (.01) C.

**C20.** The design separates pedestrian and vehicle circulation except at necessary cross walks.

**Special Attention to Drives, Parking, and Circulation - Safe and Convenient Parking Areas**  
Subsection 4.421 (.01) C.

**C21.** The applicant has worked with a professional design team to ensure the site is designed in a manner that integrates the existing parking area with the new building and drive-thru aisle. The parking area is conveniently located for access to the building. The parking space size and drive aisle width is a typical design allowing adequate area for safe maneuvering.

**Special Attention to Drives, Parking, and Circulation - Parking Detracting from Design**  
Subsection 4.421 (.01) C.

**C22.** The professional site planning fits the existing parking well with the building design, allowing the building to have a presence from Town Center Loop and I-5.

**Special Attention to Surface Water Drainage**  
Subsection 4.421 (.01) D.

**C23.** The applicant proposes a professionally design stormwater system consistent with existing City standards.



Harmonious Above Ground Utility Installations  
Subsection 4.421 (.01) E.

**C24.** No above ground utility installations are proposed.

Indication of Sewage Disposal  
Subsection 4.421 (.01) E.

**C25.** All sewage disposal will be via standard sewer connections to a City sewer line as part of the Stage II Final Plan. Condition of Approval PF 11 ensures joint separations present in this line are corrected prior to the issuance of the Final Certificate of Occupancy for the proposed building.

Advertising Features Do Not Detract  
Subsection 4.421 (.01) F.

**C26.** All advertising features fit within defined sign bands on the building and placement complements the architecture of the building consistent with the City sign standards. See also Request D.

Screening and Buffering of Special Features  
Subsection 4.421 (.01) G.

**C27.** The applicant does not propose any special features requiring additional screening or buffering.

Design Standards Apply to All Buildings, Structures, Signs, and Features  
Subsection 4.421 (.02)

**C28.** The applicant's design considers the design standards for all buildings, structures, and other features.

Conditions of Approval to Ensure Proper and Efficient Function  
Subsection 4.421 (.05)

**C29.** Staff does not recommend any additional conditions of approval to ensure the proper and efficient functioning of the development.

Color or Materials Requirements  
Subsection 4.421 (.06)

**C30.** The colors and materials proposed by the applicant are appropriate. Staff does not recommend any additional requirements or conditions related to colors and materials.

**Standards for Mixed Solid Waste and Recycling Areas**

Mixed Solid Waste and Recycling Areas Colocation  
Subsection 4.430 (.02) A.

**C31.** The proposal provides an exterior storage area for both solid waste and recyclables.

Exterior vs Interior Storage, Fire Code, Number of Locations  
Subsections 4.430 (.02) C.-F.

**C32.** The applicant proposes a single exterior location in a central visible location. Review of the Building Permit will ensure meeting of building and fire code. The screening enclosure is set back from the property line more than the required three feet.

Collection Vehicle Access, Not Obstruct Traffic or Pedestrians  
Subsections 4.430 (.02) G.

**C33.** The applicant included a letter from Republic Services in Exhibit B2, indicating the location and arrangement of the storage area is accessible to collection vehicles. The location of the storage area does not impede sidewalks, parking area aisles, or public street right-of-way.

Dimensions Adequate to Accommodate Planned Containers  
Subsections 4.430 (.03) A.

**C34.** Pursuant to a letter from Republic Services included within Exhibit B2, the dimensions are adequate to accommodate the planned containers.

6-Foot Screen, 10-Foot Wide Gate  
Subsections 4.430 (.03) C.

**C35.** The applicant provides the required screening and gate width.

### **Site Design Review Submission Requirements**

Submission Requirements  
Section 4.440

**C36.** The applicant has provided a site plan drawn to scale and a detailed landscape plan.

### **Time Limit on Site Design Review Approvals**

Void after 2 Years  
Section 4.442

**C37.** The Applicant plans to develop the proposed project within two years and understands that the approval will expire after two years unless the City grants an extension.

### **Installation of Landscaping**

Landscape Installation or Bonding  
Subsection 4.450 (.01)

**C38.** Condition of Approval PDC 2 will assure installation or appropriate security.

Approved Landscape Plan Binding  
Subsection 4.450 (.02)

**C39.** Condition of Approval PDC 3 provides ongoing assurance approved landscaping is installed and maintained.

Landscape Maintenance and Watering  
Subsection 4.450 (.03)

**C40.** Condition of Approval PDC 4 will ensure continual maintenance of landscaping in a substantially similar manner as originally approved by the Board.

Limitation to Modifications of Landscaping  
Subsection 4.450 (.04)

**C41.** Condition of Approval PDC 4 provides ongoing assurance of conformance with this criterion by preventing modification or removal without the appropriate City review.

**Landscaping Standards**

Shrubs and Groundcover Materials Requirements  
Subsection 4.176 (.06) A.

**C42.** Condition of Approval PDC 5 requires meeting the detailed requirements of this subsection. Of particular note, the applicant's landscape plan, shows at least 2-gallon containers for shrubs and 1-gallon containers for groundcover.

Plant Materials Requirements-Trees  
Subsection 4.176 (.06) B.

**C43.** As stated on the applicant's landscape plans, the plant material requirements for trees will be met as follows:

- Trees are balled and burlapped.
- Tree are two-inch caliper or equivalent.

Plant Species Requirements  
Subsection 4.176 (.06) E.

**C44.** The applicant's landscape plan provides sufficient information showing the proposed landscape design meets the standards of this subsection related to use of native vegetation and prohibited plant materials.

Landscape Installation and Maintenance Standards  
Subsection 4.176 (.07)

**C45.** The installation and maintenance standards are met or will be met by Condition of Approval PDC 6 as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival.

- Within one growing season, the applicant must replace in kind plants that die, unless the City approves appropriate substitute species.
- Notes on the applicant's landscape plans provides for an irrigation system.

### Landscape Plan Requirements

Subsection 4.176 (.09)

**C46.** Applicant's landscape plan show all existing and proposed landscape areas. The to-scale plans show the type, installation size, number and placement of materials. Plans include a plant material list. Plants identification is by both their scientific and common names.

### Completion of Landscaping

Subsection 4.176 (.10)

**C47.** The applicant has stated that plantings shall bet done from February 1 to May 1 or between October 1 and November 15. In the event that the applicant does not install required landscaping within this time period, Condition of Approval PDC 2 will assure installation or appropriate security.

## Outdoor Lighting

### Applicability of Outdoor Lighting Standards

Sections 4.199.20 and 4.199.60

**C48.** The proposal includes a new exterior lighting system for a commercial building. The outdoor lighting standards apply to the new building. No changes are proposed to the existing parking lot lighting, which was previously approved as part of the larger Town Center Shopping Center parking lot.

### Outdoor Lighting Zones

Section 4.199.30

**C49.** The subject property is within Lighting Zone 3.

### Optional Lighting Compliance Methods

Subsection 4.199.40 (.01) A.

**C50.** The applicant has the option of the performance or prescriptive method. The applicant has selected to comply with the prescriptive method.

### Maximum Lamp Wattage and Shielding

Subsection 4.199.40 (.01) B. 1. and Table 7

**C51.** The applicant proposes fixtures ranging from six to 28 watts, less than the maximum 100 watts for shielded fixtures or unshielded façade lighting in Lighting Zone 3.

Oregon Energy Efficiency Code Compliance  
Subsection 4.199.40 (.01) B. 2.

**C52.** The applicant provided documentation in Exhibit B2 demonstrating compliance with the Oregon Energy Efficiency Code, Exterior Lighting.

Maximum Mounting Height  
Subsection 4.199.40 (.01) B. 3.

**C53.** The applicant proposes a maximum mounting height of 10 feet 11 inches, less than the maximum 40 feet.

Setback from Property Line  
Subsection 4.199.40 (.01) B. 4.

**C54.** The subject site and all surrounding properties are the same Lighting Zone 3 not requiring any setback.

Lighting Curfew  
Subsection 4.199.40 (.01) D.

**C55.** The applicant proposes the standard LZ 3 curfew of no later than 12 a.m., with exterior lighting on timers set to reduce lighting levels to meet the curfew time.

**Request D: DB19-0027 Class III Sign Permit**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

**Sign Review and Submission**

Class II Sign Permits Reviewed by DRB  
Subsection 4.031 (.01) M. and Subsection 4.156.02 (.03)

**D1.** The application qualifies as a Class III Sign Permit subject to review by the Development Review Board.

What Requires Class III Sign Permit Review  
Subsection 4.156.02 (.06)

**D2.** The request involves a single tenant in a new development subject to Site Design Review by the Development Review Board.

Class III Sign Permit Submission Requirements  
Subsection 4.156.02 (.06) A.

**D3.** As indicated in the table below the applicant has satisfied the submission for Class III sign permits, which includes the submission requirements for Class II sign permits:

Requirement	Submitted	Waiver Granted		Condition of Approval	Not Applicable	Additional findings/notes
		Info Already Available to City	Info Not Necessary for Review			
Completed Application Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sign Drawings or Descriptions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Documentation of Tenant Spaces Used in Calculating Max. Sign Area	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Drawings of Sign Placement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Project Narrative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Information on Any Requested Waivers or Variances	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

### Class III Sign Permit Criteria

Class II Sign Permit Review Criteria: Generally and Site Design Review  
Subsection 4.156.02 (.05) E.

**D4.** As indicated in Findings below, the proposed sign will satisfy the sign regulations for the applicable zoning district and the relevant Site Design Review criteria.

Class II Sign Permit Review Criteria: Compatibility with Zone  
Subsection 4.156.02 (.05) E. 1.

**D5.** The proposed signs are typical of, proportional to, and compatible with commercial sites within the PDC-TC zone. This includes channel letters and logos reflecting tenant identity. No evidence exists nor has testimony been received that the subject signs would detract from the visual appearance of the surrounding development.

Class II Sign Permit Review Criteria: Nuisance and Impact on Surrounding Properties  
Subsection 4.156.02 (.05) E. 2.

**D6.** There is no evidence, and no testimony has been received suggesting the subject sign would create a nuisance or negatively impact the value of surrounding properties.

Class II Sign Permit Review Criteria: Items for Special Attention  
Subsection 4.156.02 (.05) E. 3.

**D7.** One freestanding monument sign is proposed on the corner of Town Center Loop West and Park Place. The sign does not obscure sight lines for traffic at this intersection, and landscaping of an appropriate scale will be located around this sign. Wall mounted signs are proposed on the north (one sign), east (two signs) and west (one sign) facades of the building in defined sign bands. The freestanding monument and wall-mounted signs will be compatible with the building's color scheme and architecture.

## **Sign Measurement**

### Measurement of Individual Element Signs Subsection 4.156.03 (.01) B.

**D8.** The proposed wall signs are measured consistently with this subsection.

### Round or Three-Dimensional Signs Subsection 4.156.03 (.01) C.

**D9.** The proposed freestanding sign is measured consistently with this subsection.

## **Freestanding and Ground Mounted Signs in the PDC, PDI , and PF Zones**

### General Allowance Subsection 4.156.08 (.01) A.

**D10.** The applicant proposes a single freestanding sign at the corner of Town Center Loop West and Park Place. As this is a corner lot with frontage along Town Center Loop less than 100 feet long, only one freestanding sign is allowed on the subject property.

### Allowed Height Subsection 4.156.08 (.01) B.

**D11.** The proposed sign is eight feet tall, equaling the maximum allowed height for the sign in the PDC-TC zone.

### Allowed Area Subsection 4.156.08 (.01) C.

**D12.** Within the PDC-TC zone, a sign pertaining to a tenant less than 11,000 square feet is allowed a 32-square-foot sign. The proposed maximum surface area visible from any one location, including the main sign face and the side façade of the sign, is approximately 30.46 square feet.

Pole or Sign Support Placement Vertical  
Subsection 4.156.08 (.01) D.

**D13.** The proposed freestanding monument sign and its foundation are proposed to be constructed in a full vertical position.

Extending Over Right-of-Way, Parking, and Maneuvering Areas  
Subsection 4.156.08 (.01) E.

**D14.** The subject freestanding sign is not proposed to extend into or above right-of-way, parking, and maneuvering areas.

Design of Freestanding Signs to Match or Complement Design of Buildings  
Subsection 4.156.08 (.01) G.

**D15.** The proposed sign is blue and white, colors that are also used on the proposed building.

Monument Sign Required  
Subsection 4.156.08 (.01) I.

**D16.** The proposed sign is a monument sign consistent with this subsection.

Sign Setback  
Subsection 4.156.08 (.01) J.

**D17.** The sign will be placed at a location between two and 15 feet from the sidewalk as required.

Address Required to be on Sign  
Subsection 4.156.08 (.01) K.

**D18.** The sign has the building address, as required.

Directional Signs  
Subsection 4.156.08 (.03) A.

**D19.** The proposed sign package includes three directional signs at the intersection of internal circulation drives measuring between 1.8 and 3.1 square feet in area, less than the six square feet allowed by this subsection. Each sign is less than four feet tall.

Exempt Signs  
Subsection 4.156.05 (.02) E.

**D20.** The proposed sign package includes three menu board signs and two post-mounted clearance bars. The content of these signs is not visible from off-site locations and is thereby exempt from sign permit requirements.



## Signs on Buildings in the PDC, PDI , and PF Zones

### Sign Eligible Facades

Subsection 4.156.08 (.02) A.

**D21.** All building facades except for the south façade are sign eligible. The north and west facades face Park Place and Town Center Loop West, both of which are public streets, while the east façade faces the building’s parking lot. The applicant proposes signs on the north, west, and east elevations.

### Sign Area Allowed

Subsection 4.156.08 (.02) B.

**D22.** With a length of 31 feet the allowed sign area for the north façade is 32 square feet. One sign totaling 12.36 square feet is proposed on this façade. With a length of 16 feet 8 inches the allowed sign area for the west and east façades is 24 square feet each. One sign totaling 5.1 square feet is proposed on the west façade, with two signs totaling 20.22 square feet proposed on the east facade.

### Length of Building Signs

Subsection 4.156.08 (.02) C.

**D23.** The signs proposed by the applicant are much less than the maximum 75 percent of the length of the respective building elevations.

### Height of Building Signs-Definable Sign Band

Subsection 4.156.08 (.01) D.

**D24.** The proposed signs are within definable sign bands by not overlapping different architectural features, bands, or materials, and the design leaves a noticeable gap between the signs and the upper and lower extent of the sign band.

### Allowed Building Sign Types

Subsection 4.156.08 (.01) E.

**D25.** The proposed signs are wall flat signs, an allowed type.

## Site Design Review

### Excessive Uniformity, Inappropriateness Design

Subsection 4.400 (.01) and Subsection 4.421 (.03)

**D26. Excessive Uniformity:** The tenant specific design does not create excessive uniformity.

**Inappropriate or Poor Design of Signs:** The proposed sign is professionally design to complement the design of the building.

**Lack of Proper Attention to Site Development:** The sign design does not impact site development.

**Lack of Proper Attention to Landscaping:** The landscaping minimizes conflicts with

visibility of signs by not placing trees immediately in front or in direct site vision of the proposed building signs.

#### Purposes and Objectives

Subsection 4.400 (.02) and Subsection 4.421 (.03)

**D27.** The sign complies with the purposes and objectives of site design review, especially objective D. which specifically mentions signs. The proposed sign is of a scale and design appropriately related to the subject site with the appropriate amount of attention given to visual appearance.

#### Design Standards

Subsection 4.421 (.01)

**D28.** The applicant has provided sufficient information demonstrating compliance with the standards of this subsection, specifically objective F. which pertains to advertising features. There is no evidence the proposed sign will detract from the nearby buildings and/or structures due to size, location, design, color, texture, lighting, or materials proposed.

#### Applicability of Design Standards, Including Exterior Signs

Subsection 4.421 (.02)

**D29.** This review applies design standards to exterior signs, as required.

#### Conditions of Approval to Insure Proper and Efficient Function

Subsection 4.421 (.05)

**D30.** Staff recommends no additional conditions of approval to ensure the proper and efficient functioning of the development in relation to the sign.

**Section 4.131.05. PDC-TC (Town Center Commercial) Zone**

- (.01) Purpose: The purpose of this zoning is to permit and encourage a Town Center, adhering to planned commercial and planned development concepts, including provision for commercial services, sales of goods and wares, business and professional offices, department stores, shopping centers and other customer-oriented uses to meet the needs of the Wilsonville community as well as to meet the general shopping and service needs on an area-wide basis, together with such multiple family residential facilities, open space, recreational and park areas, and public uses facilities as may be approved as part of the Town Center compatible with the Comprehensive Plan of the City.
- (.02) Examples of uses that are typically permitted:
- A. Retail sales.
  - B. Planned development permitted commercial uses, including department stores and shopping centers.
  - C. Banking and investment services.
  - D. Public facilities complex, Governmental offices, and facilities, hospitals, health centers and office complex for the furnishing of professional services, including but not restricted to medical, legal, architectural and engineering.
  - E. Planned multiple-dwelling facilities, including motels, apartments and condominiums as may be approved by the Development Review Board.
  - F. Such other and further uses as may be approved by the Development Review Board compatible with the Comprehensive Plan.
- (.03) Examples of uses that are typically recommended:
- A. Central Commercial:
    - Department Stores
    - Florist Shop
    - Interior Decorating or design Shops
    - Retail Stores
    - Banks, Loan Companies, other Financial Institutions
    - Bicycle sales and service
    - Bird Store, Pet Shop or Taxidermist
    - Blueprinting, Photostatting, other Reproduction Process
    - Business Machines, retail sales & service
    - Car wash (automatic)
    - Cleaning and Pressing Establishments
    - Coffee shops
    - Commercial Schools, such as business colleges, music conservatories, trade schools, preschools
    - Custom Tailoring, Dressmaking or Millinery Shop
    - Day care for adults or children
    - Dentists or medical offices
    - Dry cleaning or laundries

Electronics, retail sales and service  
Employment agencies  
Entertainment  
Film Exchange  
Furniture Store  
Gunsmith or Locksmith  
Household Machines, retail sales & service  
Insurance agents  
Investment, real estate and law offices  
Jewelry store, watch and clock repair shops  
Locksmiths, security systems  
Office supplies  
Photography and photo processing  
Restaurants  
Theaters, cinemas  
Travel agencies  
Title companies  
Other uses similar in character of predominately retail or service establishments dealing directly with ultimate customers.

B. Service Commercial:

Building Materials, retail outlet only  
Cabinet or Carpenter Shop  
Car wash, automatic  
Feed Store, retail only  
Fuels, Solid, retail outlet only  
Furniture Store  
Upholstering Shop  
Automobile Service Station  
Bicycle, Motorcycle,  
Trailer (other than house and truck trailers) retail sales, service, rental, if located in a fully enclosed building  
Garage, Parking or Repair  
Oilery (commercial oil change or quick-lube operations for cars)  
Retail sales and service of New Automobiles and Trucks, if not more than one and one-half (1 1/2) tons capacity, and if located in a fully enclosed building  
Tire sales and service  
Self-service car wash  
Building contractors and related subcontractors  
Glass repair shop  
Self-service laundry  
Rental equipment companies  
Studios:  
Dance;  
Photography;  
Artists;  
Craft;  
Other.

C. Food and Sundries:

Bakery, retail  
Banks, loan companies, other financial institutes  
Barber Shop  
Beauty Parlor, Nail salon  
Bicycle, retail sales & service  
Bookstores  
Clothes Cleaning Pick-up Agencies  
Clothes Pressing Establishment  
Coffee shop  
Confectionery  
Custom Dressmaking  
Dance or martial arts studio  
Delicatessen  
Dentist, medical and eye clinics, including drug testing and labs  
DMV (Department of Motor Vehicles office)  
Drug Store  
Dry Goods Store  
Electronics, retail sales & service  
Florist Shop  
Frame shop  
Furniture stores  
Gifts, stationery, card, party supplies  
Grocers, Fruit or Vegetable Store  
Hardware Store  
Health club, gym, personal trainer, tanning salon  
Insurance agencies  
Jewelry store, watch and clock repair shops  
Internet, sales & service  
Investment, real estate and law offices  
Locksmiths, security systems  
Mail, shipping and photocopying  
Meat Market  
Music, sales & service, including lessons  
Nail Salon  
Notions or Variety Store  
Office supplies  
Pet shop, bird store  
Photography, photo processing and film exchange  
Printing, blueprinting, other reproduction processes  
Restaurants  
Shoe Repair Shop  
Tanning Salon  
Telecommunication, sales & service  
Temporary employment and placement agencies  
Title companies  
Travel agencies  
Video, retail and rental  
Other uses in character of neighborhood food and services

[Section 4.131.05(.03)(C.) amended by Ordinance No. 538, 2/21/02.]

- D. Fast Food Service:
  - Free-standing fast food take-out type restaurant, with the uses being limited to that type of food service establishment catering to a take-out trade.
- E. Office Professional and General Office:
  - Accountants
  - Architects
  - Artists
  - Attorneys
  - Authors and Writers
  - Banks and financial institutions
  - Collection agencies
  - Computer company, excluding manufacturing
  - Dentists
  - Designers
  - Engineers
  - Government offices
  - Insurance agencies
  - Investment Counselors
  - Landscape Architects
  - Management Consultants
  - Marketing firms
  - Ministers
  - Nonprofit organizations, "storefronts"
  - Physicians & Surgeons
  - Psychiatrists & Psychologists
  - Real estate or rental agencies
  - Secretarial services
  - Software Design
  - Temporary employment and placement agencies
  - Travel agencies
  - Title companies
  - Other professional and general office user

(.04) Accessory uses that are typically permitted:

- A. Any accessory use and structure not otherwise prohibited customarily accessory and incidental to any permitted principal use.
- B. Temporary buildings and uses incidental to the development of principal facilities, such temporary structures to be removed upon completion of the work or abandonment of the project. In no case shall such buildings remain on the premises longer than ten (10) days after the receipt of a Certificate of Occupancy or the expiration of construction permits.

(.05) Procedures, Regulations and Restrictions: The procedures, regulations and restrictions applicable to the Town Center District shall conform to those set forth in Section 4.140 of this Code as the Development Review Board may deem necessary to achieve the purposes of the zone.

(.06) The Town Center District consists of all those certain lands in the East Half (E1/2) of Section 14 and the West Half (W1/2) of Section 13, Township 3 South, Range I West,

**2015 Development Code**

Willamette Meridian, Clackamas County, Oregon. More particularly, those properties within the above-described area that are designated as Commercial on the land use map of the Wilsonville Comprehensive Plan.

(.07) Block and access standards:

The PDC-TC shall be subject to the same block and access standards as the remainder of the PDC zone.

RECEIVED  
JUN 04 2019



Planning Division  
Development Permit Application

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175

A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements

Pre-Application Meeting Date: \_\_\_\_\_

Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.

29799 SW Town Center Loop E, Wilsonville, OR 97070  
Phone: 503.682.4960 Fax: 503.682.7025  
Web: [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us)

**Applicant:**

Name: Douglas Fry  
Company: \_\_\_\_\_  
Mailing Address: 18187 Siena Drive  
City, State, Zip: Lake Oswego, Oregon 97034  
Phone: 503.348.2237 Fax: \_\_\_\_\_  
E-mail: dafcjf@frontier.com

**Authorized Representative:**

Name: Casey McGuirl  
Company: McGuirl Designs & Architecture  
Mailing Address: 107 SE Washington #310  
City, State, Zip: Portland, Oregon 97214  
Phone: 503.347.4649 Fax: \_\_\_\_\_  
E-mail: info@mcguirldesigns.com

**Property Owner:**

Name: Applicant  
Company: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**Property Owner's Signature:**

Printed Name: Douglas A. Fry Date: 6/4/19

**Applicant's Signature:** (if different from Property Owner)

Printed Name: Douglas A. Fry Date: 6/4/19

**Site Location and Description:**

Project Address if Available: 29702 SW Town Center Loop Suite/Unit \_\_\_\_\_  
Project Location: \_\_\_\_\_  
Tax Map #(s): 31W13CC00500 Tax Lot #(s): \_\_\_\_\_ County:  Washington  Clackamas

**Request:**

**Project Type:**  **Class I**  **Class II**  **Class III**

Residential  Commercial  Industrial  Other: \_\_\_\_\_

**Application Type(s):**

- |  |   |  |   |
|--|---|--|---|
| <input type="checkbox"/> Annexation                  | <input type="checkbox"/> Appeal                     | <input type="checkbox"/> Comp Plan Map Amend | <input type="checkbox"/> Parks Plan Review                        |
| <input type="checkbox"/> Final Plat                  | <input type="checkbox"/> Major Partition            | <input type="checkbox"/> Minor Partition     | <input type="checkbox"/> <del>Request to Modify</del>             |
| <input type="checkbox"/> Plan Amendment              | <input type="checkbox"/> Planned Development        | <input type="checkbox"/> Preliminary Plat    | Conditions  |
| <input type="checkbox"/> Request for Special Meeting | <input type="checkbox"/> Request for Time Extension | <input type="checkbox"/> Signs               | <input checked="" type="checkbox"/> <del>Site Design Review</del> |
| <input type="checkbox"/> SROZ/SRIR Review            | <input type="checkbox"/> Staff Interpretation       | <input type="checkbox"/> Stage I Master Plan | <input type="checkbox"/> Stage II Final Plan                      |
| <input type="checkbox"/> Type C Tree Removal Plan    | <input type="checkbox"/> Tree Permit (B or C)       | <input type="checkbox"/> Temporary Use       | <input type="checkbox"/> Variance                                 |
| <input type="checkbox"/> Villebois SAP               | <input type="checkbox"/> Villebois PDP              | <input type="checkbox"/> Villebois FDP       | <input checked="" type="checkbox"/> <del>Other (describe)</del>   |
| <input type="checkbox"/> Zone Map Amendment          | <input type="checkbox"/> Waiver(s)                  | <input type="checkbox"/> Conditional Use     |   |





Exhibit C1  
Public Works Plan Submittal Requirements  
and Other Engineering Requirements

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1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards - 2017
2. Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:

<b>Coverage</b> ( <i>Aggregate, accept where noted</i> )	<b>Limit</b>
<b><u>Commercial General Liability:</u></b>	
▪ General Aggregate (per project)	\$3,000,000
▪ General Aggregate (per occurrence)	\$2,000,000
▪ Fire Damage (any one fire)	\$50,000
▪ Medical Expense (any one person)	\$10,000
<b><u>Business Automobile Liability Insurance:</u></b>	
▪ Each Occurrence	\$1,000,000
▪ Aggregate	\$2,000,000
<b><u>Workers Compensation Insurance</u></b>	\$500,000

3. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.
4. All public utility/improvement plans submitted for review shall be based upon a 22" x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.
5. Plans submitted for review shall meet the following general criteria:
  - a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms.
  - b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to review and approval by the City Building Department.
  - c. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print.



- d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
  - e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.
  - f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
  - g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible.
  - h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.
  - i. Erosion Control Plan that conforms to City Code and the Public Works Standards.
  - j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
  - k. All engineering plans shall be printed to PDF, combined to a single file, stamped and digitally signed by a Professional Engineer registered in the State of Oregon.
  - l. All plans submitted for review shall be in sets of a digitally signed PDF and three printed sets.
6. Submit plans in the following general format and order for all public works construction to be maintained by the City:
- a. Cover sheet
  - b. City of Wilsonville construction note sheet
  - c. General construction note sheet
  - d. Existing conditions plan.
  - e. Erosion control and tree protection plan.
  - f. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
  - g. Grading plan, with 1-foot contours.
  - h. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
  - i. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
  - j. Street plans.
  - k. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference
  - l. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.
  - m. Detailed plan for stormwater management facilities (both plan and profile views), including water quality orifice diameter, manhole and beehive rim elevations, growing medium, and a summary table with planting area, types and quantities. Provide details of inlet structure, energy dissipation device, drain inlets, structures, and piping for outfall

structure. Note that although stormwater facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.

- n. Composite franchise utility plan.
  - o. City of Wilsonville detail drawings.
  - p. Illumination plan.
  - q. Striping and signage plan.
  - r. Landscape plan.
7. Design engineer shall coordinate with the City in numbering the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to City's numbering system.
  8. The applicant shall install, operate and maintain adequate erosion control measures in conformance with City Code and the Public Works Standards during construction and until such time as approved permanent vegetative materials have been installed.
  9. Applicant shall notify City before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.
  10. The applicant shall be in conformance with all stormwater treatment and flow control requirements for the proposed development per the Public Works Standards. Unless the City approves the use of an Engineered Method, the City's BMP Sizing Tool shall be used to design and size stormwater facilities.
  11. A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City.
  12. Proprietary stormwater management facilities are only allowed where conditions limit the use of infiltration (e.g., steep slopes, high groundwater table, well-head protection areas, or contaminated soils). If a proprietary stormwater management facility is approved by the City, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as designed.
  13. Stormwater management facilities shall have approved landscape planted and approved by the City of Wilsonville prior to paving.
  14. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems.

Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.

15. All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
16. Sidewalks, crosswalks and pedestrian linkages shall be in compliance with the requirements of the U.S. Access Board.
17. No surcharging of sanitary or storm water manholes is allowed.
18. The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
19. The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
20. The applicant shall provide adequate sight distance at all project street intersections, alley intersections and commercial driveways by properly designing intersection alignments, establishing set-backs, driveway placement and/or vegetation control. Coordinate and align proposed streets, alleys and commercial driveways with existing streets, alleys and commercial driveways located on the opposite side of the proposed project site existing roadways. Specific designs shall be approved by a Professional Engineer registered in the State of Oregon. As part of project acceptance by the City the Applicant shall have the sight distance at all project intersections, alley intersections and commercial driveways verified and approved by a Professional Engineer registered in the State of Oregon, with the approval(s) submitted to the City (on City approved forms).
21. Access requirements, including sight distance, shall conform to the City's Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
22. Applicant shall design interior streets and alleys to meet specifications of Tualatin Valley Fire & Rescue and Allied Waste Management (United Disposal) for access and use of their vehicles.

23. The applicant shall provide the City with a Stormwater Maintenance Easement Agreement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained.
24. Stormwater management facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all stormwater management facilities; maintenance shall transfer to the respective homeowners association when it is formed.
25. The applicant shall “loop” proposed waterlines by connecting to the existing City waterlines where applicable.
26. Mylar Record Drawings:

At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings on 3 mil. Mylar and an electronic copy in AutoCAD, current version, and a digitally signed PDF.



October 15, 2019

Melissa Gitt  
Building Inspector/Plans Examiner IV  
City of Wilsonville  
29799 SW Town Center Loop East  
Wilsonville, Oregon 97070

**Re: Dutch Bros**  
**Tax Lot I.D: 31W13CC00500**

Dear Melissa,

Thank you for the opportunity to review the proposed site plan surrounding the above-named development project. These notes are provided regarding the plans received October 14, 2019 and are based on the current New Construction Guide version 4.2C. There may be more or less requirements needed based upon the final project design, however, Tualatin Valley Fire & Rescue will endorse this proposal predicated on the following criteria and conditions of approval.

### **FIRE APPARATUS ACCESS:**

- FIRE APPARATUS ACCESS ROADS:** Access roads shall be provided for every facility, building, or portion of a building hereafter constructed or moved into or within the jurisdiction. **Exception:** Approved agricultural and equine structures complying with ORS 455.315 are not required to have fire apparatus access roads (see New Construction Guide Appendix C). Access roads are not required to be modified for commercial buildings that undergo a change in occupancy, change in use, or conversion from agricultural or equine exempt to non-exempt unless there is a change to the structure's square footage or building footprint. (OFC 503.1.1)
- FIRE ACCESS ROAD DISTANCE FROM BUILDINGS:** The access shall extend to within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility. (OFC 503.1.1)
- FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. (OFC 503.2.1 & D103.1)
- SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3)
- TURNING RADIUS:** The inside turning radius and outside turning radius shall not be less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3)

6. **ACCESS DURING CONSTRUCTION:** Approved fire apparatus access roadways shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3309 and 3310.1)
7. **TRAFFIC CALMING DEVICES:** Shall be prohibited on fire access routes unless approved by the Fire Marshal. (OFC 503.4.1). Traffic calming measures linked here: <http://www.tvfr.com/DocumentCenter/View/1578>

## **FIREFIGHTING WATER SUPPLIES:**

8. **COMMERCIAL BUILDINGS – REQUIRED FIRE FLOW:** The minimum fire flow and flow duration shall be determined in accordance with OFC Table B105.2. The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi residual. (OFC B105.3)  
**Note:** OFC B106, Limiting Fire-Flow is also enforced, except for the following:
  - The maximum needed fire flow shall be 3,000 GPM, measured at 20 psi residual pressure.
  - Tualatin Valley Fire & Rescue does not adopt Occupancy Hazards Modifiers in section B105.4-B105.4.1

**Assuming proposed construction will be Type VB. If so the minimum required fire flow is 1,500GPM.**

9. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B)

**Provide documentation of fire hydrant flow test.**

10. **WATER SUPPLY DURING CONSTRUCTION:** Approved firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 3312.1)

## **FIRE HYDRANTS:**

11. **FIRE HYDRANTS – COMMERCIAL BUILDINGS:** Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. (OFC 507.5.1)
  - This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system.
  - The number and distribution of fire hydrants required for commercial structure(s) is based on Table C105.1, following any fire-flow reductions allowed by section B105.3.1. Additional fire hydrants may be required due to spacing and/or section 507.5 of the Oregon Fire Code.

**A fire hydrant is located at the NW corner of the building located at 29756 SW Town Center Loop West. This fire hydrant meets the above requirements.**

12. **FIRE HYDRANT(S) PLACEMENT:** (OFC C104)

- Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants. (OFC 507.5.1)
- Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the Fire Marshal.
- Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets may be considered when approved by the Fire Marshal.
- Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the Fire Marshal.

13. **FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD:** Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway unless approved by the Fire Marshal. (OFC C102.1)

14. **CLEAR SPACE AROUND FIRE HYDRANTS:** A 3 foot clear space shall be provided around the circumference of fire hydrants. (OFC 507.5.5)

## **BUILDING ACCESS AND FIRE SERVICE FEATURES**

15. **PREMISES IDENTIFICATION:** New and existing buildings shall have approved address numbers; building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property, including monument signs. These numbers shall contrast with their background. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 1/2 inch. (OFC 505.1)

If you have questions or need further clarification, please feel free to contact me at 503-259-1419.

Sincerely,

*Tom Mooney*

Tom Mooney  
Deputy Fire Marshal II

Thomas.mooney@tvfr.com

Cc: File  
City of Wilsonville

A full copy of the New Construction Fire Code Applications Guide for Commercial and Multi-Family Development is available at <http://www.tvfr.com/DocumentCenter/View/1296>



**DEVELOPMENT REVIEW BOARD MEETING  
JANUARY 13, 2020  
6:30 PM**

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VI. Public Hearing:

**C. Resolution No. 375. I & E Construction: Ryan McTague, Woodblock Architecture –**

**Representative for I & E Construction – Owner/**

**Applicant.** The applicant is requesting approval

of a Stage II Final Plan Modification, Site Design

Review, Class 3 Sign Permit and Type C Tree

Removal Plan for a change of use, exterior remodel

and expansion of an existing 21,313 square foot

building for I & E Construction. The site is located

at 27375 SW Parkway Avenue on Tax Lot 303 of

Section 11, Township 3 South, Range 1 West,

Willamette Meridian, Clackamas County, Oregon.

Staff: Philip Bradford

Case Files:	DB19-0031	Stage II Final Plan Modification
	DB19-0033	Site Design Review
	DB19-0034	Class 3 Sign Permit
	DB19-0035	Type C Tree Removal Plan

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 375**

**A RESOLUTION ADOPTING FINDINGS AND CONDITIONS OF APPROVAL, APPROVING A STAGE II FINAL PLAN MODIFICATION, SITE DESIGN REVIEW, CLASS 3 SIGN PERMIT AND TYPE C TREE REMOVAL PLAN FOR A CHANGE OF USE, EXTERIOR REMODEL AND EXPANSION OF AN EXISTING 21,313 SQUARE FOOT BUILDING FOR I & E CONSTRUCTION. THE SITE IS LOCATED AT 27375 SW PARKWAY AVENUE ON TAX LOT 303 OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. RYAN MCTAGUE, WOODBLOCK ARCHITECTURE – REPRESENTATIVE FOR I & E CONSTRUCTION – OWNER/ APPLICANT.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated January 6, 2020, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on January 13, 2020, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated January 6, 2020, attached hereto as Exhibit A1, , with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB19-0031 through DB19-0035; Stage II Final Plan Revision, Site Design Review, Class 3 Sign Permit, and Type C Tree Removal Plan.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 13<sup>th</sup> day of January, 2020 and filed with the Planning Administrative Assistant on \_\_\_\_\_. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.

\_\_\_\_\_,  
Acting Chair, Panel A  
Wilsonville Development Review Board

Attest:

\_\_\_\_\_  
Shelley White, Planning Administrative Assistant



Exhibit A1  
Staff Report  
Wilsonville Planning Division  
I&E Construction

Development Review Board Panel 'A'  
Quasi-Judicial Public Hearing

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<b>Hearing Date:</b>	January 13, 2020
<b>Date of Report:</b>	January 6, 2020

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<b>Application Nos.:</b>	DB19-0031 Stage II Final Plan Modification DB19-0033 Site Design Review DB19-0034 Class 3 Sign Permit DB19-0035 Type C Tree Plan
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**Request/Summary:** The review before the Development Review Board is a Class 3 Stage II Final Plan Modification, Site Design Review, Tree Removal Plan, and Sign Permit for the remodel of an existing building and an addition for I&E Construction.

**Location:** 27375 SW Parkway Ave. The property is specifically known as Tax Lot 00303, Section 11, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon

**Owner / Applicant:** I&E Construction

**Comprehensive Plan Designation:** Industrial

**Applicant's Representative:** Woodblock Architecture (Contact: Ryan McTague)

**Zone Map Classification:** PDI (Planned Development Industrial)

**Staff Reviewers:** Philip Bradford, Associate Planner  
Khoi Le PE, Development Engineering Manager

**Staff Recommendation:** Approve with conditions the requested Stage II Final Plan Modification, Site Design Review, Tree Removal Plan and Sign Permit.

**Applicable Review Criteria:**

<b><u>Development Code:</u></b>	
Section 4.001	Definitions
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.116	Standards Applying to Commercial Development in All Zones
Section 4.117	Standards Applying to Industrial Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.131	Planned Development Commercial (PDC) Zone (as referenced by PDI Zone)
Section 4.135	Planned Development Industrial (PDI) Zone
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Section 4.156.01 through 4.156.11	Signs
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.179	Mixed Solid Waste and Recycling
Sections 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600 through 4.640.20	Tree Preservation and Protection
<b><u>Other Planning Documents:</u></b>	
Wilsonville Comprehensive Plan	
Previous Land Use Approvals	

## Vicinity Map



## Background:

The existing 21,313 square foot building is a two-story asymmetrical structure approved in the late 1970's containing a mix of commercial and industrial uses. The building originally housed Lazerquick and then became part of Pioneer Pacific College and contained laboratory space. I&E Construction, a major regional siding installer and general contractor proposes to remodel the structure and relocate I&E's headquarters into the building. The remodel includes an expansion on the second floor of the building and the enclosure of the existing entry area into a two-story atrium. This results in a total expansion area of 4,487 square feet. I&E proposes a significant modernization of the exterior appearance of the building.

## Summary:

Stage II Final Plan Revision (DB19-0031)

The Stage II Final Plan Revision changes the site layout to accommodate the building expansion and revised circulation. All services are available for the site. The traffic study shows less P.M. peak traffic than the previously approved use. The site includes parking, circulation areas, pedestrian connection, and landscaping meeting or exceeding City standards.

Site Design Review (DB19-0033)

The applicant used appropriate professional services to design the remodel and addition using quality materials and design. The architect's description of the purpose of design further illustrates the appropriateness and quality of design: "Our goal is to replace the outdated façade with a more contemporary and dynamic aesthetic while not completely alienating the adjacent church's redevelopment plan by utilizing a mixture of vertical siding (similar to what is present on the addition) and flat panels (similar to what is present on the existing building)." In addition to a contemporary new look on the exterior, the applicant is proposing landscaping materials that meet or exceed City standards.

#### Class 3 Sign Permit (DB19-0034)

The applicant proposes one freestanding sign. The freestanding sign faces the eastern frontage of the property along Parkway Avenue. The freestanding sign is a monument style sign within the size allowable and below the maximum allowance for the site. The sign placement on the site meets City standards and coordinates with the planned landscaping.

#### Type C Tree Removal Plan (DB19-0035)

The landscape plans include removal of a number of parking lot trees in poor condition and several trees in close proximity to the structure due to construction impacts. The applicant proposes removal of 14 trees and the landscape plan shows 14 trees as mitigation.

### **Traffic and Parking:**

The subject site has 132 PM Peak traffic trips vested from the previous Stage II approval for a 21,313 square foot college serving 172 students. The proposed corporate headquarters will generate 101 PM Peak hour trips reducing the traffic trips for the subject site by 31 trips and thus planned impacts on Wilsonville's streets.

For the purpose of parking standards, the proposed development falls into the use category of office or flex space (except medical and dental), listed in Table 5 of Section 4.155. The parking minimum is 2.7 spaces per 1,000 square feet. The parking maximum is 4.1 spaces per 1,000 square feet. The proposed building is 25,800 square feet. The minimum number of parking spaces is 70 (25,800\*2.7 rounded up to the nearest whole space) and the maximum number of parking spaces is 106 (25,800\*4.1 rounded up to the nearest whole space). The applicant proposes 71 parking spaces, within the allowed range. The applicant's plans show the existing parking lot containing a mix of standard 9' by 18' spaces and compact spaces with two additional standard parking spaces where access to the site to the south has been removed.

### **Public Comments and Responses:**

None Received

## Discussion Points:

### Architectural Changes

The original architecture of the building had a modern angular form and minimal detailing. The proposed changes remove the vertical siding and adds new windows in addition to replacing windows in existing locations. The new design retains the modern look of the original building, while giving it a contemporary update that adds to the visual appeal of the area. The new exterior materials consist of fiber cement panels in gray, cedar finish fiber cement panels in Russian Oak, and corrugated and perforated aluminum panels. A new rooftop patio with a trellis will be included on the second floor. The entrance lobby will enclose the existing outdoor patio area with a two story glass storefront system. The new roof will slope upward at an angle and contain staggered skylights to create a more dynamic aesthetic.

### Construction Prior to DRB Approval

Construction work has already commenced at the I&E site. The applicant previously applied for commercial tenant improvement permits in order to meet their construction timeline. The work is limited to interior framing, replacing existing windows, along with foundation and footing work for the expanded building areas. Existing building permits do not allow for any work on the exterior of the structure that involve work to be reviewed as part of this application such as architectural changes, landscaping, and signage.

## Conclusion and Conditions of Approval:

Staff reviewed the Applicant's analysis of compliance with the applicable criteria. The Staff report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, Staff recommends that the Development Review Board approve the proposed application (DB19-0031 through DB19-0035) with the following conditions:

### Planning Division Conditions:

#### Request A: DB19-0031 Stage II Final Plan Modification

<p><b>PDA 1.</b> The approved modified final plan shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved preliminary or final development plan may be approved by the Planning Director through the Class I Administrative Review Process if such changes are consistent with the purposes and general character of the development plan. All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. See Finding A13.</p>
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Request B: DB19-0033 Site Design Review

<b>PDB 1.</b>	Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding B15.
<b>PDB 2.</b>	All landscaping required and approved by the Board shall be installed prior to issuance of any occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding B38.
<b>PDB 3.</b>	The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville's Development Code. See Finding B39.
<b>PDB 4.</b>	All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered as allowed by Wilsonville's Development Code. See Findings B40 and B41.
<b>PDB 5.</b>	The following requirements for planting of shrubs and ground cover shall be met: <ul style="list-style-type: none"><li>• Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch.</li><li>• Native topsoil shall be preserved and reused to the extent feasible.</li><li>• Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings.</li><li>• All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10" to 12" spread.</li><li>• Shrubs shall reach their designed size for screening within three (3) years of planting.</li><li>• Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center</li></ul>



	<p>minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum.</p> <ul style="list-style-type: none"> <li>• No bare root planting shall be permitted.</li> <li>• Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting.</li> <li>• Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.</li> <li>• Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding B42.</li> </ul>
<b>PDB 6.</b>	Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. See Finding B45.

**Request C: DB19-0034 Class III Sign Permit**

<b>PDC 1.</b>	The approved sign shall be installed in a manner substantially similar to the plans approved by the DRB and stamped approved by the Planning Division.
<b>PDC 2.</b>	The applicant shall provide an updated site plan showing the proposed freestanding sign in a code compliant location no further than fifteen (15) feet from the property line and no closer than two (2) feet from a sidewalk or other hard surface in the public right-of-way. If an appropriate location cannot be found the sign shall not be installed.

**Request D: DB19-0035 Type C Tree Plan**

<b>PDD 1.</b>	This approval for removal applies only to the 14 trees identified in the applicant's submitted materials. All other trees on the property shall be maintained unless removal is approved through separate application.
<b>PDD 2.</b>	The Applicant shall submit an application for a Type 'C' Tree Removal Permit on the Planning Division's Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the applicant shall provide the City's Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff.
<b>PDD 3.</b>	The permit grantee or the grantee's successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees for two (2) years after the planting date. A "guaranteed" tree that dies or becomes diseased during the two (2) years after planting shall be replaced.
<b>PDD 4.</b>	Prior to site grading or other site work that could damage trees, the applicant/owner shall install 6-foot-tall chain-link fencing around the drip line of preserved trees. Removal of the fencing around the identified trees shall only occur if it is

determined the trees are not feasible to retain. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. See Finding D6.

*The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City's Community Development Department or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.*

**Engineering Division Conditions:**

None received

## Master Exhibit List:

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case Files DB19-0031 through DB19-0035. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

### Planning Staff Materials

- A1.** Staff report and findings (this document)
- A2.** Staff's Presentation Slides for Public Hearing (to be presented at Public Hearing)

### Materials from Applicant

- B1.** Applicant's Narrative and Submitted Materials
  - Application
  - Narrative
  - Arborist's Report (Harrity Tree Specialists, Inc.)
  - DKS Trip Generation Memorandum
  - Republic Services Letter
  - Outdoor Lighting Detail
  - Color Board
- B2.** Drawing Package
  - General
    - G0.0 Cover Sheet
  - Demolition
    - D1.1 Demo Plan – Level 01
    - D1.2 Demo Plan – Level 02
    - D1.3 Demo Plan - Roof
    - D2.0 Demo – Exterior Elevations
  - Architectural
    - A1.1 Floor Plan – Level 01
    - A1.2 Floor Plan – Level 02
    - A1.3 Roof Plan
    - A2.0 Elevations
    - A3.0 Building Sections
    - A3.1 Building Sections
    - A010 Architectural Site Plan
    - A011 Site Irrigation Plan

- A012 Site Lighting Plan
- A020 Site Details
- Landscape
  - L1 Tree Survey Plan
  - L2 Landscape Planting Plan
  - L3 Landscape Detail Sheet

Development Review Team Correspondence

None received

Other Correspondence

None received

**Procedural Statements and Background Information:**

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application on July 30, 2019. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on August 27, 2019. The applicant submitted additional material on October 21, 2019. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on November 19, 2019. The applicant submitted additional material on December 3, 2019. Planning Staff deemed the application complete on December 16, 2019. The City must render a final decision for the request, including any appeals, by April 14, 2020.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	PDI	Parkway Avenue / Sig Sauer
East:	PDI	Parkway Avenue/FLIR Systems/OIT
South:	PDI	Grace Chapel
West:	NA	Interstate 5

3. Previous Planning Approvals:

- 79DR11 Site Development Plan Approval for Print-Right Copy Center
- 80DR28 Sign Approval and Modified Landscape Plan for Print Right Copy Center
- 03DB12 Modify Stage I Modify Stage II Site & Design for Graphic Properties
- 04AR41 Class I Modification of Color Scheme for Pioneer Pacific

DB08-0046 Signage for Pioneer Pacific

SR08-0051 Class 1 Sign Review for Pioneer Pacific College

AR13-0034 Class II Change of Use from Warehouse to Laboratory for Pioneer Pacific College

TR13-0062 Type B Tree Removal of three (3) trees for Pioneer Pacific College

4. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

## Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

### General Information

#### Application Procedures-In General Section 4.008

The processing of the application is in accordance with the applicable general procedures of this Section.

#### Initiating Application Section 4.009

The application has the signature of Karl Ivanov, an authorized signer for the property owner I&E Construction.

#### Pre-Application Conference Subsection 4.010 (.02)

The City held a Pre-application conference (PA19-0010) in accordance with this subsection.

#### Lien Payment before Approval Subsection 4.011 (.02) B.

No applicable liens exist for the subject property. The application can thus move forward.

#### General Submission Requirements Subsection 4.035 (.04) A.

The applicant has provided all of the applicable general submission requirements.

#### Zoning-Generally Section 4.110

This proposed development is in conformity with the applicable zoning district and City review uses the general development regulations listed in Sections 4.150 through 4.199.

## **Request A: DB19-0031 Stage II Final Plan Modification**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### **Planned Development Regulations-Generally**

Planned Development Purpose & Lot Qualifications  
Subsection 4.140 (.01) and (.02)

- A1.** The proposal is to modify a development previously approved as a planned development meeting the planned development purpose and lot qualifications.

Ownership Requirements  
Subsection 4.140 (.03)

- A2.** The subject parcel is under the ownership of I&E Construction, for whom an authorized signer, Karl Ivanov, signed the application.

Professional Design Team  
Subsection 4.140 (.04)

- A3.** Ryan McTague of Woodblock Architecture is the professional coordinator of a professional design team including an architect, engineers, a landscape architect, and a planner among other professionals.

### **Stage II Final Plan Submission Requirements and Process**

Stage II Submission Within 2 Years of Stage I  
Subsection 4.140 (.09) A.

- A4.** The proposal modifies an existing Stage II Plan that the City previously approved within 2 years of the Stage I Master Plan.

Development Review Board Role  
Subsection 4.140 (.09) B.

- A5.** The Development Review Board review considers all applicable permit criteria set forth in the Planning and Land Development Code and staff recommends the Development Review Board approve the application with conditions of approval.

Stage I Conformance, Submission Requirements  
Subsection 4.140 (.09) C.

- A6.** The modified Stage II plans conforms to the existing Stage I Master Plan. The applicant's submitted drawings and other documents show all the additional information required by this subsection.

### **Stage II Final Plan Detail**

Subsection 4.140 (.09) D.

- A7.** The applicant's submitted materials provide sufficiently detailed information to indicate fully the ultimate operation and appearance of the development, including a detailed site plan, landscape plans, and elevation drawings.

#### Submission of Legal Documents

Subsection 4.140 (.09) E.

- A8.** The Development Review Board does not require any additional legal documentation for dedication or reservation of public facilities.

#### Expiration of Approval

Subsection 4.140 (.09) I. and Section 4.023

- A9.** The Stage II Approval, along with other associated applications, will expire two (2) years after approval, absent the granting of an extension in accordance with these subsections.

#### Consistency with Plans

Subsection 4.140 (.09) J. 1.

- A10.** The site's zoning, Planned Development Industrial, is consistent with the Industrial designation in the Comprehensive Plan. The Transportation Systems Plan calls for no additional frontage or road improvement.

#### Traffic Concurrency

Subsection 4.140 (.09) J. 2.

- A11.** The subject property has 132 PM Peak traffic trips as a private college. The proposed corporate headquarters will generate 31 PM Peak traffic trips, reducing the traffic trips for the subject site by 101 trips and thus planned impacts on Wilsonville's streets.

#### Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

- A12.** The existing building has all facilities and services, including utilities, sufficient to serve the expanded building.

#### Adherence to Approved Plans

Subsection 4.140 (.09) L.

- A13.** Condition of Approval PDB 1 ensures adherence to approved plans except for minor revisions by the Planning Director.

### **Standards Applying in All Planned Development Zones**

#### Underground Utilities

Subsection 4.118 (.02)

- A14.** The applicant's plans show all utilities underground.



## Waivers

Subsection 4.118 (.03)

**A15.** The applicant does not request any waivers.

## Other Requirements or Restrictions

Subsection 4.118 (.03) E.

**A16.** Staff does not recommend any additional requirements or restrictions pursuant to this subsection.

## Impact on Development Cost

Subsection 4.118 (.04)

**A17.** Implementation of standards and imposing conditions beyond minimum standards and requirements do not unnecessarily increase the cost of development. No parties have raised such concerns.

## Requiring Tract Dedications or Easements for Recreation Facilities, Open Space, Public Utilities

Subsection 4.118 (.05)

**A18.** Staff does not recommend any additional tract dedication for recreational facilities, open space, or easements for orderly extension of public utilities consistent with this subsection.

## Habitat Friendly Development Practices

Subsection 4.118 (.09)

**A19.** No significant native trees, significant native vegetation, or other features with significant habitat value exist on the site. A professionally designed storm water system will minimize impacts from the added impervious area on adjacent sites and downstream water resources consistent with City standards.

## **Planned Development Industrial (PDI) Zone**

### Purpose of PDI Zone

Subsection 4.135 (.01)

**A20.** The stated purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses. As a corporate headquarters for a general contractor, the proposed use is consistent with the purpose of the PDI zone.

### Typically Permitted Uses

Subsection 4.135 (.03)

**A21.** The proposed corporate headquarters use is permitted outright in the PDI zone.

### Block and Access Standards

Subsections 4.131.05 (.07) and 4.131 (.03)

A22. The proposal requests no changes to blocks or access spacing.

## **Industrial Performance Standards**

### Industrial Performance Standards

Subsection 4.135 (.05)

A23. The proposed project meets the performance standards of this subsection as follows:

- Pursuant to standard A (enclosure of uses and activities), all non-parking activities and uses will be completely enclosed. The proposed changes to the building will create a new rooftop patio partially covered by a trellis at the second floor adjacent to the lobby for employee use. The rooftop patio does not pose any adverse impacts and is consistent with the performance standards.
- Pursuant to standard B (vibrations), there is no indication that the proposed development will produce vibrations detectable off site without instruments.
- Pursuant to standard C (emissions), there is no indication the proposed use would produce the odorous gas or other odorous matter.
- Pursuant to standard D (open storage), outdoor storage of mixed solid waste and recycling will be screened from off-site view.
- Pursuant to standard E (night operations and residential areas), the proposed use is not one customarily used for night operations.
- Pursuant to standard F (heat and glare), the applicant proposes no exterior operations creating heat and glare.
- Pursuant to standard G (dangerous substances), there are no prohibited dangerous substances expected on the development site.
- Pursuant to standard H (liquid and solid wastes), staff has no evidence that the operations would violated standards defined for liquid and solid waste.
- Pursuant to standard I (noise), staff has no evidence that noise generated from the proposed operations would violate the City's Noise Ordinance and noises produced in violation of the Noise Ordinance would be subject to the enforcement procedures established in WC Chapter 6 for such violations.
- Pursuant to standard J (electrical disturbances), staff has no evidence that the proposed use would have any prohibited electrical disturbances.
- Pursuant to standard K (discharge of air pollutants), staff has no evidence that the proposed use would produce any prohibited discharge.
- Pursuant to standard L (open burning), the applicant proposes no open burning.
- Pursuant to standard M (outdoor storage), the applicant proposes outdoor storage of mixed solid waste and recycling with the appropriate surface material and screening consistent with City standards.
- Pursuant to standard N (unused area landscaping), no unused areas will be bare.

## **On-site Pedestrian Access and Circulation**

### Continuous Pathway System

Subsection 4.154 (.01) B. 1.

**A24.** As shown on the applicant's site plan in Exhibit B2, the proposed pedestrian pathway system (sidewalks) will provide pedestrian access to the existing public sidewalk along SW Parkway Ave. Concrete pathways are provided along the north, east, and south sides of the existing building and connect either directly with the public sidewalk or are linked via striped pedestrian paths through the parking lot.

#### Safe, Direct, Convenient Pathways

Subsection 4.154 (.01) B. 2.

**A25.** Proposed pedestrian pathways are flat, paved sidewalks. Where crossing the parking area, the applicant proposes a 5-foot wide, striped crosswalk with contrasting paint providing safe crossing through the parking lot and a connecting to the proposed trash enclosure. The pathways provide direct access to the building from the parking area on all sides of the site. Pathways connect to all primary (and secondary) building entrances.

#### Vehicle/Pathway Separation-Vertical or Horizontal

Subsection 4.154 (.01) B. 3.

**A26.** The proposed design of pedestrian pathways provide for vertical separation from vehicle circulation areas.

#### Crosswalks Clearly Marked

Subsection 4.154 (.01) B. 4.

**A27.** As shown on the applicant's site plan in Exhibit B2, all crosswalks are clearly marked with contrasting paint as they cross parking areas and driveways.

#### Pathways Width and Surface-5 Foot Wide, Durable Surface

Subsection 4.154 (.01) B. 5.

**A28.** The applicant proposes pathways at least five feet wide. The applicant proposes a combination of concrete pathways and contrasting paint pathways throughout the site.

### Parking and Loading

#### Parking Design Standards

Section 4.155 (.02) and (.03)

**A29.** The applicable parking designs standards are met as follows:

Standard	Met	Explanation
Subsection 4.155 (.02) General Standards		
B. All spaces accessible and usable for Parking	<input checked="" type="checkbox"/>	The applicant proposes standard parking spaces that are at least 9' by 18' and compact spaces that are at least 7'6" by 15', and 24'

		wide drive aisles, meeting the Development Code's standards.
I. Sturdy bumper guards of at least 6 inches to prevent parked vehicles crossing property line or interfering with screening or sidewalks.	<input checked="" type="checkbox"/>	The applicant's plans show bumper guards of at least 6 inches in width where required to prevent interference with sidewalks, especially for the ADA spaces.
J. Surfaced with asphalt, concrete or other approved material.	<input checked="" type="checkbox"/>	Surfaced with asphalt.
Drainage meeting City standards	<input checked="" type="checkbox"/>	Drainage is professionally designed and being reviewed to meet City standards
K. Lighting won't shine into adjoining structures or into the eyes of passers-by.	<input checked="" type="checkbox"/>	Lighting is proposed to be fully shielded and meet the City's Outdoor Lighting Standard
N. No more than 40% of parking compact spaces.	<input checked="" type="checkbox"/>	The site contains existing compact spaces. No changes to the amount of compact spaces are proposed.
O. Where vehicles overhang curb, planting areas at least 7 feet in depth.	<input checked="" type="checkbox"/>	The narrowest planting area adjacent to parking spaces is approximately 16 feet deep.
<b>Subsection 4.155 (.03) General Standards</b>		
A. Access and maneuvering areas adequate.	<input checked="" type="checkbox"/>	Access drive and drive aisle are 24 feet or more, providing an adequate 12 foot travel lane each direction.
A.1. Loading and delivery areas and circulation separate from customer/employee parking and pedestrian areas.	<input checked="" type="checkbox"/>	The proposal does not include any loading or delivery areas nor does the City require any.
Circulation patterns clearly marked.	<input checked="" type="checkbox"/>	The proposed design is typical commercial parking lot design and intuitive to a driver familiar with typical commercial parking lots.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	<input checked="" type="checkbox"/>	The plans clearly delineate separate vehicle and pedestrian traffic areas and separate them except for crosswalks.
C. Safe and Convenient Access, meet ADA and ODOT Standards.	<input checked="" type="checkbox"/>	The proposed parking and access enable the meeting of ADA and ODOT standards.
For parking areas with more than 10 spaces, 1 ADA space for every 50 spaces.	<input checked="" type="checkbox"/>	The proposal provides 2 ADA parking spaces for 71 parking spaces, both adjacent to the main entrance.
D. Where possible, parking areas connect to adjacent sites.	<input checked="" type="checkbox"/>	The parking areas connect to SW Parkway Avenue via two driveway entrances and do not connect to any adjacent properties.
Efficient on-site parking and circulation	<input checked="" type="checkbox"/>	The careful and professional design of the parking provides for safety and efficiency and

	is a typical design with standard parking space and drive aisle size and orientation.
--	---

**Minimum and Maximum Number of Parking Spaces**

Subsections 4.155 (.03) G., Table 5, and 4.136 (.05)

**A30.** For the purpose of parking standards, the proposed development falls into the use category of office or flex space listed in Table 5. The parking minimum is 2.7 spaces per 1,000 square feet. The proposed building is 25,800 square feet in total. Thus the minimum number of parking spaces is 70 ( $2.7 \times 25.8 = 69.66$  rounded up to the nearest whole space). The applicant is proposing 71 spaces, within the allowed range.

**Parking Area Landscaping**

**Minimizing Visual Dominance of Parking**

Subsection 4.155 (.03) B.

**A31.** The applicant proposes landscaping throughout the parking area helping to minimize the visual dominance of the paved parking area.

**10% Parking Area Landscape Requirement**

Subsection 4.155 (.03) B. 1.

**A32.** The parking area is existing and will remain as part of the new development. The parking area is approximately 24% landscaped with landscaping in parking lot islands and landscaping between parking fields.

**Landscape Screening of Parking**

Subsection 4.155 (.03) B. 1.

**A33.** The proposed design screens the parking area from adjacent properties and adjacent rights-of-way by physical distance and proposed landscaping and vegetation. The design does not warrant additional screening meeting a specific City screening standard.

**Tree Planting Area Dimensions**

Subsection 4.155 (.03) B. 2.

**A34.** The landscape plan shows the six proposed landscaping planting island exceed the minimum 8 foot by 8 foot requirement.

**Parking Area Tree Requirement**

Subsection 4.155 (.03) B. 2. and 2. a.

**A35.** With 71 spaces, the stated ratio of 1 tree for every 8 spaces or fraction thereof requires 9 trees. The landscape plan shows well in excess of 10 trees in planting areas spread throughout and adjacent to the parking area.

#### Parking Area Landscape Plan

Subsection 4.155 (.03) B. 2. a.

**A36.** The applicant's landscape plan includes the proposed parking area.

#### Parking Area Tree Clearance

Subsection 4.155 (.03) B. 2. b.

**A37.** The applicant will maintain all trees listed for planting in the parking area and expected to overhang the parking areas to provide a 7-foot vertical clearance.

### **Bicycle Parking**

#### Required Bicycle Parking

Section 4.155 (.04) A. 1.

**A38.** Office uses require one bicycle parking space per 5,000 square feet or a minimum of 2 bicycle parking spaces. The proposed building requires 6 bicycle parking spaces ( $25,800/5000 = 5.7$  rounded up to nearest whole number = 6). The site plan shows 6 bicycle parking spaces, 3 spaces located within 30 feet of the main entrance, and 3 spaces located inside the building.

#### Bicycle Parking Standards

Section 4.155 (.04) B.

**A39.** The applicant's plans show three exterior bicycle parking spaces at 2' in width (2' is the required minimum), 6' in length, with 5 feet of maneuvering space behind each space (5 feet required minimum). These bike racks can accommodate up to 3 bicycles. The plans show exterior bike racks anchored to the pavement. The location of bicycle parking is approximately 23' 9 1/2" from the main building entrance (30 feet required maximum). In addition, three interior, bicycle spaces will be required inside the building accommodating up to 3 bicycles.

### **Other Development Standards**

#### Access, Ingress, and Egress

Section 4.167

**A40.** Site access is via existing driveways along SW Parkway Ave.

#### Natural Features and Other Resources

Section 4.171

**B1.** The property has an existing building previously occupied by Pacific Pioneer College. No trees, significant native vegetation, or other resources in need of protection exist on the site.

#### Access Drives and Travel Lanes

Subsection 4.177 (.01) E.

**A41.** The design of the access drives provides clear travel lanes, free from obstructions. The design shows all drive aisles as asphalt.

#### Outdoor Lighting

Sections 4.199.20 through 4.199.60

**A42.** The outdoor lighting standards apply to the proposal is required to meet the Outdoor Lighting Standards. See Request C, Findings C48 through C55.

#### Underground Installation of Utilities

Sections 4.300-4.320

**A43.** The applicant proposes only underground utilities; no existing overhead utilities exist requiring undergrounding.

### **Public Safety and Crime Prevention**

#### Design for Public Safety, Surveillance and Access

Subsections 4.175 (.01) and (.03)

**A44.** The location of the proposed building is close to the street, providing opportunity for “eyes on the street.” Law enforcement vehicles can view the parking lot from the street and people inside the building can clearly see the parking area.

#### Addressing and Directional Signing

Subsection 4.175 (.02)

**A45.** Addressing will meet public safety standards. The building permit process will ensure conformance.

#### Lighting to Discourage Crime

Subsection 4.175 (.04)

**A46.** Lighting design is in accordance with the City’s outdoor lighting standards, which will provide sufficient lighting to discourage crime.

### **Landscaping Standards**

#### Landscaping Standards Purpose

Subsection 4.176 (.01)

**A47.** In complying with the various landscape standards in Section 4.176 the applicant has demonstrated the Stage II Final Plan is in compliance with the landscape purpose statement.

Landscape Code Compliance  
Subsection 4.176 (.02) B.

**A48.** The applicant requests no waivers or variances to landscape standards. All landscaping and screening must comply with standards of this section.

Intent and Required Materials  
Subsections 4.176 (.02) C. through I.

**A49.** The applicant's planting plan implements the landscaping standards and integrates general and low screen landscaping throughout the site, consistent with professional landscaping and design best practices. In addition, the applicant proposes screening meeting the high wall and high screen standard to screen the outdoor mixed solid waste and recycling area.

Landscape Area and Locations  
Subsection 4.176 (.03)

**A50.** The subject site is 71,438 square feet in area, requiring 10,715 square feet of landscaping to meet the 15% landscaping requirement. Proposed non-turf landscaping totals 43% of the site. Parking lot area landscaping is 24% of the site area. Landscaping is provided surrounding the parking area, in front of the building, within the parking area, and screening the trash / recycling enclosure. The proposed landscaping maintains existing tree locations throughout the site, replacing any existing trees in poor condition. Proposed landscaping is a mix of native and non-native vegetation, determined to be most suitable for the site by landscape architect, Michael Andrews. Materials proposed include 4 species of trees, 9 species of shrubs, and 3 species of ground covers, and 3 species of grasses.

Buffering and Screening  
Subsection 4.176 (.04)

**A51.** The same PDI zone borders the site on the north, south, and east side. The uses include Oregon Institute of Technology and Grace Chapel; all are compatible with the office building and have comparable parking areas. The adjacent uses do not warrant any screening or buffering. The existing building and proposed additions will contain parapet walls that will screen rooftop equipment from the ground level. As shown on Sheet L2, landscaping meeting the high screen standard is proposed around the new outdoor solid waste and recycling enclosure, screening it from SW Parkway Ave.

Landscape Plan Requirements  
Subsection 4.176 (.09)

**A52.** The applicant's submitted landscape plans are drawn to scale and show the type, installation size, number and placement of materials. Plans include a plant material list



identifying plants by both their scientific and common names. A note on the landscape plan indicates the irrigation method.

## Mixed Solid Waste and Recyclables Storage

DRB Review of Adequate Storage Area, Minimum Storage Area  
Subsections 4.179 (.01)

**A53.** The proposed office building use requires provision of 4 square feet per 1000 square feet of floor area of mixed solid waste and recycling storage. At 25,800 square feet, the building requires 103 square feet. The applicant proposes an enclosure of 216 square feet, well in excess of the minimum.

Review by Franchise Garbage Hauler  
Subsection 4.179 (.07).

**A54.** The applicant's Exhibit B1 is a letter from Republic Services indicating coordination with the franchised hauler, and that the proposed storage area and site plan meets Republic Services requirements.

### Request B: DB18-0033 Site Design Review

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

## Site Design Review

Excessive Uniformity, Inappropriateness Design  
Subsection 4.400 (.01) and Subsection 4.421 (.03)

**B1.** Staff summarizes the compliance with this subsection as follows:

**Excessive Uniformity:** The proposed development is unique to the particular development context and does not create excessive uniformity.

**Inappropriate or Poor Design of the Exterior Appearance of Structures:** The applicant used appropriate professional services to design structures on the site using quality materials and design. The architect's description of the purpose of design further illustrates the appropriateness and quality of design: "Our goal is to replace the outdated façade with a more contemporary and dynamic aesthetic while not completely alienating the adjacent church's redevelopment plan by utilizing a mixture of vertical siding (similar to what is present on the addition) and flat panels (similar to what is present on the existing building)".

**Inappropriate or Poor Design of Signs:** The applicant used appropriate professionals to design signs meeting City sign standards compatible with the architecture of the building. See also Request D.

**Lack of Proper Attention to Site Development:** The applicant employed the skills of the appropriate professional services to design the site, demonstrating appropriate attention to

site development.

**Lack of Proper Attention to Landscaping:** The applicant proposes landscaping exceeding the area requirements professionally designed by a landscape architect, incorporating a variety of plant materials, demonstrating appropriate attention to landscaping.

## **Objectives of Site Design Review**

### Proper Functioning of the Site

Subsection 4.400 (.02) A. and Subsection 4.421 (.03)

- B2.** The professionally designed site demonstrates significant thought to make the site functional and safe. A drive aisle wide enough for two-way traffic, standard size parking stalls, a complete pathway network, and access meeting City standards are among the site design features contributing to functionality and safety.

### High Quality Visual Environment

Subsection 4.400 (.02) A. and Subsection 4.421 (.03)

- B3.** A professionally designed building landscaping and a professional, site specific, layout supports a quality visual environment.

### Encourage Originality, Flexibility, and Innovation

Subsection 4.400 (.02) B. and Subsection 4.421 (.03)

- B4.** The applicant proposes a building, landscaping, and other site elements professionally designed specifically for the site. Sufficient flexibility exists to fit the planned development within the site without seeks waivers or variances.

### Discourage Inharmonious Development

Subsection 4.400 (.02) C. and Subsection 4.421 (.03)

- B5.** As indicated in Finding B3 above the professional unique design of the building, landscaping, and other site elements support a high quality visual environment and thus prevent monotonous, drab, unsightly, dreary development. Use of long lasting materials as well as landscaping will make the site more harmonious with adjacent and nearby development.

### Proper Relationships with Site and Surroundings

Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

- B6.** The applicant prepared a professional site-specific design that carefully considers the relationship of the building, landscaping, and other improvements with other improvements on and adjacent to the site, existing and planned.

### Regard to Natural Aesthetics

Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

- B7.** The applicant does not proposed to remove natural features of significant aesthetic value, such as trees or well-established ground cover, or significant contours. The proposed additional landscaping will enhance the natural aesthetic of the site.

#### Attention to Exterior Appearances

Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

- B8.** The applicant used appropriate professional services to design the exterior of the building. The architect's description of the purpose of design further illustrates the attention to exterior appearances: "The lobby will be a two story space with new storefront facing the parking field and a walkway connecting the two office wings on the second floor and a new pitched roof overhead. We are proposing to replace the entire exterior skin of the building from painted T1-11 siding to new fiber cement siding in both vertical and flat panel with reveal configurations. Our goal is to replace the outdated façade with a more contemporary and dynamic aesthetic while not completely alienating the adjacent church's redevelopment plan by utilizing a mixture of vertical siding (similar to what is present on the addition) and flat panels (similar to what is present on the existing building)."

#### Protect and Enhance City's Appeal

Subsection 4.400 (.02) E. and Subsection 4.421 (.03)

- B9.** The vacant site is located along SW Parkway Ave. Adding services and amenities with a quality design enhance the appeal of SW Parkway Ave with a contemporary renovation of an existing vacant office building.

#### Stabilize Property Values/Prevent Blight

Subsection 4.400 (.02) F. and Subsection 4.421 (.03)

- B10.** The vacant site is located along SW Parkway Ave. Adding services and amenities with a quality design add value to SW Parkway Ave prevent additional blight on the property.

#### Adequate Public Facilities

Subsection 4.400 (.02) G. and Subsection 4.421 (.03)

- B11.** As found in the Stage II Final Plan review, see Request B, adequate public facilities serve the site.

#### Pleasing Environments and Behavior

Subsection 4.400 (.02) H. and Subsection 4.421 (.03)

- B12.** The long vacant site is located on SW Parkway Ave. Adding services and amenities with a quality design increase the pleasing environment of the SW Parkway Ave and consequently contribute positively to the behavior referenced.

### Civic Pride and Community Spirit

Subsection 4.400 (.02) I. and Subsection 4.421 (.03)

- B13.** SW Parkway Avenue contributes to civic pride and community spirit tied to being a minor arterial road home to many notable businesses within the city. Adding a new business and renovating a vacant property with a high quality design enhances SW Parkway Avenue's contribution to civic pride and community spirit.

### Favorable Environment for Residents

Subsection 4.400 (.02) J. and Subsection 4.421 (.03)

- B14.** The SW Parkway Ave area contributes to a favorable environment for residents by providing educational and employment opportunities for residents. Adding a new business and renovating an existing structure with a quality design enhances SW Parkway Avenue's favorable environment.

## Jurisdiction and Power of the DRB for Site Design Review

### Development Must Follow DRB Approved Plans

Section 4.420

- B15.** Condition of Approval PDB 1 ensures construction, site development, and landscaping are carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. The City will not issue any building permits for portions of the improvements requiring DRB review prior to DRB approval.

## Design Standards

### Preservation of Landscaping

Subsection 4.421 (.01) A.

- B16.** The proposal will not affect significant existing landscaping, including trees or mature groundcover. The area is developed and all landscaping is existing. The applicant proposes to remove landscaping in poor health and replace it with new landscaping.

### Harmony of Proposed Buildings to Environment

Subsection 4.421 (.01) B.

- B17.** The applicant used appropriate professional services to design the exterior of the building to ensure harmony with the environment. The architect's description of the purpose of design further illustrates the attention to harmony with the environment: ""The lobby will be a two story space with new storefront facing the parking field and a walkway connecting the two office wings on the second floor and a new pitched roof overhead. We are

proposing to replace the entire exterior skin of the building from painted T1-11 siding to new fiber cement siding in both vertical and flat panel with reveal configurations. Our goal is to replace the outdated façade with a more contemporary and dynamic aesthetic while not completely alienating the adjacent church’s redevelopment plan by utilizing a mixture of vertical siding (similar to what is present on the addition) and flat panels (similar to what is present on the existing building).”

Special Attention to Drives, Parking, and Circulation- Access Points  
Subsection 4.421 (.01) C.

**B18.** All access points are existing and meet City standards. No changes are proposed to existing access points.

Special Attention to Drives, Parking, and Circulation- Interior Circulation  
Subsection 4.421 (.01) C.

**B19.** All interior circulation areas are existing and the applicant does not propose changes to the existing circulation areas. The interior circulation is at least 24 feet wide allowing for adequate space for pulling out of the individual spaces and for two-way traffic to pass.

Special Attention to Drives, Parking, and Circulation- Pedestrian and Vehicle Separation  
Subsection 4.421 (.01) C.

**B20.** The design separates pedestrian and vehicle circulation except at necessary cross walks.

Special Attention to Drives, Parking, and Circulation- Safe and Convenient Parking Areas  
Subsection 4.421 (.01) C.

**B21.** The applicant has worked with a professional design team to ensure the new parking area is safe and convenient. The parking area is conveniently located for access to the building. The parking space size and drive aisle width is a typical design allowing adequate area for safe maneuvering.

Special Attention to Drives, Parking, and Circulation- Parking Detracting from Design  
Subsection 4.421 (.01) C.

**B22.** The professional site planning fits the parking well with the design, allowing the building to have a presence from SW Parkway Ave and Interstate 5.

Special Attention to Surface Water Drainage  
Subsection 4.421 (.01) D.

**B23.** For any new impervious surface requiring stormwater treatment the applicant will provide a professionally designed stormwater system consistent with City standards.

#### Harmonious Above Ground Utility Installations

Subsection 4.421 (.01) E.

**B24.** No above ground utility installations are proposed.

#### Indication of Sewage Disposal

Subsection 4.421 (.01) E.

**B25.** All sewage disposal will be via standard sewer connections to City sewer lines found to be adequate to serve the site as part of the Stage II Final Plan.

#### Advertising Features Do Not Detract

Subsection 4.421 (.01) F.

**B26.** All advertising features are sized and located appropriately to not detract from the design of the existing structure and surrounding properties. See also Request D.

#### Screening and Buffering of Special Features

Subsection 4.421 (.01) G.

**B27.** The applicant does not propose any special features requiring additional screening or buffering.

#### Design Standards Apply to All Buildings, Structures, Signs, and Features

Subsection 4.421 (.02)

**B28.** The applicant's design considers the design standards for all buildings, structures, and other features.

#### Conditions of Approval to Ensure Proper and Efficient Function

Subsection 4.421 (.05)

**B29.** Staff does not recommend any additional conditions of approval to ensure the proper and efficient functioning of the development.

#### Color or Materials Requirements

Subsection 4.421 (.06)

**B30.** The colors and materials proposed by the applicant are appropriate. Staff does not recommend any additional requirements or conditions related to colors and materials.

## **Standards for Mixed Solid Waste and Recycling Areas**

### Mixed Solid Waste and Recycling Areas Colocation

Subsection 4.430 (.02) A.

**B31.** The proposal provides an exterior storage area for both solid waste and recyclables.

### Exterior vs Interior Storage, Fire Code, Number of Locations

Subsections 4.430 (.02) C.-F.

**B32.** The applicant proposes a single exterior location in a central visible location. Review of the Building Permit will ensure meeting of building and fire code. The screening enclosure is set back from the property line much more than the required 3 feet.

### Collection Vehicle Access, Not Obstruct Traffic or Pedestrians

Subsections 4.430 (.02) G.

**B33.** The applicant's Exhibit B1, a letter from Republic Services, indicates the location and arrangement is accessible to collection vehicles. The location of the storage area does impede sidewalks, parking area aisles, or public street right-of-way.

### Dimensions Adequate to Accommodate Planned Containers

Subsections 4.430 (.03) A.

**B34.** Pursuant to a letter from Republic Services, applicant's Exhibit B1, the dimensions are adequate to accommodate the planned containers.

### 6-Foot Screen, 10-Foot Wide Gate

Subsections 4.430 (.03) C.

**B35.** The applicant provides the required screening and gate width.

## **Site Design Review Submission Requirements**

### Submission Requirements

Section 4.440

**B36.** The applicant submitted a site plan drawn to scale and a detailed landscape plan.

## **Time Limit on Site Design Review Approvals**

### Void after 2 Years

Section 4.442

**B37.** The Applicant plans to develop the proposed project within two years and understands that the approval will expire after two years unless the City grants an extension.

### **Installation of Landscaping**

Landscape Installation or Bonding  
Subsection 4.450 (.01)

**B38.** Condition of Approval PD 2 will assure installation or appropriate security.

Approved Landscape Plan Binding  
Subsection 4.450 (.02)

**B39.** Condition of Approval PD 3 provides ongoing assurance approved landscaping is installed and maintained.

Landscape Maintenance and Watering  
Subsection 4.450 (.03)

**B40.** Condition of Approval PD 4 will ensure continual maintenance of landscaping in a substantially similar manner as originally approved by the Board.

Limitation to Modifications of Landscaping  
Subsection 4.450 (.04)

**B41.** Condition of Approval PD 4 provides ongoing assurance of conformance with this criterion by preventing modification or removal without the appropriate City review.

### **Landscaping Standards**

Shrubs and Groundcover Materials Requirements  
Subsection 4.176 (.06) A.

**B42.** Condition of Approval PD 5 requires meeting the detailed requirements of this subsection. Of particular note, the applicant's landscape plan, shows at least 2-gallon containers for shrubs and 1-gallon containers for groundcover.

Plant Materials Requirements-Trees  
Subsection 4.176 (.06) B.

**B43.** As stated on the applicant's landscape plans, the plant material requirements for trees will be met as follows:

- Trees are B&B (Balled and Burlapped)
- Tree are 2" caliper.



## Plant Species Requirements

Subsection 4.176 (.06) E.

**B44.** The applicant's landscape plan provides sufficient information showing the proposed landscape design meets the standards of this subsection related to use of native vegetation and prohibited plant materials.

## Landscape Installation and Maintenance Standards

Subsection 4.176 (.07)

**B45.** The installation and maintenance standards are met or will be met by Condition of Approval PDC 6 as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival
- Within one growing season, the applicant must replace in kind plants that die, unless the City approves appropriate substitute species.
- Notes on the applicant's landscape plans provides for an irrigation system.

## Landscape Plan Requirements

Subsection 4.176 (.09)

**B46.** Applicant's landscape plan show all existing and proposed landscape areas. The to-scale plans show the type, installation size, number and placement of materials. Plans include a plant material list. Plants identification is by both their scientific and common names.

## Completion of Landscaping

Subsection 4.176 (.10)

**B47.** The applicant has not requested to defer installation and thus must install landscaping prior to occupancy.

## Outdoor Lighting

### Applicability of Outdoor Lighting Standards

Sections 4.199.20 and 4.199.60

**B48.** Proposed is a new exterior lighting system for a commercial project. The outdoor lighting standards thus apply.

### Outdoor Lighting Zones

Section 4.199.30

**B49.** The subject property is within LZ2.

### Optional Lighting Compliance Methods

Subsection 4.199.40 (.01) A.

**B50.** The applicant has the option of the performance or prescriptive method. The applicant has selected to comply with the prescriptive method.

#### Maximum Lamp Wattage and Shielding

Subsection 4.199.40 (.01) B. 1. and Table 7

**B51.** The applicant proposes a combination of 10 and 30 watt shielded fixtures, less than the maximum 100 watts for shielded fixtures in the Lighting Zone 2. While the applicant has provided information regarding the proposed fixtures as part of the exterior remodel, staff has not been provided information regarding the existing fixtures located within the parking area and thus a condition of approval has been added to ensure compliance with the above subsection.

#### Oregon Energy Efficiency Code Compliance

Subsection 4.199.40 (.01) B. 2.

**B52.** The applicant will demonstrate compliance with the Oregon Energy Efficiency Code, Exterior Lighting prior to construction.

#### Maximum Mounting Height

Subsection 4.199.40 (.01) B. 3.

**B53.** The applicant's narrative states "The existing parking area currently includes pole mounted lights, fixtures will be repaired / replaced as required." As new building mounted lighting and egress lighting will be installed, this meets the definition of a major addition or modification to pre-existing sites as defined by WC 4.199.60.01. A condition of approval has been added to ensure the existing mounting heights comply with the requirements of this section.

#### Setback from Property Line

Subsection 4.199.40 (.01) B. 4.

**B54.** The subject site and all surrounding properties are the same Lighting Zone 2 not requiring any setback.

#### Lighting Curfew

Subsection 4.199.40 (.01) D.

**B55.** The applicant proposes the standard LZ 2 curfew of 10 PM.

## Request C: DB19-0034 Class III Sign Permit

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Sign Review and Submission

Class II Sign Permits Reviewed by DRB  
Subsection 4.031 (.01) M. and Subsection 4.156.02 (.03)

- C1. The application qualifies as a Class III Sign Permit and the Development Review Board is reviewing.

What Requires Class III Sign Permit Review  
Subsection 4.156.02 (.06)

- C2. The request involves a single tenant in a development subject to Site Design Review by the Development Review Board thus requiring a Class III Sign Permit.

Class III Sign Permit Submission Requirements  
Subsection 4.156.02 (.06) A.

- C3. As indicated in the table below the applicant has satisfied the submission for Class III sign permits, which includes the submission requirements for Class II sign permits:

Requirement	Submitted	Waiver Granted		Condition of Approval	Not Applicable	Additional findings/notes
		Info Already Available to City	Info Not Necessary for Review			
Completed Application Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sign Drawings or Descriptions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Documentation of Tenant Spaces Used in Calculating Max. Sign Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Drawings of Sign Placement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Project Narrative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Information on Any Requested Waivers or Variances	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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**Class III Sign Permit and Waiver Review Criteria**

Class II Sign Permit Review Criteria: Generally and Site Design Review  
 Subsection 4.156.02 (.05) E.

C4. As indicated in Findings below, the proposed sign will satisfy the sign regulations for the applicable zoning district and the relevant Site Design Review criteria.

Class II Sign Permit Review Criteria: Compatibility with Zone  
 Subsection 4.156.02 (.05) E. 1.

C5. The proposed sign is typical of, proportional to, and compatible with development in the PDI zone. This includes a freestanding monument sign using cast-in-place concrete with powder coated steel logo and text similar to cut signs found on many developments in the PDI zone. No evidence presented nor testimony received demonstrating the subject sign would detract from the visual appearance of the surrounding development.

Class II Sign Permit Review Criteria: Nuisance and Impact on Surrounding Properties  
 Subsection 4.156.02 (.05) E. 2.

C6. There is no evidence, and no testimony has been received suggesting the subject sign would create a nuisance or negatively impact the value of surrounding properties.

Class II Sign Permit Review Criteria: Items for Special Attention  
 Subsection 4.156.02 (.05) E. 3.

C7. The sign does not conflict with the design or placement of other site elements, landscaping, or building architecture has been reviewed as part of this application. The appropriate placement of the sign will be ensured by Condition of Approval PDC 2.

**Sign Measurement**

Measurement of Individual Element Signs  
 Subsection 4.156.03 (.01) B.

C8. The sign measurement uses single rectangles, as allowed.

**Freestanding and Ground Mounted Signs in the PDC, PDI , and PF Zones**

General Allowance  
 Subsection 4.156.08 (.01) A.

**C9.** The subject site has frontage on SW Parkway Ave of sufficient length to be sign eligible. A single freestanding sign is proposed just south of the northern most driveway along SW Parkway Ave.

#### Allowed Height

Subsection 4.156.08 (.01) B.

**C10.** The allowed height for the sign is 8 feet as it is located within the PDI zone. The proposed 6-foot freestanding sign thus meets the requirements of this subsection.

#### Allowed Area

Subsection 4.156.08 (.01) C.

**C11.** The proposed freestanding sign pertains to a single tenant within a 25,800 square foot building fronting along SW Parkway Avenue. As a result, the maximum sign area is 62 square feet. The proposed freestanding sign is just under 48 square in area, thus meeting the standards of this subsection.

#### Pole or Sign Support Placement Vertical

Subsection 4.156.08 (.01) D.

**C12.** The applicant proposes constructing the freestanding sign and its foundation in a full vertical position.

#### Extending Over Right-of-Way, Parking, and Maneuvering Areas

Subsection 4.156.08 (.01) E.

**C13.** The subject freestanding sign will not extend into or above right-of-way, parking, and maneuvering areas.

#### Design of Freestanding Signs to Match or Complement Design of Buildings

Subsection 4.156.08 (.01) G.

**C14.** The proposed sign is coordinated with the design of the building design, as proposed.

#### Width Not Greater Than Height for Signs Over 8 Feet

Subsection 4.156.08 (.01) H.

**C15.** The proposed freestanding sign does not exceed 8 feet, therefore the requirements of this subsection do not apply.

#### Sign Setback

Subsection 4.156.08 (.01) J.

**C16.** Sheet A010 in Exhibit B2 shows the freestanding sign within the right-of-way by 13 feet. The setback requirements intend for freestanding signs to be located no further than 15 feet from the property line and no closer than two feet from a sidewalk or other hard surface in the public right-of-way. Condition of Approval PDC 2 ensures the sign setback

requirements will be met. If an appropriate location cannot be found the sign shall not be installed.

#### Address Required to be on Sign

Subsection 4.156.08 (.01) K.

**C17.** The site fronts SW Parkway Avenue. Sheet A020 in Exhibit B2 shows the address of the associated building thus meeting the requirements of the above subsection.

#### Site Design Review

##### Excessive Uniformity, Inappropriate Design

Subsection 4.400 (.01)

**C18.** With quality materials and design, the proposed sign will not result in excessive uniformity, inappropriateness or poor design, and the proper attention has been paid to site development.

##### Purpose and Objectives

Subsection 4.400 (.02) and Subsection 4.421 (.03)

**C19.** The sign is scaled and designed appropriately related to the subject site and the appropriate amount of attention has been given to visual appearance. This sign will provide local emergency responders and other individuals reference for the location of this development.

##### Design Standards

Subsection 4.421 (.01)

**C20.** There is no indication that the size, location, design, color, texture, lighting or material of the proposed sign would detract from the design of the surrounding properties.

##### Design Standards and Signs

Subsection 4.421 (.02)

**C21.** Design standards have been applied to the proposed sign, as applicable, see Finding C20 above.

##### Color or Materials Requirements

Subsection 4.421 (.06)

**C22.** The proposed coloring is appropriate for the sign and no additional requirements are necessary.

##### Site Design Review-Procedures and Submittal Requirements

Section 4.440

**C23. Response:** The applicant has submitted a sign plan as required by this section.

## Request D: DB19-0035 Type C Tree Removal Plan

### Type C Tree Removal-General

#### Tree Related Site Access

Subsection 4.600.50 (.03) A.

**D1.** It is understood the City has access to the property to verify information regarding trees.

#### Review Authority

Subsection 4.610.00 (.03) B.

**D2.** The requested removal is connected to site plan review by the Development Review Board for new development. The tree removal is thus being reviewed by the Development Review Board.

#### Conditions of Approval

Subsection 4.610.00 (.06) A.

**D3.** No additional conditions are recommended pursuant to this subsection.

#### Completion of Operation

Subsection 4.610.00 (.06) B.

**D4.** It is understood the tree removal will be completed prior to construction of the proposed building, which is a reasonable time frame for tree removal.

#### Security for Permit Compliance

Subsection 4.610.00 (.06) C.

**D5.** No bond is anticipated to be required to ensure compliance with the tree removal plan as a bond is required for overall landscaping.

#### Tree Removal Standards

Subsection 4.610.10 (.01)

**D6.** The standards of this subsection are met as follows:

- Standard for the Significant Resource Overlay Zone: The proposed tree removal is not within the Significant Resource Overlay Zone.
- Preservation and Conservation: The applicant has taken tree preservation into consideration. The arborist's report identifies 42 trees on the subject site ranging in diameter at breast height (dbh) from 5" to 39". Species include Norway maple, Lodgepole pine, Douglas fir, Black pine and red maple. All trees proposed for removal are in fair to poor condition. Per the arborist's report, preservation and conservation of the trees is not warranted and the applicant proposes removing 14 trees and mitigating their removal by planting 14 trees on site. Condition of approval PDD 4 will ensure that

protective fencing is placed around the drip line of preserved trees prior to site grading or other site work that could damage the trees.

- Development Alternatives: No significant wooded areas or trees would be preserved by design alternatives.
- Land Clearing: Land clearing and grading is proposed and will be limited to areas necessary for construction of the proposed building, structures, and other site improvements.
- Residential Development: The proposed activity does not involve residential development, therefore this criteria does not apply.
- Compliance with Statutes and Ordinances: The necessary tree replacement and protection is planned according to the requirements of the tree preservation and protection ordinance.
- Relocation or Replacement: The applicant proposes to plant 14 trees as replacement for the 14 proposed for removal.
- Limitation: Tree removal is limited to where it is necessary for construction or to address nuisances or where the health of the trees warrants removal.
- Additional Standards: A tree survey has been provided, and no utilities are proposed to be located where they would cause adverse environmental consequences.

#### Review Process

Subsection 4.610.40 (.01)

**D7.** The plan is being reviewed concurrently with the Stage II Final Plan.

#### Tree Maintenance and Protection Plan

Section 4.610.40 (.02)

**D8.** The applicant has submitted the necessary copies of a Tree Maintenance and Protection Plan as shown in sheets L1 and L3, Exhibit B2.

### **Replacement and Mitigation**

#### Tree Replacement Requirement

Subsection 4.620.00 (.01)

**D9.** The applicant proposes removing fourteen (14) trees and replanting 14 trees as mitigation on the project site, meeting a one-to-one ratio and the requirements of this subsection.

#### Basis for Determining Replacement and Replacement Tree Requirements

Subsection 4.620.00 (.02) and (.03)

**D10.** Replacement trees will meet the minimum caliper and other replacement requirements.

#### Replacement Tree Stock Requirements

Subsection 4.620.00 (.04)



**D11.** The planting notes on the applicant's sheet L2 and L3 in Exhibit B2 indicate the appropriate quality.

Replacement Trees Locations  
Subsection 4.620.00 (.05) A.

**D12.** The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development.

**Protection of Preserved Trees**

Tree Protection During Construction  
Section 4.620.10

**D13.** Condition of Approval PDD 4 ensures the applicable requirements of this section will be met.

DEVELOPMENT REVIEW BOARD MEETING  
JANUARY 13, 2020  
6:30 PM

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- VII. Board Member Communications:
  - A. Recent City Council Action Minutes

City Council Meeting Action Minutes  
November 18, 2019

**City Council members present included:**

Mayor Knapp  
Council President Akervall  
Councilor Lehan  
Councilor West  
Councilor Linville - Excused

Zoe Monahan, Assistant to the City Manager  
Bill Evans, Communications & Marketing Manager  
Dan Carlson, Building Official  
Dan Stark, GIS Manager  
Jayme Taylor, GIS Intern  
Dwight Brashear, Transit Director  
Eric Loomis, Transit Operations Manager  
Scott Simonton, Fleet Manager  
Andy Stone, IT Director  
Michelle Marston, Program Coordinator  
Elli Work, Grants & Program Manager  
Eric Loomis, Transit Operations Manager  
Stacy Baker, Driver  
Kim Deibert, Driver  
Pete Padron, Driver  
Patrick Edwards, Transit Supervisor

**Staff present included:**

Bryan Cosgrove, City Manager  
Barbara Jacobson, City Attorney  
Kimberly Veliz, City Recorder  
Jeanna Troha, Assistant City Manager  
Chris Neamtzu, Community Develop. Director  
Mark Ottenad, Public/Government Affairs Director  
Amanda Guile-Hinman, Assistant City Attorney  
Miranda Bateschell, Planning Director

AGENDA ITEM	ACTIONS
<b>WORK SESSION</b>	
A. Public Art Interpretive Information	Council received a virtual walk through of City owned public art through the newly created Wilsonville Maps database.
B. DAR Steering Committee Recommendation	Council heard and then endorsed the Dial-a-Ride (DAR) Committee's recommendations.
C. Wilsonville Code Chapter 9 Code Administration	Staff updated on upcoming Wilsonville Code Chapter 9 changes. Which, will return for Council's approval at the next meeting.
<b>REGULAR MEETING</b>	
<u>Communications</u>	
A. Systems Innovation Award	The Oregon Transit Association recognized SMART as the 2019 recipient of the Public Transportation System Innovation Award.
<u>Mayor's Business</u>	
A. Upcoming Meetings	Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.

<u>City Manager's Business</u>	<p>Announced the quarterly Council goals are in the packet. Also, announced that the Parks Bond Task Force is seeking a member of Council to be on the Task Force.</p> <p>Lastly, mentioned that staff was challenged to collect snacks for Boones Ferry Primary and that they donated about 10,000 snacks.</p>
<u>Legal Business</u>	<p>Reported that the time to appeal the Basalt Creek LUBA decision has passed</p>
<b>ADJOURN</b>	7:47 p.m.

City Council Meeting Action Minutes  
December 2, 2019

**City Council members present included:**

Mayor Knapp  
Council President Akervall  
Councilor Lehan - Excused  
Councilor West  
Councilor Linville

Kimberly Veliz, City Recorder  
Chris Neamtzu, Community Development Director  
Cathy Rodocker, Finance Director  
Mark Ottenad, Public/Government Affairs Director  
Delora Kerber, Public Works Director  
Dwight Brashear, Transit Director  
Eric Loomis, Transit Operations Manager  
Holt Cazal, Code Compliance Coordinator  
Mike McCarty, Parks and Recreation Director  
Zach Weigel, Civil Engineer  
Miranda Bateschell, Planning Director  
Bill Evans, Communications & Marketing Manager

**Staff present included:**

Bryan Cosgrove, City Manager  
Jeanna Troha, Assistant City Manager  
Barbara Jacobson, City Attorney  
Amanda Guile-Hinman, Assistant City Attorney

AGENDA ITEM	ACTIONS
<b>WORK SESSION</b>	
A. 2019 Solid Waste Collection Rate Report: Findings and Recommended Actions	Staff informed Council of negotiations with Republic Services to reduce the recycling surcharge and provide new recycling services.
B. Wilsonville Code (W.C) Chapter 9 Code Administration	Council was briefed on Ordinance No. 839, repealing and replacing Wilsonville Code Chapter 9 – Structures; and declaring an emergency.
C. SMART Satisfaction Survey Results	Staff detailed the results of a recent rider-satisfaction survey.
D. Speed Reader Board	Staff updated Council on the City’s use of a new speed reader board to curtail driving speeds and collect data in residential areas.
E. Residential Sidewalk Repair Program	Staff discussed initial steps to be taken by a Parks Bond Task Force to determine the potential timing and scope of a future Parks Bond.
F. Parks Bond Update	Staff introduced a new residential sidewalk repair reimbursement program for the Council’s consideration.
G. Water Intake Facility (WIF) Commission Representative	Council designated Council President Akervall as the City’s WIF representative, with Councilor West serving as alternate.

<b>REGULAR MEETING</b>	
<u>Mayor's Business</u> A. Upcoming Meetings	Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.
<u>Consent Agenda</u> A. <b><u>Resolution No. 2773</u></b> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement Contract With OBEC Consulting Engineers For Phase 1 – Preliminary Engineering Services For The I-5 Pedestrian Bridge Project (Capital Improvement Project #4202).  B. <b><u>Resolution No. 2774</u></b> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With Wallis Engineering, PLLC For Design And Construction Engineering Services For The 2020 Street Maintenance Project (Capital Improvement Project #4104 And #4118).	The Consent Agenda was approved 4-0.
<u>Public Hearing</u> A. <b><u>Ordinance No. 839</u></b> An Ordinance Of The City Of Wilsonville Repealing And Replacing Wilsonville Code Chapter 9 – Structures; And Declaring An Emergency.	Ordinance No. 839 was approved on first reading by a vote of 4-0, with the public hearing left open.
<u>City Manager's Business</u>	Reported the contract for Day Road repairs had been signed.
<u>Legal Business</u>	Updated Council on the status of Covenants, Conditions & Restrictions (CC&Rs) for Town Center.
<b>ADJOURN</b>	8:13 p.m.

City Council Meeting Action Minutes  
December 16, 2019

**City Council members present included:**

Mayor Knapp  
Council President Akervall  
Councilor Lehan  
Councilor West - Excused  
Councilor Linville

Amanda Guile-Hinman, Assistant City Attorney  
Miranda Bateschell, Planning Director  
Zoe Monahan, Assistant to the City Manager  
Delora Kerber, Public Works Director  
Erica Behler, Recreation Coordinator  
Andrea Villagrana, Human Resource Manager  
Melissa Gitt, Building Inspector  
Rob Wurpes, Chief of Police  
Dan Carlson, Building Official  
Cricket Jones, Accountant  
Beth Penner, Finance Operations Manager  
Martin Montalvo, Public Works Ops. Manager  
Mike McCarty, Parks and Recreation Director

**Staff present included:**

Bryan Cosgrove, City Manager  
Barbara Jacobson, City Attorney  
Kimberly Veliz, City Recorder  
Kerry Rappold, Natural Resources Manager  
Chris Neamtzu, Community Develop. Director  
Cathy Rodocker, Finance Director  
Mark Ottenad, Public/Government Affairs Director

AGENDA ITEM	ACTIONS
<b>WORK SESSION</b>	
A. Continued Discussion on the Water Rate Review	Council agreed that option 3 should move forward.
B. Willamette Falls Locks Commission Update	Council agreed to continue with the current level of committee.
C. Adoption of Structural, Energy, Mechanical, Residential, Electrical, Plumbing, and Fire Codes pursuant to WC 9.300-9.370	Staff provided a presentation on Resolution No. 2779, adopting a structural specialty code, zero energy ready commercial code, mechanical specialty code, residential specialty code, electrical specialty code, plumbing specialty code, and fire code. The item to be voted on under the New Business portion of the regular meeting.
D. Bylaws of the Sister City Advisory Board	Council and staff discussed the development of bylaws for the future Sister City Advisory Board.
<b>REGULAR MEETING</b>	
<u>Communications</u>	
A. Family Justice Center	The Clackamas County Sheriff's Office spoke about the Family Justice Center, a unit that provides a safe space and services to victims of domestic abuse, sexual assault, human trafficking and other forms of abuse.

<p>B. Wildlife Monitoring</p>	<p>Council heard an update on the success of the City’s partnership with PSU to plan and monitor the effects of roadway design to provide safe passage for wildlife living in the Coffee Creek Lake natural area near the roads of Boeckman and Kinsman.</p>
<p><u>Mayor’s Business</u></p> <p>A. City Attorney Contract Renewal</p> <p>B. Upcoming Meetings</p>	<p>Council renewed the City Attorney’s contract for an additional 2 years. 4-0</p> <p>Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.</p>
<p><u>Consent Agenda</u></p> <p>A. <b><u>Resolution No. 2778</u></b>  A Resolution Of The City Of Wilsonville Authorizing The Sole Source Selection Of The National Research Center For The 2020 And 2022 National Citizen Survey.</p> <p>B. <b><u>Resolution No. 2781</u></b>  A Resolution Of The City Of Wilsonville Acting In Its Capacity As The Local Contract Review Board Approving The Bid Process; Accepting The Proposal Which Will Best Serve The Interest Of The City; And Awarding A Contract To Green Sweep Asphalt Services, LLC., For The Project Known As Street Sweeping Services.</p>	<p>The Consent Agenda was approved 4-0.</p>
<p><u>New Business</u></p> <p>A. <b><u>Resolution No. 2775</u></b>  A Resolution Of The City Of Wilsonville Adopting The Findings Of The Solid Waste Collection Rate Report Amended December 2019, Creating New Community Recycling Services And City Street-Sweeping Collection/Disposal Service And Reducing The Temporary Recycling Surcharge Rate.</p> <p>B. <b><u>Resolution No. 2776</u></b>  A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Professional Services Agreement With JayRay Ads &amp; PR, Inc. For ‘Explore Wilsonville’ Tourism Promotion And Development And Destination Marketing Services.</p> <p>C. <b><u>Resolution No. 2779</u></b>  A Resolution Of The City Of Wilsonville Adopting Structural Specialty Code, Zero Energy Ready Commercial Code, Mechanical Specialty Code, Residential Specialty Code, Electrical Specialty Code, Plumbing Specialty Code, And Fire Code.</p>	<p>Resolution No. 2775 was adopted 4-0.</p> <p>Resolution No. 2776 was adopted 4-0.</p> <p>Resolution No. 2779 was adopted 4-0.</p>



<p>D. <b><u>Resolution No. 2780</u></b>  A Resolution Of The City Of Wilsonville Approving Building Permit Fee Schedules, Mechanical Permit Fee Schedules, And Plumbing Permit Fee Schedule.</p> <p>E. <b><u>Resolution No. 2783</u></b>  A Resolution Of The City Of Wilsonville Authorizing Settlement And Dismissal Of Land Use Board Of Appeals Case No. 2019-058.</p>	<p>Resolution No. 2780 was adopted 4-0.</p> <p>Resolution No. 2783 was adopted 4-0.</p>
<p><u>Continuing Business</u></p> <p>A. <b><u>Ordinance No. 839</u></b>  An Ordinance Of The City Of Wilsonville Repealing And Replacing Wilsonville Code Chapter 9 – Structures; And Declaring An Emergency.</p>	<p>Ordinance No. 839 was adopted on second reading by a vote of 4-0.</p>
<p><u>City Manager’s Business</u></p>	<p>Wished Council happy holiday and reminded them of the upcoming Citizens Academy in January.</p>
<p><u>Legal Business</u></p>	<p>Wished Council happy holiday and mentioned a recent ruling on a Supreme Court case.</p>
<p><b>ADJOURN</b></p>	<p>9:25 p.m.</p>