



**Development Review Board
Panel B Meeting
April 27, 2020
6:30 pm**

This meeting is taking place with social distancing precautions in place:

- Board members are participating virtually, via Zoom videoconferencing
- Anyone experiencing fever or flu-like symptoms should not attend
- Council Chambers capacity is limited to 10 people

To Provide Public Comment

- 1) E-mail pauly@ci.wilsonville.or.us for Zoom login information
- 2) E-mail testimony regarding Resolution No. 376 to luxhoj@ci.wilsonville.or.us by 3 pm on April 27.
- 3) In-person testimony is discouraged, but can be accommodated



**Wilsonville City Hall
Development Review Board Panel B**

Monday, April 27, 2020 - 6:30 P.M.

- I. Call to order:
- II. Chairman's Remarks:
- III. Roll Call:

Richard Martens	Ellie Schroeder
Shawn O'Neil	Nicole Hendrix
Samy Nada	
- IV. Citizens' Input:
- V. Consent Agenda:
 - A. Approval of minutes of the February 24, 2020 DRB Panel B meeting
- VI. Public Hearings:
 - A. **Resolution No. 376. Nicoli Pacific Industrial Building and Storage Yard: CIDA Architects & Engineers – Representative for David Nicoli, Nicoli Pacific LLC – Owner.** The applicant is requesting approval of a Stage I Master Plan Modification, 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 industrial development. 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:	DB20-0002	Stage I Master Plan Modification
	DB20-0003	Stage II Final Plan
	DB10-0004	Site Design Review
	DB20-0005	Class III Sign Review
	DB20-0006	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

MONDAY, APRIL 27, 2020

6:30 PM

V. Consent Agenda:

- A. Approval of minutes from the February 24, 2020
DRB Panel B meeting

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

**Development Review Board – Panel B
Minutes– February 24, 2020 6:30 PM**

I. Call to Order

Chair Richard Martens called the meeting to order at 6:30 p.m.

II. Chair's Remarks

III. Roll Call

Present for roll call were: Richard Martens, Shawn O'Neil, Samy Nada, Ellie Schroeder and Nicole Hendrix

Staff present: Barbara Jacobson, Daniel Pauly, Kimberly Rybold, and Kerry Rappold

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. Election of 2020 Chair and Vice-Chair

A. Chair

Shawn O'Neil nominated Samy Nada as 2020 DRB-Panel B Chair.
Nicole Hendrix seconded the nomination.

Samy Nada nominated Ellie Schroeder as 2020 DRB-Panel B Chair.
Shawn O'Neil seconded the nomination.

Chair Martens confirmed there were no further nominations, and closed the nominations.

Samy Nada was elected 2020 DRB-B Chair.

B. Vice-Chair

Shawn O'Neil nominated Ellie Schroeder as 2020 DRB-B Vice-Chair.
Samy Nada seconded the nomination.

Chair Martens confirmed there being no further nominations, and closed the nominations.

Ellie Schroeder was unanimously elected 2020 DRB-B Vice-Chair.

VI. Consent Agenda:

A. Approval of minutes of November 25, 2019 DRB Panel B meeting

Samy Nada moved to approve the November 25, 2019 minutes. Ellie Schroeder seconded the motion, which passed 3 to 0 to 2, with Shawn O'Neil and Nicole Hendrix abstaining.

VII. Public Hearings: None.

VIII. Board Member Communications

Staff reviewed actions taken at previous Development Review Board Panel A and City Council meetings and answered questions concerning an initiative petition for term limits for City Council members before voters during the May election, the I-5 Pedestrian Bridge open house and community response, and Let's Talk Wilsonville registration requirements.

Nicole Hendrix introduced herself to the board.

IX. Staff Communications

A. SROZ Training

Kerry Rappold, Natural Resources Program Manager, presented an overview of the Significant Resource Overlay Zone (SROZ) via PowerPoint. This portion of the Development Code addressed natural resources protection and understanding the nuances of the Code would be helpful when reviewing applications involving SROZ. He reviewed the efforts in creating and adopting the initial program that complied with Statewide Planning Goal 5 and Metro's Title 3 and Title 13 requirements, and how the City's existing Code standards helped protect wetlands, riparian corridors, and wildlife habitat. He also described the SROZ review process and criteria. His responses to Board member questions were as follows:

- Salmon do not spawn in Boeckman Creek, but the area serves as an important refuge for them as they move to their final destination.
- He clarified the acronym APTH as "Appropriate Potential Tree Height" and explained that it referred to the potential height of a tree and the area that would be impacted if the tree fell. An attempt should be made to protect that area.
- For SROZ mitigation sites, the owner is responsible for maintaining and monitoring the area for five years. At the end of the five-year period, the area should be well-established.
- Setbacks and distance requirements were set forth by Metro. He deferred a question about takings to Legal:
 - **Barbara Jacobson** said that government had authority to designate a property as part of the Significant Resource Zone. It would be considered a legitimate taking and compensation would have to be paid.
 - **Daniel Pauly** said that the code provided language for SROZ density transfer for residential which was intended to preserve economic value for the SROZ.
 - **Mr. Rappold** explained that the City could not take an entire use from a property and therefore make it unbuildable. There was a threshold if 80% or more of a property was within the resource, additional area was given (to the property owner) for impact.
- The table for Habitat Friendly Development Practices was specific to areas within the SROZ and was not applied to areas outside of the SROZ.

- He addressed concerns about car washing within the City. Staff could enforce against citizens washing their cars if runoff went into the storm water system, but it would be very difficult to get complete compliance. It would be better to provide more education and outreach. Sudsy runoff was not allowed in the storm system. If people wanted to wash their cars at home, it would be better if they washed them on their lawns.
 - Car wash fundraisers technically *could* be fined (for non-compliance) if runoff went into the storm system, but it would be better for City staff to focus on other things. He was unaware of any enforcement that had occurred.
 - Similar activities, such as pressure washing of driveways, etc. were difficult to enforce. The table (for Habitat Friendly Development practices) was specific to the SROZ, but people were encouraged to do the best they could to keep their soil more porous.
- Metro did not play a role in reviewing a refinement or impact report once the initial program was adopted. There was no auditing or involvement.
- During the pre-application process for development review, the SROZ was identified early on and brought into the discussion. A recent application had to be completely revised to accommodate the wetland and buffer. Items that came before the DRB generally involved a lengthy discussion before they went to public hearing. Smaller requests were handled through the administrative process.
- Land was not often brought in to the SROZ. The inventory had been very extensive and thorough. Unless there was development of Urban Growth Boundary Areas or the Urban Reserve, much of the SROZ was already known.
- Areas that are within the SROZ that became part of the development site or mitigation site would become part of a conservation easement, which would be restrictive as to what could be done there. Staff worked with the applicant to decide where the SROZ would be.
- There had not been any development sites that had been contentious sites in the past 18 years. It had been a successful program in that way.

X. Adjournment

The meeting adjourned at 7:31 p.m.

Respectfully submitted,

Shelley White, Planning Administrative Assistant

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, APRIL 27, 2020

6:30 PM

VI. Public Hearing:

- A. Resolution No. 376. Nicoli Pacific Industrial Building and Storage Yard: CIDA Architects & Engineers – Representative for David Nicoli, Nicoli Pacific LLC – Owner.** The applicant is requesting approval of a Stage I Master Plan Modification, 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 industrial development. 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: DB20-0002	Stage I Master Plan Modification
DB20-0003	Stage II Final Plan
DB10-0004	Site Design Review
DB20-0005	Class III Sign Review
DB20-0006	Type C Tree Removal Plan

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 376**

A RESOLUTION ADOPTING FINDINGS AND CONDITIONS OF APPROVAL, APPROVING A STAGE I MASTER PLAN MODIFICATION, 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 INDUSTRIAL DEVELOPMENT. THE SUBJECT SITE IS LOCATED ON TAX LOTS 300 AND 500 OF SECTION 14A, TOWNSHIP 3 SOUTH, RANGE 1 WEST, CLACKAMAS COUNTY, OREGON. GAVIN RUSSELL, CIDA ARCHITECTS & ENGINEERS – REPRESENTATIVE FOR DAVID NICOLI, NICOLI PACIFIC LLC – OWNER.

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 April 20, 2020, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B at a scheduled meeting conducted on April 27, 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 April 20, 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:

DB20-0002 through DB20-0006; Stage I Master Plan Modification, Stage II Final Plan, Site Design Review, Class III Sign Review, and Type C Tree Removal Plan.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 27th day of April, 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)*.

Samy Nada, Chair - Panel B
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant

Exhibit A1
Staff Report
Wilsonville Planning Division
Nicoli Pacific Industrial Building and Storage Yard

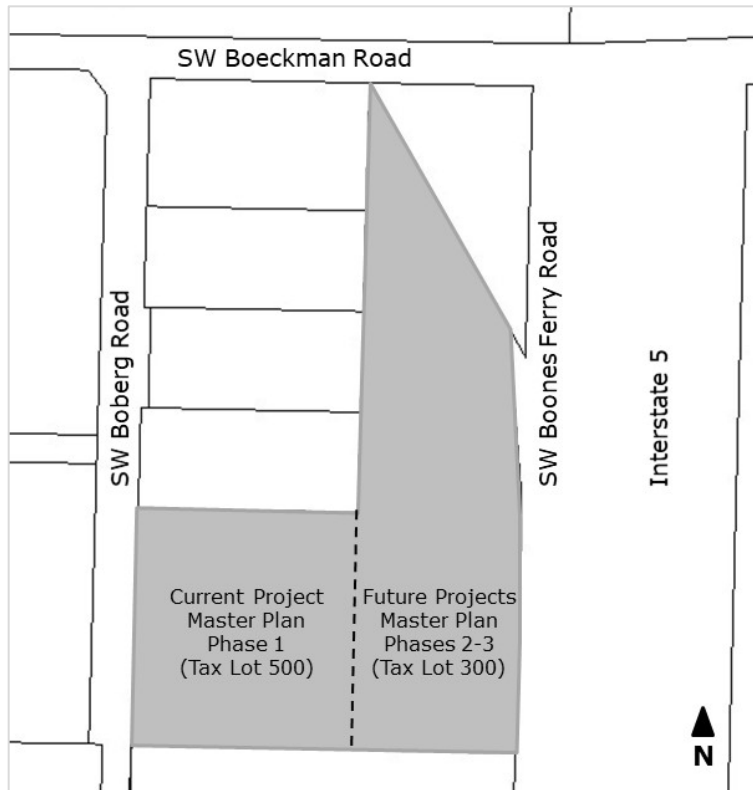
Development Review Board Panel 'B'
Quasi-Judicial Public Hearing

Hearing Date:	April 27, 2020
Date of Report:	April 20, 2020
Application Nos.:	DB20-0002 Stage I Master Plan Modification DB20-0003 Stage II Final Plan DB20-0004 Site Design Review DB20-0005 Class III Sign Review DB20-0006 Type C Tree Removal Plan
Request/Summary:	The requests before the Development Review Board include a Stage I Master Plan Modification for a 3-phase industrial development, Stage II Final Plan, Site Design Review, Class III Sign Review, and Type C Tree Removal Plan for Phase 1, which is a 13,200-square-foot industrial building and 52,700-square-foot storage yard.
Location:	South of SW Boeckman Road between SW Boberg Road and SW Boones Ferry Road/Interstate 5. The property is specifically known as Tax Lots 300 and 500, Section 14A, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon
Owner:	Nicoli Pacific, LLC (Contact: David Nicoli)
Applicant:	CIDA Architects & Engineers (Contact: Gavin Russell)
Comprehensive Plan Designation:	Industrial
Zone Map Classification:	PDI (Planned Development Industrial)
Staff Reviewers:	Cindy Luxhoj AICP, Associate Planner Khoi Le PE, Development Engineering Manager Kerry Rappold, Natural Resources Program Manager
Staff Recommendation:	<u>Approve with conditions</u> the requested Stage I Master Plan Modification, Stage II Final Plan, Site Design Review, Class III Sign Review, and Type C Tree Removal Plan (DB20-0002 through DB20-0006).

Applicable Review Criteria:

<u>Development Code:</u>	
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
Section 4.034	Application Requirements
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.117	Standards Applying to Industrial Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.135	Planned Development Industrial (PDI) Zone
Section 4.137.5	Screening and Buffering (SB) 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 as applicable	Sign Code Regulations
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 Recyclables Storage
Section 4.199	Outdoor Lighting
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.450 as applicable	Site Design Review
Sections 4.600 through 4.640 as applicable	Tree Preservation and Protection
<u>Other Planning Documents:</u>	
Wilsonville Comprehensive Plan	
Previous Land Use Approvals	

Vicinity Map



Background:

The property owner, Nicoli Pacific, LLC, through DP Nicoli Shoring Solutions provides shoring equipment, such as steel plates, trench shields and slide rails, to the construction industry. Their current location in Tualatin is inadequate for the needs of their growing business. As stated in the applicant's narrative, Wilsonville and the proposed development site are ideal for DP Nicoli Shoring Solution's operation due to excellent access off Interstate 5 and the City's allowance of outdoor storage in the PDI zone, which is a necessity for Nicoli's operation.

The focus of the current application is for Phase 1 of a three-phase industrial development totaling approximately 85,000 square feet on two parcels (Tax Lots 300 and 500). Phase 1 development is located on undeveloped Tax Lot 500, which after an approved lot line adjustment (AR19-0059) and partition plat (AR20-0006), is approximately 2.35 acres. The subject site fronts on SW Boberg Road and is zoned PDI (Planned Development Industrial). The project includes a single-story 13,200-square-foot metal building with 2,024 square feet of office, an 1,800-square-foot storage mezzanine, an accessory wash bay, and repair areas. The building stands 30 feet 8 inches feet tall. The site will also have an approximately 52,700-square-foot paved outdoor storage yard.

Industrial operations on site include loading/unloading of shoring equipment, equipment washing, and equipment repair. The objective for this development, as described in the

applicant’s materials, is to provide an efficient and functional facility that fits the surrounding industrial context and respects the sensitivity of the adjacent residential area.

In addition to the Phase 1 development, the request revises the Stage I Master Plan for the entire property, changing both how development is phased and the size and location of proposed improvements. This request is discussed in more detail in the next section of this Staff Report under Stage I Master Plan Modification.

Summary:

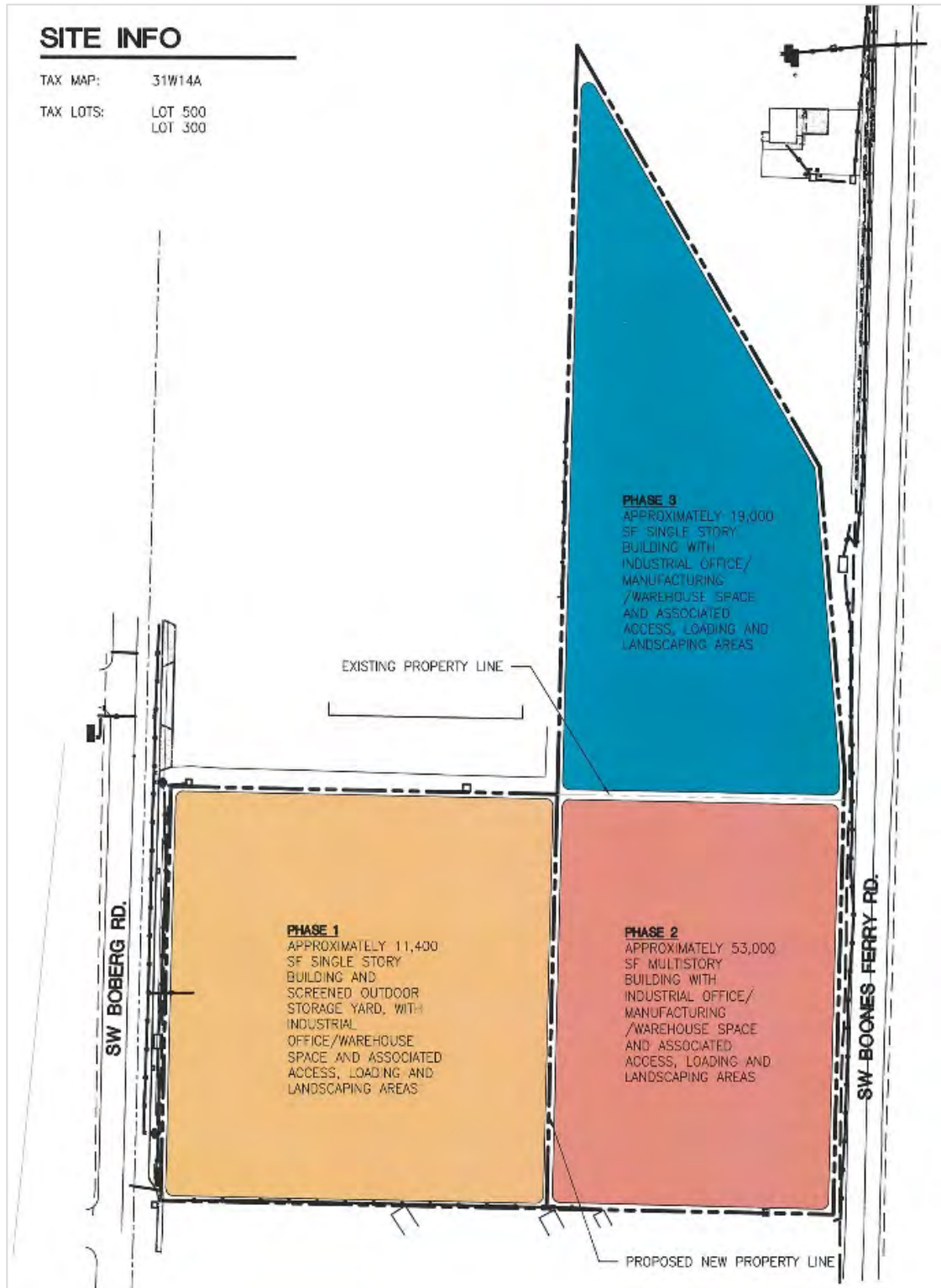
Stage I Master Plan Modification (DB20-0002)

The Development Review Board approved Stage I Master Plan (DB19-0005) for the entire property (Tax Lots 300 and 500) in May 2019. The approved Stage I Master Plan includes three speculative industrial/flex buildings totaling approximately 96,000 square feet developed in three phases. The master plan anticipated each building accommodating office-technology, headquarters, manufacturing, and warehouse uses.

The current request for Stage I Master Plan Modification changes both the order of development and anticipated building size for Phases 1 and 2. Per the applicant’s narrative, this is due to unanticipated site grading limitations and economic obstacles associated with the development as initially proposed. The table below compares the approved Stage I Master Plan and requested modification. In addition, the diagram that follows below illustrates the modified Master Plan.

Comparison of Approved Stage I Master Plan and Requested Modification		
Phase and Schedule	Approved Stage I Master Plan	Modified Stage I Master Plan
Phase 1 Construction 2019	<ul style="list-style-type: none"> 53,000-square-foot, three-story building on east side of Tax Lot 500, fronting SW Boones Ferry Rd 40,000-square-foot outdoor storage yard on west side of Tax Lot 500, fronting SW Boberg Rd 	<ul style="list-style-type: none"> 13,200-square-foot, one-story building (11,400 warehouse space with 1,800 storage mezzanine) and 52,700-square-foot outdoor storage yard on Tax Lot 500, fronting SW Boberg Rd No frontage on SW Boones Ferry Rd
Phase 2 Construction 2024	<ul style="list-style-type: none"> 24,000-square-foot, one-story industrial building on west side of Tax Lot 500, fronting SW Boberg Rd Replaces Phase 1 outdoor storage yard 	<ul style="list-style-type: none"> 53,000-square-foot, multi-story building on south side of Tax Lot 300, fronting SW Boones Ferry Rd
Phase 3 Construction 2029	<ul style="list-style-type: none"> 19,000-square-foot, one-story building on north side of Tax Lot 300, fronting SW Boones Ferry Rd 	<ul style="list-style-type: none"> No change from approved Stage I Master Plan

Modified Stage I Master Plan



Under separate application, the City approved a lot line adjustment (AR19-0059) and partition plat (AR20-0006) to alter the property line that separates Tax Lots 300 and 500. The intent of this adjustment, according to the applicant's materials, was to better utilize the existing topography to provide more easily developable lots for proposed construction and potential sale. The diagram below illustrates this change.



Stage II Final Plan (DB20-0003)

The Stage II Final Plan reviews the function and design of Phase 1 of the Stage I Master Plan, including assuring the proposal meets all the performance standards of the PDI zone.

As described earlier in this report, the Phase 1 application includes a single-story 13,200-square-foot metal building with 11,400 square feet of warehouse, an 1,800-square-foot storage mezzanine, 2,024 square feet of office, an accessory wash bay, and repair areas. The site will also have an approximately 52,700-square-foot paved outdoor storage yard. Industrial operations on site include loading/unloading of shoring equipment, equipment washing, and equipment repair.

Traffic and Vehicle Access

The City’s traffic consultant, DKS Associates, calculates that Phase 1 (13,200-square-foot building) of the proposed development will result in 91 daily trips and 11 PM peak hour trips (3 in, 8 out). It will generate 1 PM peak hour trip through the I-5/Elligsen Road interchange and 5 PM peak hour trips through the I-5/Wilsonville Road interchange area. (See Exhibit B1 for full Transportation Impact Analysis.)

The two proposed driveways on SW Boberg Road meet the minimum access spacing standard (100 feet), but not the desired access spacing standard (300 feet), requiring a waiver from the City Engineer. The waiver request is included in Exhibit B1 and the City’s response approving the request is included in Exhibit C2 of this Staff Report.

Industrial Performance Standards

The PDI zone prohibits development that does not meet an exhaustive list of performance standards including, but not limited to: no off-site vibrations, screened outdoor storage, no heat or glare, no dangerous substances, and no noise violating the City’s noise ordinance. The proposed development can meet all the performance standards or will meet the standards with Conditions of Approval.

Pedestrian Access and Circulation

Pedestrian access to the site is provided by a private walkway a minimum of five (5) feet wide from the sidewalk along SW Boberg Road to the main entrance on the north side of the building. The concrete walkway has an ADA-compliant person gate and is located on the north side of the parking area, separated from it by a curb. Wheel stops are provided in all parking stalls to reduce bumper overhang onto the walkway. No other on-site pedestrian walkways are required or proposed as part of the project.

Parking

The proposed development requires a minimum of 9 off-street parking spaces and is allowed a maximum of 14 spaces. The applicant proposes a parking area with 9 spaces, including 1 ADA space, along SW Boberg Road. A total of 4 bicycle parking spaces are required and 4 are proposed, 2 outside the main entrance and 2 inside the building. Calculation of parking spaces is as follows:

Use and Parking Standard	Square Feet	Minimum Off-street Spaces Required	Maximum Off-street Spaces Allowed	Proposed Off-street Spaces	Minimum Bicycle Parking Spaces	Proposed Bicycle Parking Spaces
Office/Flex Space	2,024 sf	2.7 per 1,000 = 5.4	4.1 per 1,000 = 8.2	--	1.0 per 1,000 (min 2) = 2.0	--
Storage Warehouse	11,176 sf	0.3 per 1,000 = 3.4	0.5 per 1,000 = 5.6	--	1.0 per 20,000 (min 2) = 2.0	--
Total	13,200 sf	8.8	13.8	9.0	4.0	4.0

Site Design Review (DB20-0004)

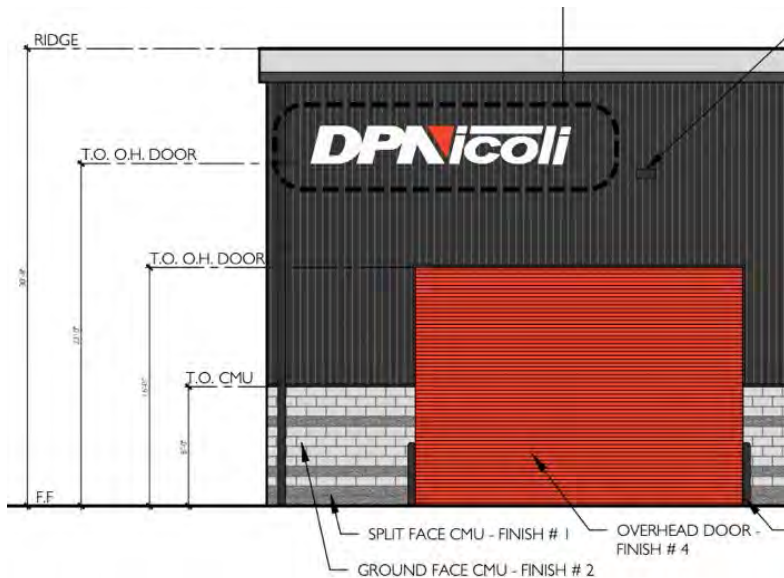
The proposed project includes a new engineered metal building on the south side of the Phase 1 site with a secure, screened outdoor storage area on the north side. As described in the applicant's narrative, the layout and design provide variation in materials complementary to the commercial industrial context of the location while offsetting the simplistic geometry of a standard metal building. Contrasting color selection of black, red, and gray, and varying texture of vertical metal siding and ground- and split-face CMU block that wraps the base of the building add interest and color, giving the building a modern aesthetic appeal. Landscaping enhances and improves connectivity to neighboring properties while contributing to the development's visual environment providing buffering and screening to the residential area to the south.

Building Elevations: West (right) and North (below)



Class III Sign Review (DB20-0005)

The subject property has frontage on SW Boberg Road and building signs are proposed on the north and west sign-eligible elevations, as shown in the above elevations. A sign detail is included below. No signs are proposed on the south and east sides of the building. Proposed signs are appropriately located on the building and are within the sign area allowed for each elevation. No freestanding signs are proposed along SW Boberg Road. The diagram below shows the proposed building-mounted sign on the north elevation.



Type C Tree Removal Plan (DB20-0006)

The Phase 1 property is open field with 2 red oak trees measuring 13.5-inch DBH (diameter at breast height) roughly in the center. Another 8 trees, including 1 hawthorn (22-inch), 1 big leaf maple (27-inch DBH), 3 multi-stem hazelnuts, and 4 big leaf maples (one 27-inch and three 6-inch DBH) are located along the south boundary. Most of the trees on-site, except for the red oaks, are tree stump sprouts or have been topped for utility line clearance. The applicant proposes removing all 10 trees and mitigating their removal by planting 32 trees in landscape areas and 22 trees in stormwater facilities on the Phase 1 site, substantially exceeding the mitigation requirements.

There are three 16-inch to 24-inch DBH deciduous trees located on the adjacent property to the north, with drip lines/root zones extending into the subject site along its northern boundary. The Tree Maintenance and Protection Plan (Sheet L1.04, Exhibit B2) includes tree protection fencing along the north property boundary at the drip line of these trees to protect them during construction.

Neighborhood and Public Comments:

No public comments have been received.

Discussion Points:

Area of Special Concern E, and Screening and Buffering (SB) Overlay Zone

The subject property (Tax Lots 300 and 500) is located in Area of Special Concern E in the Comprehensive Plan. It is planned for industrial use, however, there are concerns related to continuity in design with other development in the area and protection of the Walnut Mobile

Home Park, which is zoned Residential Agricultural Holding (RA-H) and located immediately to the south.

The Zone Map Amendment (DB19-0004) to rezone the subject property from RA-H to PDI was conditioned to give consideration to the Design Objectives of Area of Special Concern E. Conditions of Approval include:

- PDA 1. The proposed project shall be carefully designed to promote continuity in design with other development in Comprehensive Plan Area of Special Concern E and sufficiently buffered to minimize disturbance for residents of the Walnut Mobile Home Park immediately south of the subject property.
- PDA 2. The proposed project shall be designed to minimize traffic (truck) conflicts with residential activities, including pedestrians.

In addition, the previously approved Stage I Master Plan (DB19-0005) includes conditions specific to the Screening and Buffering (SB) Overlay Zone. The SB Overlay Zone, defined in Subsection 4.137.5 of the Wilsonville Code (WC), requires appropriate screening and buffering for areas where residential and nonresidential land uses abut. For industrial properties, the SB Overlay Zone requires a 10-foot buffer with landscaping to the High Wall standard or a 20-foot-deep buffer with landscaping to the High Screen standard. Further, there are restrictions on motor vehicle access, exterior operations, and signs, and the DRB may impose additional landscape requirements to minimize visual impacts of any approved vehicle access points. Conditions of Approval of the previously approved Stage I Master Plan include:

- PDB 1. The proposed project shall provide appropriate screening and buffering to assure adequate separation of potentially conflicting land uses specifically related to the residentially zoned (RA-H) residential use (Walnut Mobile Home Park) to the south.
- PDB 2. The SB Overlay Zone shall be applied along the southern boundary of the subject property abutting the Walnut Mobile Home Park property.
- PDB 3. No motor vehicle access shall be allowed through the landscaped area required in the SB Overlay Zone area.

The Conditions of Approval of the zone map amendment and previously approved Stage I Master Plan apply to the current requests. In response, the applicant proposes a 30-foot-wide (20 feet required) buffer with landscaping to the High Screen standard between the proposed development and the north property boundary of the Walnut Mobile Home Park, which exceeds the SB Overlay Zone requirements. The applicant proposes a 6-foot-tall chain link fence with privacy slats is proposed bordering the northern boundary of the buffer area. Dense plantings of Pacific wax myrtle and Otto Luyken laurel meeting the High Screen standard will line the fence on the south side, providing additional screening of industrial operations to the north. In addition, trees, shrubs, and groundcover in the stormwater swale through the center of the buffer area will further screen activities to the north. According to the applicant's narrative, the design of the landscape plantings provide for low maintenance and a visually appealing environment for residents of the mobile home park.

Access Driveways

The Phase 1 property is vacant with no existing access driveways from SW Boberg Road. Two new driveways are proposed. The southern driveway is approximately 30 feet north of the property boundary, is 35 feet wide, and separated from the northern driveway by 115 feet. The northern driveway is 35 feet wide, and separated from the driveway on the abutting property by over 131 feet. The applicant has requested a waiver to the Public Works Standards from the City Engineer for reduced spacing between driveways from the preferred distance of 300 feet to the minimum distance of 100 feet (see Exhibit B1). See Exhibit C2 for the City's approval of the waiver request.

Public Improvements and Dedications

In addition to onsite improvements, Phase 1 development requires half-street improvements along SW Boberg Road. These include new road paving, curb, sidewalk, landscaping, potentially new street lighting, and stormwater retention areas. A 3.5-foot landscape dedication and an 8-foot utility easement are needed to accommodate these public improvements. The Engineering Division Conditions included below, under Conclusion and Conditions of Approval, and in the Public Works Plan Submittal Requirements and Other Engineering Requirements (Exhibit C1), address these required improvements.

Request from Applicant for Accelerated Review

On April 1, 2020, the City received a letter from David Nicoli, owner of Nicoli Pacific, LLC, requesting accelerated review of the current application and waiver of some requirements governing the application approval process (see Exhibit B3). Mr. Nicoli asked that his letter be shared with the DRB, City Manager, and City Council. The City responded to Mr. Nicoli's letter on April 6, 2020 (see Exhibit A3), with assurances that the City is working hard to facilitate the successful approval and completion of the project.

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 DRB Panel 'B' approve, with the conditions below, the proposed Stage I Master Plan Modification, Stage II Final Plan, Site Design Review, Class III Sign Review, and Type C Tree Removal Plan (DB20-0002 through DB20-0006) for Phase 1 of the Nicoli Pacific Industrial Building and Storage Yard project.

Planning Division Conditions:

Request A: DB20-0002 Stage I Master Plan Modification

PDA 1. Minor changes in an approved preliminary development plan may be approved by the Planning Director through the Class I Administrative Review Process if such
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	changes are consistent with the purposes and general character of the development plan. All other modifications, including extension or revision of the staged development schedule, shall be processed in the same manner as the original application and shall be subject to the same procedural requirements.
PDA 2.	<p>Conditions of Approval PDA 1 and PDA 2 of the approved Zone Map Amendment (DB19-0004) shall continue to apply to development within the Stage I Master Plan area giving consideration to the Design Objectives of Area of Special Concern E including:</p> <ul style="list-style-type: none"> • The proposed project shall be carefully designed to promote continuity in design with other development in Comprehensive Plan Area of Special Concern E and sufficiently buffered to minimize disturbance for residents of the Walnut Mobile Home Park immediately south of the subject property. • The proposed project shall be designed to minimize traffic (truck) conflicts with residential activities, including pedestrians. See Finding A6.
PDA 3.	<p>Conditions of Approval PDB 1, PDB 2, and PDB 3 of the previously approved Stage I Master Plan (DB19-0005) shall continue to apply to development within the Stage I Master Plan area specific to the Screening and Buffering (SB) Overlay Zone including:</p> <ul style="list-style-type: none"> • The proposed project shall provide appropriate screening and buffering to assure adequate separation of potentially conflicting land uses specifically related to the residentially zoned (RA-H) residential use (Walnut Mobile Home Park) to the south. • The SB Overlay Zone shall be applied along the southern boundary of the subject property abutting the Walnut Mobile Home Park property. • No motor vehicle access shall be allowed through the landscaped area required in the SB Overlay Zone area. See Finding A14.
PDA 4.	<u>Prior to Temporary Occupancy/Ongoing:</u> The part of the subject property to be developed in Phases 2 and 3 (Tax Lot 300) shall be maintained in undisturbed field grass and mowed as necessary to prevent fire hazards and unsightly conditions. See Finding A11.

Request B: DB20-0003 Stage II Final Plan

PDB 1.	<u>General:</u> The approved final plan and staged development schedule shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved 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, including extension or revision of the staged development schedule, shall be processed in the same manner as the original application and shall be subject to the same procedural requirements.
PDB 2.	<u>Ongoing:</u> Within 100 feet of the south property boundary adjacent to the Walnut Mobile Home Park, loading and unloading operations and truck maneuvering is

	prohibited between the hours of 10:00 pm and 7:00 am so long as the property to the south is used for residential purposes. The areas of the proposed outdoor storage yard and circulation area within 100 feet of the south property boundary shall be clearly marked with signs or by other means indicating this limitation. Noises produced in violation of the Noise Ordinance shall be subject to the enforcement procedures established in Wilsonville Code (WC) 6.204 for such violations. See Finding B26.
PDB 3.	<u>Prior to Temporary Occupancy:</u> Parking lot landscaping along the SW Boberg Road frontage shall meet the Low Screen standard so as to effectively screen the parking area from the public right-of-way. See Finding B74.
PDB 4.	<u>Prior to Temporary Occupancy:</u> The outdoor storage yard shall be screened from public view from adjacent properties and public right-of-way by a sight obscuring fence or planting not less than 6 feet in height, unless visible storage has been approved for the site by the DRB or Planning Director acting on the development permit. Sufficient high shrubs to form a continuous screen at least 6 feet high and 95% opaque, year-round must be provided. In addition, one tree every 30 linear feet of landscaped area or as otherwise required to provide a tree canopy over the landscaped area, and ground cover plants that fully cover the remainder of the landscaped area are required. A 6-foot-high masonry wall or berm may be substituted for the shrubs, but the trees and ground cover plants are still required. See Findings B26, B74, and B76.
PDB 5.	<u>Prior to Final Occupancy:</u> All exterior, roof and ground mounted, mechanical and utility equipment shall be screened from ground level off-site view from adjacent streets or properties. See Finding B76.
PDB 6.	<u>Prior to Temporary Occupancy:</u> The outdoor storage area shall not begin operation until the fence is installed and landscape plantings are in place and approved by the City. A temporary occupancy permit may be issued upon a posting of a bond or other security equal to one hundred ten percent (110%) of the cost of such fence or planting and their installation. See Finding B77.
PDB 7.	<u>Prior to Final Occupancy:</u> All travel lanes shall be constructed to be capable of carrying a twenty-three (23) ton load. See Finding B79.

Request C: DB20-0004 Site Design Review

PDC 1.	<u>Ongoing:</u> Construction, site development, and landscaping shall be carried out in substantial accord with the DRB 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 C3.
PDC 2.	<u>Prior to Temporary Occupancy:</u> All landscaping required and approved by the DRB shall be installed prior to occupancy of the proposed development 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,

	<p>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 DRB, 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 C15.</p>
PDC 3.	<p>Ongoing: 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 DRB, pursuant to the applicable sections of Wilsonville’s Development Code. See Findings C16 and C18.</p>
PDC 4.	<p>Ongoing: All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the DRB, unless altered as allowed by Wilsonville’s Development Code. See Finding C17.</p>
PDC 5.	<p>Prior to Temporary Occupancy: All trees shall be balled and burlapped and conform in grade to “American Standards for Nursery Stock” current edition. Tree size shall be a minimum of 2-inch caliper. See Finding C26.</p>
PDC 6.	<p>Prior to Temporary Occupancy: The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"> • Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch. • Native topsoil shall be preserved and reused to the extent feasible. • 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. • 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-inch spread. • Shrubs shall reach their designed size for screening within 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-inch pot spaced 2 feet on center minimum, 2-1/4-inch pots spaced at 18 inches 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 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.

	<ul style="list-style-type: none"> Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding C32.
PDC 7.	Prior to Temporary Occupancy: Plant materials shall be installed and irrigated 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 C32.
PDC 8.	Prior to Non-Grading Building Permit Issuance: Final review of the proposed building lighting's conformance with the Outdoor Lighting Ordinance will be determined at the time of Building Permit issuance. See Findings C38 through C41.
PDC 9.	Ongoing: Lighting shall be reduced one hour after close, but in no case later than 10 p.m., to 50% of the requirements set forth in the Oregon Energy Efficiency Specialty Code. See Finding C42.

Request D: DB20-0005 Class III Sign Review

PDD 1.	Ongoing: 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.
PDD 2.	Prior to Sign Installation/Ongoing: The Applicant/Owner of the property shall obtain all necessary building and electrical permits for the approved signs, prior to their installation, and shall ensure that the signs are maintained in a commonly-accepted, professional manner.

Request E: DB20-0006 Type C Tree Removal Plan

PDE 1.	General: This approval for removal applies only to the 10 trees on the Phase 1 site identified in the applicant's submitted materials. All other trees on the property shall be maintained unless removal is approved through separate application.
PDE 2.	Prior to Grading Permit Issuance: 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 DRB. 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 Planning Division staff.
PDE 3.	Prior to Temporary Occupancy/Ongoing: 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 2 years after the planting date. A "guaranteed" tree that dies or becomes diseased during the 2 years after planting shall be replaced. See Finding E10.
PDE 4.	Prior to Commencing Site Grading: 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. Fencing shall remain until authorized in writing to be removed by Planning Division. See Finding E13.

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, performance standards, 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 Findings and Conditions:

PFA 1.	Prior to Issuance of 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.
PFA 2.	Prior to Issuance of Public Works Permit , submit pavement core tests of the existing pavement along the site’s frontage on SW Boberg Road for review. Submit recommended street improvements demonstrating how the improvements meet the current City of Wilsonville Public Works Construction Standards.
PFA 3.	Prior to Issuance of Public Works Permit , submit a streetlight photometric analysis and recommendations demonstrating how the illumination meets the current Roadway Lighting Standards.
PFA 4.	Prior to Issuance of Public Works Permit , submit site plans demonstrating how the site is being served with public utilities: domestic and fire water, sanitary sewer, and storm drainage. Public utility improvements shall be designed and constructed in accordance with the current City of Wilsonville Public Works Construction Standards.
PFA 5.	Prior to Issuance of Public Works Permit , 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. Submit infiltration testing results that correspond with the locations of the proposed LID facilities.
PFA 6.	Prior to Commencing Site Improvements , an approved Erosion Control Permit must be obtained and erosion control measures must be in place.
PFA 7.	Prior to Issuance of Final Building Certificate of Occupancy , record a 3.5-foot wide right of way dedication along the site’s frontage on SW Boberg Road.

PFA 8.	Prior to issuance of Final Building Certificate of Occupancy , vacate the 4-foot wide public utility easement (PUE) along the site’s frontage on SW Boberg Road.
PFA 9.	Prior to issuance of Final Building Certificate of Occupancy , construct a 8-foot wide public utility easement (PUE) along the site’s frontage on SW Boberg Road.
PFA 10.	Prior to Issuance of Final Building Certificate of Occupancy , provide a sight distance certification by an Oregon Registered Professional Engineer for all driveway accesses on SW Boberg Road per DKS’s recommendation in Traffic Memorandum dated February 5, 2020.
PFA 11.	Prior to Issuance of Final Building Certificate of Occupancy , all public improvements including streets and utilities located in the right of way or in the public easement, shall be constructed and completed.
PFA 12.	Onsite and offsite LID facilities must be constructed prior to Issuance of 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 Building Certificate of Occupancy.

Natural Resources Conditions:

NR 1.	Natural Resource Division Requirements and Advisories listed in Exhibit C1 apply to the proposed development.
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Building Division Conditions:

BD 1.	Building Division Requirements and Advisories listed in Exhibit C3 apply to the proposed development.
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Master Exhibit List:

Entry of the following exhibits into the public record by the DRB confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case Files DB20-0002 through DB20-0006 and 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)
- A3.** Staff’s Response, dated April 6, 2020, to Letter from David Nicoli, Nicoli Pacific, LLC, received April 1, 2020 (see Exhibit B3)

Materials from Applicant

B1. Applicant's Narrative and Submitted Materials

Table of Contents

Application

Proof of Ownership

Narrative including Project Summary, Background Information, Key Issues, and Anticipated Waivers

Response to Applicable Review Criteria

Transportation Impact Analysis

Stormwater Report

Geotechnical Report

Arborist Report

Letter from Franchise Hauler

Materials Board

Lighting Information

Reduced Scale Drawings (same as Exhibit B2)

Supplemental Information

- Acknowledgement and Response to Incompleteness Notice
- Lot Line Adjustment Decision (AR19-0059) and Replat Documents
- Neighborhood Meeting Sign-in Sheet and Minutes
- Waiver Request
- Letter from TVF&R
- Wash Bay Recirculation System Information
- Existing Street Light Photometric

B2. Drawing Package

CS1 – Cover Sheet

Topographic Survey

C0.1 – General Notes

C0.2 – Existing Conditions

C0.3 – Demolition Plan

C1.0 – Hardscape Plan

C2.0 – Grading Plan

C3.0 – Utility Plan

L1.01 through L1.03 – Landscape Plans

L1.04 – Tree Plan

A0.1 – Site Plan

A0.2 and A0.3 – Site Details

A0.4 – Site Lighting Plan

A0.5 – Circulation Plan

A1.1 – Floor Plan

A2.1 – Exterior Elevations

B3. Letter from David Nicoli, Nicoli Pacific, LLC, received April 1, 2020.

Development Review Team Correspondence

- C1.** Public Works Plan Submittal Requirements and Other Engineering Requirements
- C2.** City Response to Public Works Waiver Request, dated April 7, 2020
- C3.** Building Division Requirements and Advisories, including Public Works Department (pretreatment) and Tualatin Valley Fire and Rescue
- C4.** Letter from Tualatin Valley Fire and Rescue, dated March 24, 2020

Procedural Statements and Background Information:

- 1. The statutory 120-day time limit applies to this application. The application was received on January 10, 2020. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application incomplete on February 4, 2020. The applicant submitted additional materials on February 11, 2020. Planning Staff deemed the application complete on February 28, 2020. The City must render a final decision for the request, including any appeals, by June 27, 2020.
- 2. Surrounding land uses are as follows:

Compass Direction	Zone	Existing Use
North	PDI	City of Wilsonville Boeckman Well House; Wilsonville Toyota (north of SW Boeckman Road); Industrial Development
East	NA	Interstate 5
South	RA-H	Walnut Mobile Home Park
West	PDI	Industrial Development

- 3. Previous Planning Approvals:

DB19-0004 – Zone Map Amendment
DB19-0005 – Stage I Master Plan
AR19-0059 – Lot Line Adjustment
AR20-0006 – Partition Plat

- 4. The applicant has complied with Sections 4.008 through 4.011, 4.013-4.031, 4.034 and 4.035 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 application is being processed in accordance with the applicable general procedures of this Section.

Initiating Application

Section 4.009

The application has the signatures of David Nicoli, Nicoli Pacific, LLC (property owner) and Gavin Russell, CIDA Architects & Engineers, the applicant and authorized signer for the property owner.

Pre-Application Conference

Subsection 4.010 (.02)

The City held a Pre-application Conference (PA19-0017) on September 19, 2019, 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

Subsections 4.035 (.04) A. and 4.035 (.05)

The applicant has provided all of the applicable general submissions and the application was deemed complete on February 28, 2020.

Zoning - Generally

Section 4.110

The proposed development is in conformity with the applicable zoning district (PDI) and general development regulations listed in Sections 4.140 through 4.199.

Request A: DB20-0002 Stage I Master Plan Modification

Planned Development Regulations

Planned Development Purpose Subsection 4.140 (.01)

- A1.** The subject property is sufficiently large to allow for comprehensive master planning, and to provide flexibility in the application of certain regulations in a manner consistent with the intent of the Comprehensive Plan and general provisions of the zoning regulations.

A Stage I Master Plan (DB19-0005) for the subject property (Tax Lots 300 and 500) was approved in May 2019, with findings demonstrating consistency of the Master Plan with the Planned Development Regulations and the land use designation in the Comprehensive Plan with consideration given to Design Objectives of Area of Special Concern E.

The current request for Stage I Master Plan Modification retains the overall intent to develop the property in three phases, but changes the order of development, anticipated building size for Phases 1 and 2, and total square footage of buildings at full build-out. Per the applicant's narrative, this is due to unanticipated site grading limitations and economic obstacles associated with the development as initially proposed. The phasing schedule and Phase 3 remain the same, with construction anticipated in 2020 (Phase 1), 2024 (Phase 2), and 2029 (Phase 3).

A comparison of the approved Master Plan and requested modification, and the modified Master Plan diagram, are included in the Summary section of this Staff Report and discussed in Findings A6 and A14 of this Staff Report. As demonstrated in the Summary and this subsection, the proposed Stage I Master Plan Modification remains consistent with the Planned Development Regulations and the land use designation in the Comprehensive Plan with consideration given to Design Objectives for Area of Special Concern E.

Planned Development Lot Qualifications Subsection 4.140 (.02)

- A2.** The property is of sufficient size (6.20 acres in two tax lots) to be developed in a manner consistent with the purposes and objectives of Section 4.140. It allows for development of the proposed uses while meeting applicable site standards indicating it is of sufficient size.

All Property Owners Part of Application Subsection 4.140 (.03)

- A3.** The subject property is in a single ownership by Nicoli Pacific, LLC, whose authorized representative, David Nicoli, has signed the application.

Professional Design Team Subsection 4.140 (.04)

A4. As can be found in the applicant’s submitted materials, the design team is composed of appropriate professionals, including survey, geotechnical engineering, civil and landscape, architectural, planning and structural design, and a commercial general contractor. Lead team members include: Tara Lund, Principal Architect, and Gavin Russell, Project Manager, with CIDA Architects & Engineers; Bryan Bailey, Landscape Architect, with Ecotone; and Craig Harris, Civil Engineer, with AAI.

Planned Development Permit Process

Subsection 4.140 (.05)

A5. The subject property is larger than 2 acres, designated for industrial development in the Comprehensive Plan, and zoned PDI. The applicant submitted for a Stage I Master Plan Modification, Stage II Final Plan, Site Design Review, Class III Sign Review, and Type C Tree Removal Plan, which comprise the current application. The property will be developed as a planned development in accordance with this subsection.

Comprehensive Plan Consistency

Subsection 4.140 (.06)

A6. The subject property (Tax Lots 300 and 500) is designated Industrial and located in Area of Special Concern E in the Comprehensive Plan. The Zone Map Amendment (DB19-0004) to rezone the subject property from RA-H to PDI was conditioned to give consideration to the Design Objectives of Area of Special Concern E. Conditions of Approval for the Zone Map Amendment include:

- PDA 1. The proposed project shall be carefully designed to promote continuity in design with other development in Comprehensive Plan Area of Special Concern E and sufficiently buffered to minimize disturbance for residents of the Walnut Mobile Home Park immediately south of the subject property.
- PDA 2. The proposed project shall be designed to minimize traffic (truck) conflicts with residential activities, including pedestrians.

Findings under Request B, Stage II Final Plan, and Request C, Site Design Review, demonstrate the proposed Phase 1 project is carefully designed to promote continuity in design with other development in the area, sufficiently buffered to minimize disturbance for residents of the mobile home park, and designed to minimize truck traffic conflicts with residential activities. In addition, the Stage I Master Plan (DB19-0005) for the subject site includes conditions specific to the Screening and Buffering (SB) Overlay Zone (see discussion under Findings A14 through A20 of this Staff Report).

Application Requirements

Subsection 4.140 (.07)

A7. Review of the proposed Stage I Master Plan Modification has been scheduled for a public hearing before the DRB in accordance with this subsection and the applicant has met all the applicable submission requirements as follows:

- The property affected by the Stage I Master Plan Modification is under the sole ownership of David Nicoli, Nicoli Pacific, LLC, and the application has been signed by the owner and an applicant, Gavin Russell, CIDA Architects & Engineers.
- The application for a Stage I Master Plan Modification has been submitted on a form prescribed by the City.
- The professional design team and coordinator have been identified.
- The applicant has stated the various uses involved in the Stage I Master Plan Modification and their locations.
- The boundary affected by the Stage I Master Plan Modification has been clearly identified and legally described.
- Sufficient topographic information has been submitted.
- Information on the land area to be devoted to various uses has been provided.
- Phasing information has been provided.
- Any necessary performance bonds will be required.
- Waiver information has been submitted.

Planned Development Industrial (PDI) Zone

Purpose of Planned Development Industrial (PDI) Zone
Subsection 4.135 (.01)

A8. The subject property is proposed for a variety of industrial operations and associated uses consistent with the purpose stated in this subsection.

Uses Typically Permitted
Subsection 4.135 (.03)

A9. The uses proposed in the Stage I Master Plan Modification are limited to industrial uses such as industrial office, manufacturing, and warehousing, consistent with the list established in this subsection

Block and Access Standards
Subsections 4.135 (.04) and 4.131 (.03)

A10. Preliminary drawings show development on the Phase 1 site provides adequate pedestrian and vehicle connectivity along SW Boberg Road. No changes to blocks or access spacing are proposed. However, the applicant is seeking a waiver to the Public Works Standards for reduced driveway separation between the two driveways on SW Boberg Road and between the north on-site driveway and the one on the adjacent property to the north. Conformance with these subsections will be reviewed with the Stage II Final Plans.

PDI Performance Standards

Industrial Performance Standards
Subsections 4.135 (.05) A. through N.

A11. The Stage I Master Plan Modification enables conformance with the Industrial performance standards. The part of the property to be developed in Phases 2 and 3 (Tax Lot 300) will be maintained in undisturbed field grass and mowed as necessary to prevent fire hazards and unsightly conditions (see Conditions of Approval). Final compliance of the Phase 1 development with the Industrial Performance Standards is reviewed under Request B, Stage II Final Plan.

Other Standards for PDI Zone

Lot Size and Maximum Lot Coverage

Subsections 4.135 (.06) A. and B.

A12. Nothing in the Stage I Master Plan Modification prevents the minimum individual lot size, maximum lot coverage, and minimum landscape requirements from being met.

Setbacks

Subsections 4.135 (.06) C. through E.

A13. Building setbacks for Phase 1 development are reviewed as part of the Stage II Final Plans. As noted elsewhere in this Staff Report, special care must be taken related to the setbacks and screening from the Walnut Mobile Home Park to the south consistent with Comprehensive Plan language for Area of Special Concern E and with the SB Overlay Zone.

Screening and Buffering (SB) Overlay Zone

Purpose of SB Overlay Zone

Subsection 4.137.5 (.01)

A14. The SB Overlay Zone requires appropriate screening and buffering for areas where residential and nonresidential land uses abut. For industrial properties, the SB Overlay Zone requires a 10- to 20-foot-deep buffer area with landscaping to the High Wall or High Screen standard, respectively. Further, there are restrictions on motor vehicle access, exterior operations, and signs, and the DRB may impose additional landscape requirements to minimize visual impacts of any approved vehicle access points.

The subject property is proposed for a variety of nonresidential uses consistent with the PDI zone and abuts a residentially zoned (RA-H) residential use (Walnut Mobile Home Park) to the south, which meets the purpose for applying the SB Overlay Zone and requiring appropriate screening and buffering to assure adequate separation of potentially conflicting land uses.

The Stage I Master Plan (DB19-0005), previously approved in May 2019, includes conditions specific to the Screening and Buffering (SB) Overlay Zone, and these conditions continue to apply to the Stage I Master Plan Modification:

- PDB 1. The proposed project shall provide appropriate screening and buffering to assure adequate separation of potentially conflicting land uses specifically related to the residentially zoned (RA-H) residential use (Walnut Mobile Home Park) to the south.

- PDB 2. The SB Overlay Zone shall be applied along the southern boundary of the subject property abutting the Walnut Mobile Home Park property.
- PDB 3. No motor vehicle access shall be allowed through the landscaped area required in the SB Overlay Zone area.

As required by these conditions of approval and the SB Overlay Zone, the Phase I project provides appropriate screening and buffering to the residentially-zoned Walnut Mobile Home Park to the south and does not allow motor vehicle traffic through the landscaped area required in the SB Overlay Zone.

Application of SB Overlay Zone

Subsection 4.137.5 (.02)

A15. The criteria for applying the SB Overlay Zone is met along the southern boundary of the subject property, which abuts the Walnut Mobile Home Park property. The Conditions of Approval of the Stage I Master Plan continue to apply to the current application for Modification. In response, the applicant proposes a 30-foot-wide (20 feet required) landscaped buffer to the High Screen Standard between the proposed development and the north property boundary of the Walnut Mobile Home Park, and a 6-foot-tall chain link fence with privacy slats. According to the applicant’s narrative, landscape plantings are designed for low maintenance while providing a visually appealing environment for residents. Compliance with the SB Overlay Zone requirements is discussed in detail under Request B, Stage II Final Plan.

Landscaped Areas-Industrial Properties

Subsection 4.137.5 (.03) B.

A16. Landscaping of the site is reviewed as part of the Stage II Final Plan. As noted elsewhere in this Staff Report, special care needs to be taken related to buffering and screening from the Walnut Mobile Home Park to the south consistent with Comprehensive Plan language for Area of Special Concern E and Conditions of Approval of the Zone Map Amendment and Stage I Master Plan.

Ingress and Egress

Subsection 4.137.5 (.04)

A17. No motor vehicle access is allowed, and none is proposed in the current application, through the landscaped area required in the SB Overlay Zone.

Exterior Work

Subsection 4.137.5 (.05)

A18. As reviewed in the Stage I Master Plan Modification no exterior manufacturing, storage, sales, or other similar work is proposed in the SB Overlay Zone area.

Signs

Subsection 4.137.5 (.06)

A19. No signs are proposed in the SB Overlay Zone area.

Performance Standards and Off-Site Impacts

Subsection 4.137.5 (.07)

A20. Review of conformance with the PDI zone Performance Standards occurs with the Stage II Final Plan (Request B).

Request B: DB20-0003 Stage II Final Plan

Planned Development Regulations

Planned Development Purpose

Subsection 4.140 (.01)

B1. The proposed Stage II Final Plan for development of the Phase 1 site is consistent with the Planned Development Regulations purpose statement.

Planned Development Lot Qualifications

Subsection 4.140 (.02)

B2. The Phase 1 property is of sufficient size (2.35 acres in Tax Lot 500) to be developed in a manner consistent with the purposes and objectives of Section 4.140. It allows for development of the proposed uses while meeting applicable landscaping and other site requirements indicating it is of sufficient size.

Ownership Requirements

Subsection 4.140 (.03)

B3. The subject property is in a single ownership by Nicoli Pacific, LLC, whose authorized representative, David Nicoli, has signed the application.

Professional Design Team

Subsection 4.140 (.04)

B4. As can be found in the applicant's submitted materials, the design team is composed of appropriate professionals, including survey, geotechnical engineering, civil and landscape, architectural, planning and structural design, and a commercial general contractor. Lead team members include: Tara Lund, Principal Architect, and Gavin Russell, Project Manager, with CIDA Architects & Engineers; Bryan Bailey, Landscape Architect, with Ecotone; and Craig Harris, Civil Engineer, with AAI.

Planned Development Permit Process

Subsection 4.140 (.05)

B5. The subject property is larger than 2 acres, designated Industrial in the Comprehensive Plan, and zoned PDI. The property will be developed as a planned development in accordance with this subsection.

Consistency with Comprehensive Plan and Other Applicable Plans
Subsections 4.140 (.06) and 4.140 (.09) J. 1.

- B6.** As discussed earlier in this Staff Report, the previously approved Zone Map Amendment and Stage I Master Plan were conditioned to give consideration to design objectives and standards of Area of Special Concern E in the Comprehensive Plan and the SB Overlay Zone. The current application continues to comply with the standards and imposed Conditions of Approval of these previous approvals as demonstrated in Findings A1, A6, and A14, above.

Stage II Final Plan Submission Requirements and Process

Timing of Submission
Subsection 4.140 (.09) A.

- B7.** The applicant is submitting this Stage II Final Plan within two (2) years of approval of a preliminary development plan (Stage I Master Plan) and, as authorized pursuant to Section 4.035, has submitted for Phase 1, the first unit of development, of the Stage I Master Plan Modification.

Development Review Board Role
Subsection 4.140 (.09) B.

- B8.** The DRB is considering all applicable permit criteria set forth in the Planning and Land Development Code and staff is recommending the DRB approve the application with Conditions of Approval.

A21.

Stage I Conformance and Submission Requirements
Subsection 4.140 (.09) C.

- B9.** The Stage II Final Plan substantially conforms to the Modified Stage I Master Plan, which is being concurrently reviewed by the DRB. The applicant has provided the required drawings and other documents showing all the information required by this subsection.

Stage II Final Plan Detail
Subsection 4.140 (.09) D.

- B10.** The applicant has provided sufficiently detailed information to indicate fully the ultimate operation and appearance of Phase 1 of the development, including a detailed site plan, landscape plans, and elevation drawings.

Submission of Legal Documents
Subsection 4.140 (.09) E.

- B11.** No additional legal documentation is required for dedication or reservation of public facilities.

Expiration of Approval

Subsection 4.140 (.09) I. and Section 4.023

B12. The Stage II Final Plan approval and other associated applications will expire two (2) years after approval, unless an extension is approved in accordance with these subsections.

Traffic Concurrency

Subsection 4.140 (.09) J. 2.

B13. The City's traffic consultant, DKS Associates, calculates that Phase 1 (13,200-square-foot building) of the proposed development will result in 91 daily trips and 11 PM peak hour trips (3 in, 8 out). It will generate 1 PM peak hour trip through the I-5/Elligsen Road interchange and 5 PM peak hour trips through the I-5/Wilsonville Road interchange area. (See Exhibit B1 for full Transportation Impact Analysis.)

In addition, a Transportation Impact Analysis (in Exhibit B1) was completed for a substantially larger three-phase development than currently proposed, including a total of 96,000 compared with 85,000 square feet at full development. This analysis indicates that the LOS D standard will continue to be met by existing street improvements at the studied intersections with existing, planned, and proposed full development of 96,000 square feet as follows:

- SW Boeckman Road/SW Boberg Road – LOS A/D, Volume to Capacity: 0.56
- SW Boones Ferry Road/SW Barber Street – LOS A/C, Volume to Capacity 0.40

Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

B14. Facilities and services, including utilities in SW Boberg Road, are available and sufficient to serve the proposed development.

Adherence to Approved Plans

Subsection 4.140 (.09) L.

B15. A Condition of Approval will ensure adherence to approved plans except for minor revisions 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. See Condition of Approval PDB 1.

Standards Applying to All Planned Development Zones

Additional Height Guidelines

Subsection 4.118 (.01)

B16. Staff does not recommend the DRB require a height less than the proposed 30.7 feet to the roof line as fire protection access is sufficient and the height does not impact scenic views of Mt. Hood or the Willamette River. In addition, the proposed Phase 1 building, which is

one story tall, is setback 65 feet from the property line that abuts the Walnut Mobile Home Park to the south and screening and buffering is provided to this low density use.

Underground Utilities

Subsection 4.118 (.02)

B17. All utilities on the property are required to be underground.

Waivers

Subsection 4.118 (.03) A. through D.

B18. The applicant has not requested any waivers to the standards applying to all planned development zones.

Other Requirements or Restrictions

Subsection 4.118 (.03) E.

B19. No additional requirements or restrictions are recommended pursuant to this subsection. Performance standards and requirements of the PDI zone address potential impacts from noise, odor, glare, etc.

Impact on Development Cost

Subsection 4.118 (.04)

B20. In staff's professional opinion, the determination of compliance or attached conditions do not unnecessarily increase the cost of development and no evidence has been submitted to the contrary.

Requiring Tract Dedications or Easements for Recreation Facilities, Open Space, Public Utilities

Subsection 4.118 (.05)

B21. No additional tracts are being required for recreational facilities, open space area, or easements.

Habitat Friendly Development Practices

Subsection 4.118 (.09)

B22. Grading will be limited to that needed for the proposed improvements, no significant native vegetation would be retained by an alternative site design, the City's stormwater standards will be met thus limiting adverse hydrological impacts on water resources, and no impacts on wildlife corridors or fish passages have been identified.

Planned Development Industrial (PDI) Zone

Purpose of Planned Development Industrial (PDI) Zone Subsection 4.135 (.01)

B23. The proposed development includes a variety of industrial operations and associated uses consistent with the purpose stated in this subsection.

Typically Permitted Uses Subsection 4.135 (.03)

B24. The uses proposed in the Stage II Final Plan are consistent with the Stage I Master Plan Modification and with the purpose of and permitted uses in the PDI zone, including office-technology, corporate headquarters, manufacturing, and warehousing.

Block and Access Standards Subsections 4.135 (.04) and 4.131 (.03)

B25. Preliminary drawings show proposed development provides adequate pedestrian and vehicle connectivity along SW Boberg Road. No changes to blocks or access spacing are proposed, however, the applicant has requested a waiver to the Public Works Standards for reduced driveway separation.

PDI Performance Standards

Industrial Performance Standards Subsections 4.135 (.05) A. through N.

B26. The proposed project meets the performance standards of this subsection as follows:

- **Pursuant to Standard A** (enclosure of uses and activities), all non-parking/loading activities and uses and permitted outdoor storage, are completely enclosed in buildings as required.
- **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 that odorous gas or other odorous matter will be produced by the proposed use.
- **Pursuant to Standard D** (open storage), the proposed 52,700-square-foot storage yard is fenced and landscaped as required to comply with the provisions of Section 4.176.
- **Pursuant to Standard E** (operations and residential areas), the southern drive aisle, which provides access to the parking area and is the main entry point for trucks is located within 100 feet of the north property boundary of the Walnut Mobile Home Park, a residential use in the RA-H zone. In addition, two overhead doors, one on the west and one on the east sides of the building, are located within this area. The applicant's narrative indicates that the development is not proposed for night operations, although on rare occasions emergency services may be requested beyond normal operating hours from municipalities in need of shoring equipment. In these situations, truck circulation will be directed through the north drive aisle and all work

will be on the north side of the building, at a distance greater than 100 feet from the mobile home park. A Condition of Approval prohibits truck maneuvering within 100 feet of the south property boundary between the hours of 10:00 pm and 7:00 am so long as the property to the south is used for residential purposes, and requires this area be clearly marked with signs or by other means indicating this limitation.

- **Pursuant to Standard F** (heat and glare, exterior lighting), no exterior operations are proposed creating heat and glare, and exterior lighting will be equipped with directional throw and/or cutoffs so as not to produce light on adjacent residential uses.
- **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), there is no evidence that the standards for liquid and solid waste will be violated.
- **Pursuant to Standard I** (noise), there is no evidence that noise generated from the proposed operations will violate the City's Noise Ordinance, however, as discussed under Standard E, above, the site is located within 100 feet of and shares a property boundary with a residential district and is, therefore, subject to certain noise limitations. Noises produced in violation of the Noise Ordinance are subject to the enforcement procedures established in Wilsonville Code (WC) 6.204 for such violations. A Condition of Approval will ensure compliance with the Noise Ordinance.
- **Pursuant to Standard J** (electrical disturbances), no functions or construction methods are proposed that would interfere with electrical systems, and any construction activity that may require temporary electrical disruption for safety or connection reasons will be limited to the project site and coordinated with appropriate utilities.
- **Pursuant to Standard K** (discharge of air pollutants), there is no evidence that any prohibited discharge will be produced by the proposed project.
- **Pursuant to Standard L** (open burning), no open burning is proposed on the development site.
- **Pursuant to Standard M** (outdoor storage), outdoor storage will be maintained in an orderly manner, paved, and suitable for the materials being handled and stored.
- **Pursuant to Standard N** (unused area landscaping), the Phase 1 site (Tax Lot 500) will be completely developed with buildings, circulation areas, outdoor storage, and landscaping.

Other Standards for PDI Zone

Lot Size and Maximum Lot Coverage

Subsections 4.135 (.06) A. and B.

B27. The Phase 1 site is of sufficient size to accommodate lot coverage of the proposed building as well as landscaping, parking, and other improvements.

Setbacks

Subsections 4.135 (.06) C. through E.

B28. Approximate building setbacks to property lines of the Phase 1 site are proposed as follows:

Development Review Board Panel 'B' Staff Report, April 27, 2020

Exhibit A1

Nicoli Pacific Industrial Building and Storage Yard

DB20-0002 through DB20-0006

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- west front yard 97 feet to SW Boberg Road;
- north side yard 190 feet to north property line;
- east rear yard 61 feet to east property line; and
- south side yard 65 feet to south property line and Walnut Mobile Home Park property.

All proposed setbacks exceed the required setback of 30 feet.

Screening and Buffering (SB) Overlay Zone

Purpose and Application of SBOZ

Subsection 4.137.5 (.01) and (.02)

B29. The subject property is proposed for a variety of nonresidential uses consistent with the PDI zone and abuts a residentially zoned (RA-H) residential use (Walnut Mobile Home Park) to the south, which meets the purpose for applying the SB Overlay Zone. Appropriate screening and buffering is required to assure adequate separation of potentially conflicting land uses.

Landscaped Areas-Industrial Properties

Subsection 4.137.5 (.03) B.

B30. For land zoned PDI, the SB Overlay Zone requires either a 20-foot-deep area landscaped to at least the High Screen Standard, or a 10-foot-deep area landscaped to at least the High Wall Standard along all property lines where the SB Overlay Zone is applied. To provide buffering and screening from the Walnut Mobile Home Park to the south and consistent with the High Screen Standard, the applicant is proposing a 30-foot-wide landscaped buffer area along the south property boundary shared with the mobile home park. A 6-foot-high chain link fence with privacy slats is provided along the north side of the buffer area.

Ingress and Egress, Exterior Work, Signs, Performance Standards and Off-Site Impacts

Subsection 4.137.5 (.04) through (.07)

B31. Within the SB Overlay Zone:

- No motor vehicle access is allowed, and none is proposed.
- No exterior manufacturing, storage, sales, or other similar work is allowed, and none is proposed; however, there are stricter standards that apply to truck loading and unloading activities as discussed elsewhere in this Staff Report related to Industrial Performance Standards.
- No signs other than approved monument signs are allowed, and none are proposed.

As discussed in this Staff Report the proposed development complies with, or will with Conditions of Approval, performance standards of the PDI zone to limit impacts on surrounding properties and the overall community.

On-site Pedestrian Access and Circulation

Continuous Pathway System

Section 4.154 (.01) B. 1.

B32. Pedestrian access to the site will be provided by a private walkway a minimum of 5 feet wide from the sidewalk along SW Boberg Road to the main entrance on the north side of the building. No other pathways are proposed or required to provide pedestrian access and circulation within the Phase 1 site.

Safe, Direct, Convenient Pathways

Section 4.154 (.01) B. 2.

B33. The proposed site plan shows safe, reasonably direct, and convenient connections between primary entrances on the front of the building and adjacent parking areas and the public right-of-way on SW Boberg Road. There is no unnecessary out of direction travel. One ADA parking space is provided in the parking area on the west side of the building and connected by pathways to the main building entrance on the north side, meeting ADA standards.

Vehicle/Pathway Separation - Vertical or Horizontal, Crosswalks Clearly Marked

Section 4.154 (.01) B. 3. and 4.

B34. The pedestrian walkway is separated from parking and maneuvering areas by a change in material (concrete versus asphalt) and elevation. Curbing and/or wheel stops ensure separation of pedestrian and vehicular movement. No pathways or crosswalks are proposed other than the pedestrian walkway connecting the sidewalk on SW Boberg Road with the main building entrance.

Pathway Width and Surface – 5 Foot Wide, Durable Surface

Section 4.154 (.01) B. 5.

B35. The proposed pathway is 5 feet or wider and will be constructed of concrete.

Pathway Signs

Section 4.154 (.01) B. 6.

B36. No pathways needing directional signage are proposed.

Parking Area Design Standards

Minimum and Maximum Parking

Section 4.155 (.03) G.

B37. The proposed Phase 1 development requires a minimum of 9 parking spaces and is allowed a maximum of 14 spaces per Table 5, Parking Standards, as shown below. The applicant proposes 9 spaces in a parking area along SW Boberg Road. Calculation of parking spaces is as follows:

Use and Parking Standard	Square Feet	Minimum Off-street Spaces Required	Maximum Off-street Spaces Allowed	Proposed Off-street Spaces	Minimum Bicycle Parking Spaces	Proposed Bicycle Parking Spaces
Office/Flex Space	2,024 sf	2.7 per 1,000 = 5.4	4.1 per 1,000 = 8.2	--	1.0 per 1,000 (min 2) = 2.0	--
Storage Warehouse	11,176 sf	0.3 per 1,000 = 3.4	0.5 per 1,000 = 5.6	--	1.0 per 20,000 (min 2) = 2.0	--
Total	13,200 sf	8.8	13.8	9.0	4.0	4.0

Other Parking Design Standards
Subsections 4.155 (.02) and (.03)

B38. The applicable 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"/>	Standard parking lot design proposed.
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 lot surrounded by a six-inch curb and bumper guards/wheel stops provided in all spaces.
K. Surfaced with asphalt, concrete or other approved material.	<input checked="" type="checkbox"/>	Parking lot surfaced with asphalt.
Drainage meeting City standards	<input checked="" type="checkbox"/>	Drainage professionally designed and being reviewed to meet City standards.
L. Lighting that does not shine into adjoining structures or into the eyes of passersby.	<input checked="" type="checkbox"/>	Lighting proposed to be fully shielded and subject to City's Outdoor Lighting Ordinance.
N. No more than 40% of parking compact spaces.	<input checked="" type="checkbox"/>	Proposed parking spaces include 9 standard and 0 compact spaces.
O. Planting areas increased to 7 feet deep when vehicles overhang beyond curb	<input checked="" type="checkbox"/>	Planting areas increased to at least 7 feet deep where needed.
Subsection 4.155 (.03) Minimum and Maximum Off-Street Parking Requirements		
A. Access and maneuvering areas adequate.	<input checked="" type="checkbox"/>	Access and maneuvering area is adequate to serve functional needs of site.
A.1. Loading and delivery areas and circulation separate from customer/employee parking and pedestrian areas.	<input checked="" type="checkbox"/>	One loading and delivery area provided on the west side of the building and separated from the parking area. Other loading areas on the east and north sides of the building also are separated from the parking area.
Circulation patterns clearly marked.	<input checked="" type="checkbox"/>	Truck circulation and loading located on south, east and north sides of building

		separate from passenger vehicle circulation on west side of building.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	☒	Vehicle and pedestrian traffic clearly delineated and separated to greatest extent possible, however, some mixing of traffic modes cannot be avoided at south driveway and drive aisle areas.
C. Safe and Convenient Access, meet ADA and ODOT Standards. For parking areas with more than 10 spaces, 1 ADA space for every 50 spaces.	☒	Proposed parking and access allow ADA and ODOT standards to be met. Applicant proposes 9 parking spaces, including 1 designated ADA accessible space.
D. Efficient on-site parking and circulation.	☒	On-site parking designed for efficient and convenient circulation.

Parking Variances and Waivers

Subsection 4.155 (.02) A. 1. and 2.

B39. The applicant has not requested variances or waivers to the parking, loading, or bicycle parking standards.

Multiple Use Parking Calculations

Subsection 4.155 (.02) D.

B40. As shown in Finding B36, each proposed use was factored into the overall calculation of the required number of parking spaces.

Shared Parking

Subsection 4.155 (.02) E.

B41. No shared parking with adjacent uses is proposed.

Off-Site Parking Allowance

Subsection 4.155 (.02) G.

B42. No off-site parking was used for calculating the parking spaces provided.

Non-Parking Use of Parking Areas

Subsection 4.155 (.02) H.

B43. All parking areas are expected to be maintained and kept clear for parking unless a temporary use permit is granted or the Stage II Final Plan approval is revised. No container or other storage is allowed or proposed in the parking areas.

Screening to Residential Areas

Subsection 4.155 (.02) I.

B44. The south boundary of the subject property adjoins the Walnut Mobile Home Park, which is in a residential zone. However, the proposed parking area is located north of the south drive aisle, a distance of 65 feet from the south property boundary, and screening of the parking area with a sight-obscuring fence is not required. In addition, the parking lot is screened on the side visible from the residential zone by the 6-foot-tall chain link fence with privacy slats and landscaping to the High Screen Standard in the SB Overlay Zone area that separates the development from the residential use to the south.

Parking for Uses Not Listed

Subsection 4.155 (.02) M.

B45. The parking calculation is based on the listed uses of office and storage warehouse.

On-Street Parking for Parking Calculations

Subsection 4.155 (.03) F.

B46. The parking calculations do not include any on-street parking.

Electrical Vehicle Charging Stations

Subsection 4.155 (.03) H.

B47. The applicant does not propose electrical charging stations.

Substituting Motorcycle Parking for Vehicle Parking

Subsection 4.155 (.03) I.

B48. The applicant does not propose motorcycle parking.

Parking Area Landscaping

Minimizing Visual Dominance of Parking

Subsection 4.155 (.03) B.

B49. Landscaping of trees and shrubs proposed in parking and loading or delivery areas minimizes visual dominance of these areas.

Parking Area Landscape Requirement – 10%

Subsection 4.155 (.03) B. 1.

B50. The total area of the proposed parking area is approximately 3,924 square feet. Landscaping provided in adjacent areas is approximately 1,962 square feet or 50%, which substantially exceeds the 10% requirement. The parking area is bordered by landscaping on the south, west and north sides and effectively screened from the public right-of-way and adjacent properties by a 6-foot-tall chain link fence with privacy slats, trees, shrubs, and groundcover.

Parking Area Tree Requirement
Subsection 4.155 (.03) B. 2. and 2. a.

B51. All tree planting areas meet or exceed the 8 foot minimum width and length. Trees are shown in a ratio of 1 tree per 8 parking spaces or fraction thereof with 2 required and 2 provided.

Parking Area Tree Clearance
Subsection 4.155 (.03) B. 2. b.

B52. All trees in the parking area and along the walkways are of varieties that can be maintained to provide a 7-foot clearance.

Bicycle Parking - General Provisions

Determining Minimum Bicycle Parking
Subsection 4.155 (.04) A. 1.

B53. The applicant proposes 4 bicycle parking spaces, 2 outside by the building main entrance and 2 inside the building, and 4 are required per Table 5, Parking Standards, as shown above in Finding B36.

Bicycle Parking for Multiple Uses
Subsection 4.155 (.04) A. 3.

B54. The minimum required bicycle parking has been provided for each use.

Bicycle Parking Waivers
Subsection 4.155 (.04) A. 4.

B55. The applicant proposes no waivers to bicycle parking.

Bicycle Parking Standards

Bicycle Parking Space Dimensions, and Maneuvering Area
Subsection 4.155 (.04) B. 1. and 2.

B56. The proposed bicycle parking spaces outside the building are 2.5 feet by 6 feet in size with adequate spacing provided to be accessible without moving another bicycle. The walkway in this area provides ample room for bicycle maneuvering.

Spacing of Bicycle Racks, and Bicycle Racks and Lockers Anchoring
Subsection 4.155 (.04) B. 3. and 4.

B57. The proposed bicycle racks are spaced appropriately for use, and will be securely anchored as shown on the submitted plans.

Bicycle Parking Location
Subsection 4.155 (.04) B. 5.

B58. Two (2) bicycle parking spaces are proposed to be located less than 30 feet from the building's main entrances and are adjacent to the building's primary walkway, providing convenient direct access to the main entrance from SW Boberg Road. An additional 2 bicycle parking spaces will be placed inside the building as shown on the floor plan (Sheet A1.1 of Exhibit B2).

Long-term Bicycle Parking

Required Long-term Bicycle Parking
Subsection 4.155 (.04) C. 1. and 2.

B59. Two (2) long-term bicycle parking spaces, 50% of the required 4 spaces, will be inside the building as required.

Minimum Off-Street Loading Requirements

Determining Required Loading Berths
Subsection 4.155 (.05) A. 1. and 2.

B60. The proposed building, which is 13,200 square feet in floor area, requires 1 truck loading or unloading berth for receipt or distribution of materials or merchandise. Five (5) loading areas are proposed, 1 on the west, 1 on the east, and 3 on the north sides of the building, which exceeds the requirement.

Loading Berth Dimensions
Subsection 4.155 (.05) A. 3.

B61. Overhead doors are 16 feet tall by 22 feet wide, and the loading area is approximately 20 feet deep outside the doors on the east and north, and 12 feet on the west side of the building. Loading berth areas are not marked on the site plan, but shown by a change in surface from asphalt to concrete and there is ample room for truck maneuvering and clearance, exceeding the minimum dimension requirements.

Existing Loading Berths
Subsection 4.155 (.05) A. 4.

B62. There are no existing uses or loading berths on the subject property.

Use of Off-Street Parking Areas for Loading
Subsection 4.155 (.05) A. 5.

B63. Off-street parking areas will not be used for loading and unloading operations.

Exception for On-Street Loading
Subsection 4.155 (.05) B.

B64. No loading area adjacent to or within a street right-of-way is proposed.

Carpool and Vanpool Parking

Required Carpool and Vanpool Parking
Subsection 4.155 (.06) A. through D.

B65. The development includes 9 parking spaces available for general parking, which does not meet the minimum threshold of 75 spaces for designated carpool and vanpool parking; therefore, none is required.

Other Development Standards

Access, Ingress, and Egress
Section 4.167

B66. Access to SW Boberg Road (2 driveways) will be located at defined points approved by the City.

Double-Frontage Lots
Sections 4.169 (.01) and (.02)

B67. The proposal doesn't have any double-frontage lots.

Natural Features and Other Resources
Section 4.171

B68. The Phase 1 property is open field that does not contain natural environmental and scenic features, and no part of the site is protected as part of the City's Significant Resource Overlay Zone (SROZ).

Two (2) red oak trees are located roughly in the center of the site with another 8 trees, including hawthorn, hazelnut and big leaf maple, located along the south boundary. Most of the trees on-site, except for the red oaks, are tree stump sprouts or have been topped for utility line clearance. The applicant proposes removing all 10 trees and mitigating their removal by planting 32 trees in landscape areas and 22 trees in stormwater facilities on the Phase 1 site, substantially exceeding the mitigation requirements.

There are 3 deciduous trees located off-site, north of the property boundary, with drip lines/root zones extending into the subject site. The Tree Maintenance and Protection Plan includes tree protection fencing along the north property boundary at the drip line of these trees to protect them during construction.

There are no structures of any historic or cultural designation on the subject site and no hillsides, trees or wooded areas, or hazard areas needing protection on the site. An

overhead powerline runs along the south property boundary and caution will need to be taken when construction activities occur in this area. There are no high voltage powerline easements or rights of way or petroleum pipeline easements on the site.

Public Safety and Crime Prevention

Design for Public Safety, Surveillance and Access Subsection 4.175 (.01)

B69. Windows on the west elevation of the proposed building provide visual connection between the interior and SW Boberg Road. A fencing and security gate system on SW Boberg Road, lighting throughout the site, and fencing that encloses the outdoor storage yard on all sides provide additional security.

Addressing and Directional Signing Subsection 4.175 (.02)

B70. The building will be properly addressed and identified, and address numbers will be placed on the building frontage on SW Boberg Road as required to assure identification by emergency response personnel and the general public.

Surveillance and Access Subsection 4.175 (.03)

B71. The proposed building includes windows on the north and west sides, providing visual connection from internal program areas to parking areas and the storage yard for occupants. According to the applicant's narrative, entries and other key areas of the site will be monitored with exterior cameras, providing additional security.

Lighting to Discourage Crime Subsection 4.175 (.04)

B72. Site areas will be illuminated with building-mounted lights, and pole-mounted lights in the parking area and on the perimeter of the outdoor storage yard. Building entries and exit doors will be illuminated to discourage crime and ensure public safety.

Landscaping Standards

Landscaping Standards Purpose Subsection 4.176 (.01)

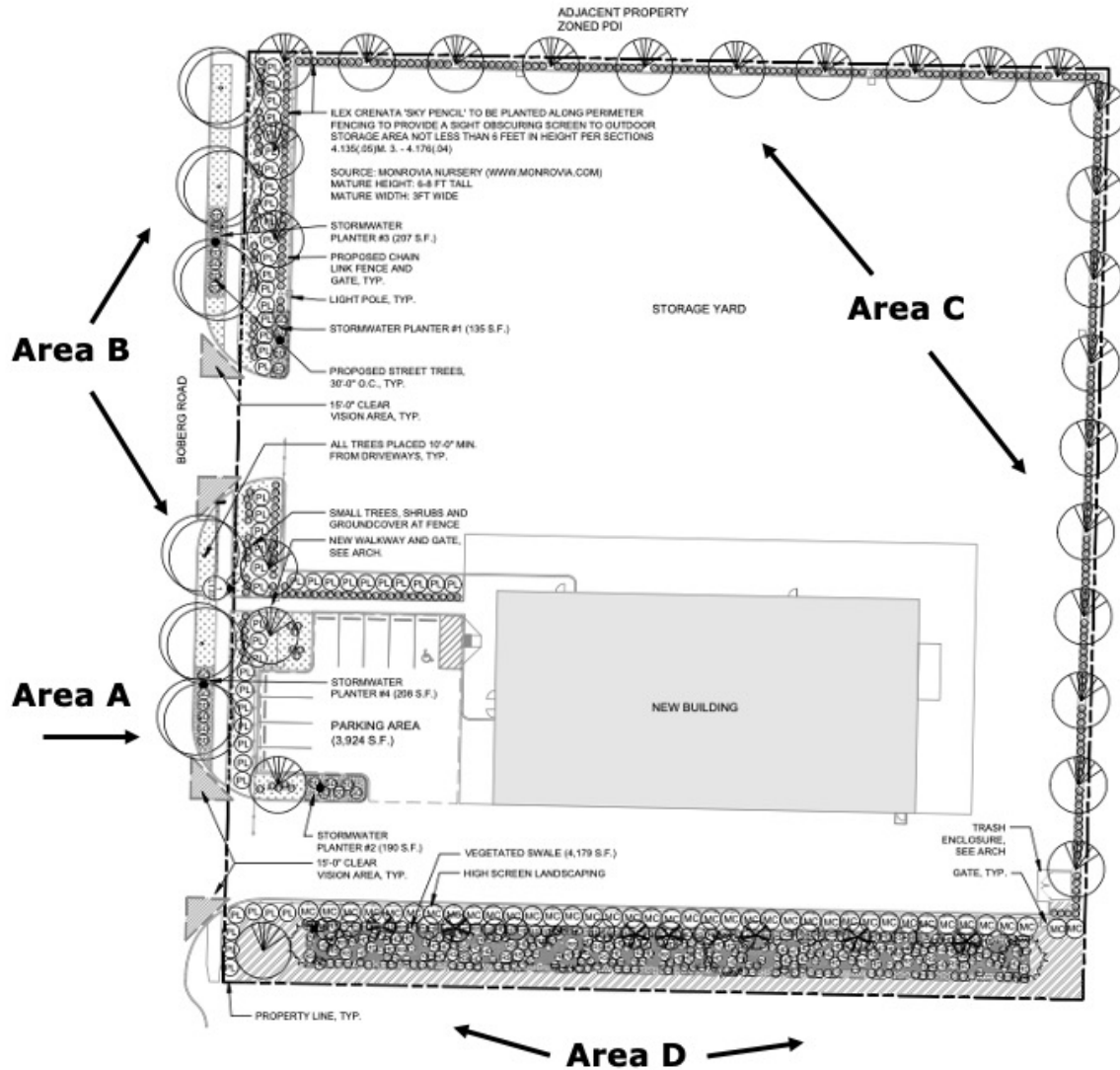
B73. Through complying with the various landscape standards in Section 4.176 the applicant has demonstrated the Stage II Final Plan is in compliance with the landscaping and screening purpose statement.

Landscape Code Compliance Subsection 4.176 (.02) B.

B74. No waivers or variances to landscape standards have been requested, thus all landscaping and screening must comply with the standards of this section.

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

B75. As shown on Sheets L1.01 through L1.04 (Exhibit B2) materials required to meet landscaping standards are provided as follows:



Landscape Area A

Area Description: Southwest part of site, north of drive aisle in parking area on west side of building

Landscaping Standard: Low Screen

Comments on Intent: Applied along street lot lines or in area separating parking lots

from street rights-of-way

Required Materials: Fully cover, 3-foot hedge 95% opaque year round, trees every 30 feet or as required to provide canopy over landscape area

Materials Provided: Combination of Otto Luyken laurel, sky pencil Japanese holly, and Mexican feather grass provide screening. Creeping juniper provides groundcover. Tree canopy provided by 2 upright European hornbeams in parking area landscaping and 2 columnar red maple street trees in the landscape area along the SW Boberg Road frontage.

Landscape Area B

Area Description: West part of site, along SW Boberg Road north of parking area on west side of outdoor storage yard

Landscaping Standard: High Screen

Comments on Intent: Provides visual separation and sight-obscuring screen of outdoor storage yard from adjacent properties and public right-of-way

Required Materials: Fully cover, 6-foot hedge 95% opaque year round, trees every 30 feet or as required to provide canopy over landscape area.

Materials Provided: Combination of Otto Luyken laurel, sky pencil Japanese holly, and Mexican feather grass in front (on street side) of 6-foot chain link fence with privacy slats provides screening. Creeping juniper provides groundcover. Tree canopy includes 3 upright European hornbeam in landscaping area and 4 columnar red maple street trees along SW Boberg Road frontage.

Landscape Area C

Area Description: North and east part of site, around outdoor storage yard

Landscaping Standard: High Screen

Comments on Intent: Provides visual separation and sight-obscuring screen of outdoor storage yard from adjacent properties and public right-of-way

Required Materials: Fully cover, 6-foot hedge 95% opaque year round, trees every 30 feet or as required to provide canopy over landscape area.

Materials Provided: Sky pencil Japanese holly on inside (toward outdoor storage yard) of 6-foot chain link fence with privacy slats provides screening. No groundcover is shown on submitted Landscape Plan (Sheet L1.02). Tree canopy provided by 10 upright European hornbeams on north side of storage yard and 10 on east side of yard spaced approximately 30 feet on center. See Finding B76 for additional discussion of landscaping and screening requirements.

Landscape Area D

Area Description: South side of site, along property line shared with Walnut Mobile

	Home Park
Landscaping Standard:	High Screen or High Wall along property line shared with mobile home park – SB Overlay Zone applies
Comments on Intent:	Screening and buffering required between development and mobile home park to south
Required Materials:	High Screen: Fully cover, 6-foot hedge 95% opaque year round, trees every 30 feet or as required to provide canopy over landscape area. High Wall: 6-foot masonry wall, trees every 30 feet or as required to provide canopy over landscape area. SB Overlay Zone: 20-foot buffer area with High Screen or 10-foot buffer area with High Wall.
Materials Provided:	Buffer: 30-foot-wide buffer area provided between north property line of mobile home park and drive aisle on subject property. Six (6)-foot chain link fence with privacy slats on north side of buffer. Area also includes vegetated swale/stormwater facility. North side of fence along drive aisle: No landscaping provided. South side of fence along drive aisle: Pacific wax myrtle along fence except at west end where there is Otto Luyken laurel. Tree canopy includes 1 upright European hornbeam on west end of buffer, and 4 western red cedars, 7 Pacific dogwoods, and 11 vine maples in the vegetated swale. Creeping mahonia groundcover provided outside the swale.

Landscape Area and Locations
Subsection 4.176 (.03)

B76. The applicant indicates that 16,644 square feet (16.4%) of the site will be landscaped, which exceeds the required 15% of total lot area. Landscaping is proposed throughout the site as described above. Materials achieve a balance between various plant forms, textures, and heights, and native plant materials are used where practicable.

Buffering and Screening
Subsection 4.176 (.04) A. through F.

B77. Additional to the standards of this subsection, the requirements of the Section 4.137.5 (SB Overlay Zone) are applied to the proposed development:

- **Pursuant to Standard A** (screening between intensive and less intensive developments), the proposed development will be screened and buffered from the adjacent Walnut Mobile Home Park consistent with requirements of the SB Overlay Zone.
- **Pursuant to Standard B** (buffering and screening of activity areas on commercial and industrial sites from adjacent residential areas), buffering and screening to the High

Screen Standard, as required by the SB Overlay Zone, is provided along the south property boundary adjacent to the Walnut Mobile Home Park.

- **Pursuant to Standard C** (mechanical and utility equipment screening), all exterior, roof and ground mounted, mechanical and utility equipment must be screened from ground level off-site view from adjacent streets or properties. No roof or ground-mounted mechanical equipment is shown on the submitted plans; however, a Condition of Approval will ensure that all equipment is screened as required.
- **Pursuant to Standard D** (screening of outdoor storage areas), outdoor storage must be screened from public view unless visible storage has been approved for the site by the DRB or Planning Director acting on the development permit. The submitted plans (Sheet L1.02 in Exhibit B2) show landscaping on the west, north, and east sides of the proposed outdoor storage yard that includes a 6-foot chain link fence with privacy slats, trees at 30 feet on center, and Heller's Japanese holly, a low-growing shrub which may not be adequate to achieve the required visual screening. A Condition of Approval will ensure that the landscaping requirement is satisfied.
- **Pursuant to Standard E** (screening of loading areas and truck parking not in industrial zones), the proposed development is industrial use in the PDI zone and, therefore, is not required to screen loading areas and docks, and truck parking.
- **Pursuant to Standard F** (fences over six (6) feet high), no fence over six (6) feet high is proposed on the project site.

Installation of Sight-Obscuring Fence or Planting

Subsection 4.176 (.05)

B78. A 6-foot chain link fence with privacy slats and landscaping will enclose the proposed outdoor storage area on the west, north and east sides. A Condition of Approval will ensure that the outdoor storage area will not begin operation until the fence is erected and landscaping is in place and approved by the City. A temporary occupancy permit may be issued upon a posting of a bond or other security equal to one hundred ten percent (110%) of the cost of such fence or planting and its installation.

Landscape Plan Requirements

Subsection 4.176 (.09)

B79. The Landscape Plan sheets L1.01 through L1.04 (Exhibit B2) provide the required information including proposed landscape areas, type, installation size, number and placement of materials, plant material list, and proposed method of irrigation.

Other Development Standards

Access Drives and Travel Lanes

Subsection 4.177 (.01) E.

B80. All access drives are designed to provide a clear travel lane, free from obstructions. All travel lanes will be asphalt. A Condition of Approval will ensure they are capable of carrying a 23-ton load. Emergency access lanes are improved to a minimum of 12 feet and

the development is being reviewed and approved by Tualatin Valley Fire and Rescue (TVF&R).

Outdoor Lighting

Sections 4.199.20 through 4.199.60

B81. The proposed development is required to meet the Outdoor Lighting Standards. See Request C.

Underground Installation

Sections 4.300 through 4.320

B82. All utility lines will be underground.

Request C: DB20-0004 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.

Site Design Review

Excessive Uniformity, Inappropriate Design

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

C1. Staff summarizes 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 proposed metal building uses variation in color and materials to offset the simplistic geometry of its design that is compatible with industrial development in the area and appropriate for the industrial context of the PDI zone.
- **Inappropriate or Poor Design of Signs:** Signs are simple but contemporary in design, building-mounted, typical for industrial development in the area, and appropriate for the proposed building.
- **Lack of Proper Attention to Site Development:** The appropriate professional services have been used to design the site, demonstrating attention being given to site development.
- **Lack of Proper Attention to Landscaping:** Landscaping is provided, has been professionally designed by a landscape designer, and includes a variety of plant materials, all demonstrating appropriate attention being given to landscaping.

Purposes and Objectives

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

C2. The applicant has provided sufficient information demonstrating compliance with the objectives of this subsection as follows:

- **Pursuant to Objective A** (assure proper functioning of the site and high quality visual environment), the proposed building location and site layout allow for landscaping and parking requirements to be met on the site and create a visual environment that is compatible with other surrounding industrial uses.
- **Pursuant to Objective B** (encourage originality, flexibility, and innovation), as described in the applicant's narrative, the project design uses variation in color and materials to offset the simplistic geometry of a metal industrial building, while landscaping is designed to screen the open storage yard and provide a pleasing environment for the neighboring residential property.
- **Pursuant to Objective C** (discourage inharmonious development), the professional design of the proposed building and landscaping supports a quality visual environment and thus prevents monotonous, drab, unsightly, and dreary development.
- **Pursuant to Objective D** (conserve natural beauty and visual character), design of the proposed building and site layout address the public at the street while maintaining flexibility for future development phases. Landscaping complements the building design while improving the general aesthetic of the site and harmonizing with the visual character of the PDI zone.
- **Pursuant to Objective E** (protect and enhance City's appeal), as described in the applicant's narrative, development of the site with a well-designed industrial building and landscaping will enhance the industrial fabric of the area, contribute to the local economy, and attract additional investment in surrounding properties.
- **Pursuant to Objective F** (stabilize property values/prevent blight), developing the site, which is currently vacant, will enhance the site and surrounding industrial area, helping to prevent future blight.
- **Pursuant to Objective G** (insure adequate public facilities), the proposal does not impact the availability or orderly, efficient and economic provision of public services and facilities, which are available and adequate for the subject property.
- **Pursuant to Objective H** (achieve pleasing environments and behavior), the design of the building is such that the public area is clearly defined as being on the west and north sides of the proposed building along SW Boberg Road, and windows on the west side connect the interior and exterior to provide eyes on the street. The private outdoor storage area and loading docks are clearly delineated with fencing and security gates. A 30-foot-wide buffer with landscaping and fencing provide separation and screening to the adjacent mobile home park property.
- **Pursuant to Objective I** (foster civic pride and community spirit), as described in the applicant's narrative, the project is intended to foster civic pride by enhancing a previously undeveloped lot with an attractive industrial building, while being sensitive to the adjacent mobile home park.
- **Pursuant to Objective J** (sustain favorable environment for residents), the proposed development includes a 30-foot-wide landscaped buffer area and 6-foot-tall chain link fence with privacy slats along the south property boundary adjacent to the Walnut Mobile Home Park, which exceeds (in buffer width) the requirements of the SB

Overlay Zone and ensures the comfort and health of residents. Public improvements along SW Boberg Road will create a more favorable environment for residents.

Development Review Board Jurisdiction
Section 4.420

- C3. A Condition of Approval will ensure construction, site development, and landscaping are carried out in substantial accordance with the DRB-approved plans, drawings, sketches, and other documents. No building permits will be granted prior to DRB approval. No variances are requested from site development requirements.

Design Standards
Subsection 4.421 (.01)

- C4. The applicant has provided sufficient information demonstrating compliance with the standards of this subsection as follows:
- **Pursuant to Standard A** (Preservation of Landscape), there are no natural features or landscaping to be preserved on the site, and the proposed grading and layout of the site were adjusted as much as possible to minimize tree and soil removal and to integrate grade changes with the general appearance and topography of neighboring developed areas.
 - **Pursuant to Standard B** (Relation of Proposed Buildings to Environment), the site slopes gently from northeast to southwest and does not have extensive topographical change or other naturally sensitive areas. Surrounding uses in the general area are of similar intensity, and landscaping and screening at the site perimeter provides appropriate screening and buffering to adjacent properties including the Walnut Mobile Home Park as required by Sections 4.137.5 and 4.176.
 - **Pursuant to Standard C** (Drives, Parking, and Circulation), the proposed site layout separates the parking area on the west side of the building from industrial truck loading/unloading area on the north and east sides. Two (2) new access driveways are proposed on SW Boberg Road, circulation of industrial vehicles is one-way from the south to north driveways, and there is clear pedestrian routing from the sidewalk to the building main entrance. The site design provides efficient, safe and convenient circulation for vehicles and pedestrians.
 - **Pursuant to Standard D** (Surface Water Drainage), no adverse impacts to surface water drainage will result from the proposal.
 - **Pursuant to Standard E** (Utility Service), no above ground utility installations are proposed. Stormwater and sanitary sewage disposal facilities are indicated on the applicant's Grading and Utility Plans, shown in Exhibit B2.
 - **Pursuant to Standard F** (Advertising Features), proposed signs incorporate materials and color palette consistent with the building design, complimenting the architecture, and do not detract from adjacent properties. A sign plan is being reviewed concurrently with this request; see Request D.
 - **Pursuant to Standard G** (Special Features), the proposed 52,700-square-foot outdoor

storage area will be appropriately screened. The proposed truck loading area is central to the site, on the north side of the building, is appropriately landscaped, and will not be visible to the public from adjacent streets or properties.

Applicability of Design Standards

Subsection 4.421 (.02)

C5. Design standards have been applied to all buildings, structures, and other site features.

Conditions of Approval

Subsection 4.421 (.05)

C6. No additional conditions of approval are recommended to ensure the proper and efficient functioning of the development.

Color or Materials Requirements

Subsection 4.421 (.06)

C7. No specific paints or colors are required. The applicant proposes the use of colors, including primarily black, grey, and red, that are compatible with those of surrounding industrial development. Ground and split-face CMU block at the base of the building, red loading doors, and gray-tinted windows and glazing complement the primary black finish of the building's corrugated metal siding and add architectural and visual interest.

Standards for Mixed Solid Waste and Recycling Areas

Mixed Solid Waste and Recycling Areas Colocation

Subsection 4.430 (.02) A.

C8. The proposal provides an exterior storage area for both solid waste and recyclables located southeast of the proposed building in the southeast corner of the project site.

Exterior vs Interior Storage, Fire Code, Number of Locations

Subsections 4.430 (.02) C.-F.

C9. The applicant proposes a single, visible, exterior location that is not in a parking area and is appropriately screened. Review of the Building Permit will ensure that the building and fire code are met.

Collection Vehicle Access, Not Obstruct Traffic or Pedestrians

Subsections 4.430 (.02) G.

C10. The letter from Republic Services, included in the applicant's materials in Exhibit B1, indicates the location and arrangement 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.

C11. Pursuant to the letter from Republic Services, the dimensions are adequate to accommodate the planned containers.

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

C12. The solid waste and recyclables storage area is enclosed by an 8-foot CMU (concrete block) wall with a 10-foot-wide gate, which exceeds the minimum standards.

Site Design Review Submission Requirements

Submission Requirements
Section 4.440

C13. The applicant has submitted materials in addition to requirements of Section 4.035, as applicable.

Time Limit on Site Design Review Approvals

Time Limit on Approval
Section 4.442

C14. The applicant has indicated that they will pursue development within two (2) years of receiving approval. It is understood that the approval will expire after two (2) years if a building permit has not been issued, unless an extension has been granted by the DRB.

Installation of Landscaping

Landscape Installation or Bonding
Subsection 4.450 (.01)

C15. A Condition of Approval will assure installation or appropriate 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.

Approved Landscape Plan
Subsection 4.450 (.02)

C16. Action by the City approving a proposed landscape plan is binding on the applicant. A Condition of Approval will ensure that substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan will not be made without official action of the Planning Director or DRB and provide ongoing assurance the criterion is met.

Landscape Maintenance and Watering
Subsection 4.450 (.03)

C17. A Condition of Approval will ensure landscaping is continually maintained in accordance with this subsection.

Modifications of Landscaping
Subsection 4.450 (.04)

C18. A Condition of Approval will provide ongoing assurance that this criterion is met by preventing modification or removal of landscaping without appropriate City review.

Natural Features and Other Resources

Protection
Section 4.171

C19. The proposed design provides for protection of natural features and other resources consistent with the proposed Stage II Final Plan for the site, as well as the purpose and objectives of site design review.

Landscaping Standards

Landscape Standards Code Compliance
Subsection 4.176 (.02) B.

C20. No waivers or variances to landscape standards have been requested, thus all landscaping and screening must comply with the standards of this section.

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

C21. The minimum or higher standard has been applied throughout different landscape areas of the site and landscape materials are proposed to meet each standard in the different areas. Site Design Review is occurring concurrently with the Stage II Final Plan, which includes a thorough analysis of the functional application of the landscaping standards.

Landscape Area and Locations
Subsection 4.176 (.03)

C22. The proposed Stage II Final Plan shows that 16,644 square feet (16.4%) of the site will be landscaped, which exceeds the required 15% of total lot area. Landscaping is proposed throughout the site. Materials achieve a balance between various plant forms, textures, and heights, and native plant materials are used where practicable.

Buffering and Screening
Subsection 4.176 (.04)

C23. Consistent with the Stage II Final Plan, adequate screening is proposed.

Sight-Obscuring Fence or Planting

Subsection 4.176 (.05)

- C24.** A 6-foot-high chain link fence with privacy slats and landscaping is proposed around the perimeter of the outdoor storage area. Consistent with the Stage II Final Plan, adequate screening is proposed and a Condition of Approval ensures compliance with the standard.

Shrubs and Groundcover Materials

Subsection 4.176 (.06) A.

- C25.** Proposed shrubs on the applicant's Landscape Plans (Sheets L1.01 through L1.04, Exhibit B2) are in 3- and 5-gallon containers, exceeding the required 2-gallon minimum. A Condition of Approval will require that the detailed requirements of this subsection are met.

Plant Materials-Trees

Subsection 4.176 (.06) B.

- C26.** All trees in the applicant's Landscape Plan are proposed to be 2-inch caliper (deciduous) or 6 feet in height (coniferous) consistent with the requirements of this subsection. A Condition of Approval will require all trees to be balled and burlapped (B&B), well-branched and typical of their type as described in Current American Association of Nurserymen (AAN) Standards.

Plant Materials-Buildings Larger than 24 Feet in Height or Greater than 50,000 Square Feet in Footprint Area

Subsection 4.176 (.06) C.

- C27.** The proposed building, as shown on Sheet A2.1 (Exhibit B2), is 30.7 feet tall to the top of the roof parapet, which meets the threshold for requiring larger or more mature plant materials as defined by this subsection. However, the proposed building is less than 50,000 square feet in footprint area and the design provides architectural interest by using a variety of materials. In addition, the applicant's Landscape Plans (Sheets L1.01 through L1.04) propose to include numerous trees in the parking area and around the site perimeter that soften views of the building from surrounding areas. It is staff's professional opinion that larger or more mature plant materials are not needed to achieve the intent of this subsection.

Plant Materials-Street Trees

Subsection 4.176 (.06) D.

- C28.** SW Boberg Road is classified as a collector street, requiring 2-inch minimum caliper street trees. The applicant's Landscape Plans (Exhibit B2) show columnar red maple at 2-inch caliper as street trees on SW Boberg Road, which is satisfactory.

Types of Plant Species
Subsection 4.176 (.06) E.

C29. The applicant has provided sufficient information in their Landscape Plans showing the proposed landscape design meets the standards of this subsection.

Tree Credit
Subsection 4.176 (.06) F.

C30. The applicant is not proposing to preserve any trees to be counted as tree credits.

Exceeding Plant Standards
Subsection 4.176 (.06) G.

C31. The selected landscape materials do not violate any height or vision clearance requirements.

Landscape Installation and Maintenance
Subsection 4.176 (.07)

C32. Conditions of Approval ensure that installation and maintenance standards are or will be met including that plant materials be installed to current industry standards and properly staked to ensure survival, and that plants that die are required to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. Notes on the applicant's Sheet L1.02 provide for an irrigation system.

Landscape Plans
Subsection 4.176 (.09)

C33. The applicant's submitted plans provide the required information, and Sheet L1.02 identifies water usage area for site landscaping.

Completion of Landscaping
Subsection 4.176 (.10)

C34. The applicant has not requested to defer installation of plant materials.

Outdoor Lighting

Applicability
Sections 4.199.20 and 4.199.60

C35. An exterior lighting system is being installed for the proposed new development. The Outdoor Lighting standards thus apply.

Outdoor Lighting Zones
Section 4.199.30

C36. The project site is within LZ 2 and the proposed outdoor lighting systems are reviewed under the standards of this lighting zone.

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

C37. The applicant has elected to comply with the Prescriptive Option.

Wattage and Shielding
Subsection 4.199.40 (.01) B. 1.

C38. Based on the applicant’s submitted materials, all wall-mounted luminaires that face away from the property lines include a house side shield and are below 60 lamp watts. A Condition of Approval will ensure that the requirements of the Outdoor Lighting Ordinance are met at the time of building permit issuance.

Table 7: Maximum Wattage And Required Shielding				
Lighting Zone	Fully Shielded	Shielded	Partly Shielded	Unshielded
LZ 2	100	35	39	Low voltage landscape lighting 50 watts or less

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

C39. The applicant is complying with the Oregon Energy Efficiency Specialty Code.

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

C40. All exterior mounted lighting on the building is less than 40 feet high as shown on sheet A2.1 of Exhibit B2. The maximum pole or mounting height complies with Table 8. A Condition of Approval will ensure the requirements of the Outdoor Lighting Ordinance are met at the time of building permit issuance.

Table 8: Maximum Lighting Mounting Height In Feet			
Lighting Zone	Lighting for private drives, driveways, parking, bus stops and other transit facilities	Lighting for walkways, bikeways, plazas and other pedestrian areas	All other lighting
LZ 2	40	18	8

Luminaire Setback

Subsection 4.199.40 (.01) B. 4.

C41. The Phase 1 site is bordered by the same base PDI zoning on the west, north, and east sides, and by the RA-H zone on the south (Walnut Mobile Home Park). The site is bordered by the same lighting zone, LZ 2, on all sides. The three times mounting height setback applies to the south side of Phase 1 site as it abuts a property that is a different base zone. The applicant proposes to locate on-site lighting more than 20 feet from the mobile home park property boundary and provide house side shields on all luminaires that face away from the property lines to protect adjoining property from effects of spillover lighting. A Condition of Approval will ensure the requirements of the Outdoor Lighting Ordinance are met at the time of building permit issuance.

Lighting Curfew

Subsection 4.199.40 (.02) D.

C42. The applicant proposes to route all lighting branch circuits through automatic lighting control and to dim luminaires to 50% after dusk. Integral photocells on each luminaire will activate the luminaires to 100% lumen output upon activation by motion. A Condition of Approval will ensure the lighting curfew requirements are met.

Standards and Submittal Requirements

Sections 4.199.40 and 4.199.50

C43. All required materials have been submitted.

Request D: DB20-0005 Class III Sign Review

Sign Review and Submission

Review Process

Subsection 4.031 (.01) M. and Subsection 4.156.02 (.03)

D1. The application qualifies for Class III Sign Review.

Class III Sign Permits Generally

Subsection 4.156.02 (.06)

D2. The request involves a single tenant in a development subject to Site Design Review, thus requiring Class III Sign Review.

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 requirements for Class III Sign Review, which include the submission requirements of Class II sign permits as follows:

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 Maximum 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 and Waiver Review Criteria

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

D4. As indicated in the Findings in this section, the proposed signs satisfy the sign regulations for the PDI zone 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 and compatible with development within the PDI zone. This includes design and colors reflecting corporate identity, placement of wall signs in recognizable sign bands, and proportionality to the building facades. 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 proposed signs 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. Proposed signs do not conflict with the design or placement of other site elements such as building architecture and landscaping, and attention is paid to the interface between proposed signs and these other site elements.

Site Design Review

Excessive Uniformity, Inappropriate Design
Subsection 4.400 (.01)

D8. With quality materials and design, the proposed signs will not result in excessive uniformity, inappropriateness or poor design, and proper attention has been paid to site development.

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

D9. Signs are scaled and designed appropriately related to the Phase 1 site and appropriate attention has been given to visual appearance. The signs provide reference for the location of the development for local emergency responders and other individuals.

Design Standards and Signs
Subsection 4.421 (.01) and (.02)

D10. There is no indication that the size, location, design, color, texture, lighting or material of the proposed signs will detract from design of the surrounding properties. Design standards have been applied to the proposed signs, as applicable.

Color or Materials Requirements
Subsection 4.421 (.06)

D11. Proposed coloring is appropriate for the signs and no additional requirements are necessary.

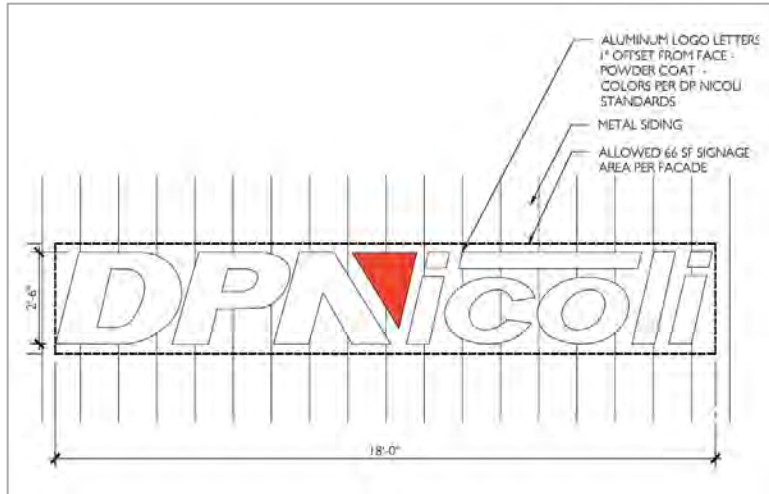
Site Design Review-Procedures and Submittal Requirements
Section 4.440 (.01)

D12. The applicant has submitted the materials required by this section.

Sign Measurement

Measurement of Individual Element Signs, Sign Height and Length
Subsections 4.156.03 (.01) B., 4.156.03 (.02) A. and 4.156 (.03) A. and B.

D13. As shown in the diagram below, the proposed wall signs have been measured using a single rectangular box and comply with the height and length requirements of this subsection.



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

General Allowance
 Subsection 4.156.08 (.01) A.

D14. No freestanding or ground mounted signs are proposed as part of the project.

Building Signs in the PDC, PDI , and PF Zones

Establishing whether Building Facades are Eligible for Signs
 Subsection 4.156.08 (.02) A.

D15. Sign-eligible façades are as follows:

Façade	Sign Eligible	Criteria making sign eligible
North	Yes	Entrance open to general public
East	No	
South	No	
West	Yes	Faces a lot line with frontage on a street, and faces primary parking area for building

Building Sign Area Allowed
 Subsection 4.156.08 (.02) B.

D16. There are 2 proposed building signs, one each on the west and north façades. Length of façade for the proposed single-tenant building is measured at the building line. Allowed sign area is calculated as follows:

Façade	Linear Length	Sign Area Allowed	Area Transferred	Total Sign Area Allowed	Sign Area Proposed
West	76 ft	48 sq ft	18 sq ft (from north façade)	66 sq ft	54 sq ft

North	150 ft	84 sq ft	18 sq ft (to west façade)	66 sq ft	54 sq ft
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Building Sign Length Not to Exceed 75 Percent of Façade Length
 Subsection 4.156.08 (.02) C.

D17. Neither of the proposed signs exceed 75% of the length of the building façade.

Building Sign Height and Sign Types Allowed
 Subsection 4.156.08 (.02) D.

D18. Proposed building signs are within a definable sign band, fascia, or architectural feature, have a definable space between the sign and the top and bottom of the architectural feature, and are wall flat, which is an allowable type.

Request E: DB20-0006 Type C Tree Removal Plan

Type C Tree Removal-General

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

E1. As stated in the applicant’s narrative, it is understood the City has access to the property to verify information regarding trees.

Review Authority
 Subsection 4.610.00 (.03) B.

E2. The requested tree removal is connected to Site Design Review, and, therefore, is being reviewed by the DRB.

Conditions of Approval
 Subsection 4.610.00 (.06) A.

E3. No additional conditions are recommended pursuant to this subsection.

Completion of Operation
 Subsection 4.610.00 (.06) B.

E4. As stated in the applicant’s narrative, it is understood that tree removal will be completed prior to construction of the proposed building, which is a reasonable time frame.

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

E5. 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)

E6. The standards of this subsection are met as follows:

- Standard for the Significant Resource Overlay Zone (SROZ): The proposed tree removal is not within the SROZ.
- Preservation and Conservation: The applicant has taken tree preservation into consideration. The arborist's report identifies 10 trees on the Phase 1 site ranging in diameter at breast height (DBH) from 6 inches to 27 inches. Species include red oak, big leaf maple, hazelnut, and hawthorn. All are in fair or poor condition and have fair or poor structure. Most, except for the red oaks, are tree stump sprouts or have been topped for utility line clearance. Per the arborist's report, preservation and conservation of the trees is not warranted and the applicant proposes removing all of the trees and mitigating their removal by planting 32 trees in landscape areas and 22 trees in stormwater facilities. There are three 16-inch to 24-inch DBH deciduous trees located off-site, north of the Phase 1 site boundary, with drip lines/root zones extending into the subject site. The Tree Maintenance and Protection Plan includes tree protection fencing along the north property boundary at the drip line of these trees to protect them during construction.
- 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 in excess of 50 trees as replacement for the 10 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)

E7. The tree removal plan is being reviewed concurrently with the Stage II Final Plan.

Tree Maintenance and Protection Plan
Section 4.610.40 (.02)

E8. The applicant has submitted the necessary copies of a Tree Maintenance and Protection Plan as shown in Sheet L1.04, Exhibit B2.

Replacement and Mitigation

Tree Replacement Requirement
Subsection 4.620.00 (.01)

E9. Ten (10) trees are proposed for removal and in excess of 50 trees are proposed to be planted on the Phase 1 site, exceeding 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)

E10. Replacement trees will meet, or will meet with Conditions of Approval, the minimum caliper and other replacement requirements.

Replacement Tree Stock Requirements
Subsection 4.620.00 (.04)

E11. The planting notes on the applicant's Landscape Plans (Sheets L1.01 through L1.04 in Exhibit B2) indicate the appropriate quality.

Replacement Trees Locations
Subsection 4.620.00 (.05) A.

E12. The applicant proposes to mitigate all removed trees on site and in appropriate locations for the proposed development.

Protection of Preserved Trees

Tree Protection During Construction
Section 4.620.10

E13. Tree protection is required. All trees required to be protected must be clearly labeled as such, and suitable barriers to protect remaining trees must be erected, maintained, and remain in place until the City authorizes their removal or issues a final certificate of occupancy. A Condition of Approval will ensure the applicable requirements of this section are met.



April 6, 2020

Via Email

David Nicoli
DP Nicoli
19600 SW Cipole Road
Tualatin, OR 97062


Re: Letter to City of Wilsonville Council, Development Review Board, and Staff (dated April 2, 2020), regarding Case Files DB20-0002-0006

Dear Mr. Nicoli:

Thank you for reaching out to communicate your interests and questions regarding the upcoming hearing for your development application with the City of Wilsonville (Case Files DB20-0002-0006). Several factors contributed to the selection of the April 27, 2020, hearing date including ensuring there was adequate time to meet state required notifications and establish appropriate meeting protocols given the State of Emergency and new social distancing requirements to ensure the safety of all involved. At this time, there is no indication there will be an impact to the current scheduled hearing date. Staff shares your interest in eliminating unnecessary delays and is working hard to facilitate the successful approval and completion of your project.

In response to the requests outlined in your letter, I offer the following:

1. The requirement for Development Review Board approval is not merely governed by City code; Oregon land use laws require hearings with adequate public notification and opportunity to participate in the decision-making process. The public hearing date has been scheduled well before the State's 120-day deadline for a decision, which is June 27, 2020. We unfortunately cannot waive the hearing requirement. However, please understand staff are taking the appropriate steps, including establishing remote meeting participation opportunities and communicating with your primary project contact, Tara Lund from CIDA, Inc., to ensure the hearing can occur.
2. Ms. Lund has submitted an application for a grading permit and is in communication with Melissa Gitt of the City's Building Division. Grading plans are already being reviewed simultaneously to the development review process. Staff anticipate the permits can be issued as soon as the public hearing and appeal period are complete

 City of Wilsonville
Exhibit A3 DB20-0002 et seq

(anticipated May 12, 2020). If your design team would like to submit building plans, city staff can certainly begin review on those as well.

3. Construction plans, including public facilities improvements and erosion control measures have also been submitted and are under review by the City's Engineering Division. City staff will be able to provide comments two weeks from today, hopefully sooner. Providing your design engineer addresses all City comments and the plans are in compliance with the City's Public Works Standards, and you can provide us with a performance bond, permit issuance is possible as soon as the public hearing and appeal period are complete (anticipated May 12, 2020).
4. Thank you for providing information to the neighbors regarding the development application, sharing updates since last year's meeting with the neighbors, and for including your contact information to address potential questions. This is a welcome approach, and one that Planning Staff suggested to Ms. Lund in light of the fact that holding a neighborhood meeting with social distancing in place is challenging at this time. This is an Area of Special Concern in the City's Comprehensive Plan, and it is important to ensure the neighbors have up-to-date information. Providing an opportunity to address questions prior to the April 27 hearing, reduces the need for residents to participate in-person and the potential for any need to continue the hearing.

As staff communicated with your project team, we are working hard to offer remote participation opportunities and to provide additional information in the public notification for the hearing given the unusual circumstances. While things are changing quickly during the COVID-19 outbreak, the City continues to provide needed services in a timely, efficient manner. City staff is committed to working with you and your team to see your project succeed while taking extra precautions to facilitate the safety of residents, customers, and staff.

Sincerely,



Miranda Bateschell
Planning Director

cc: City Council
Development Review Board
Bryan Cosgrove, City Manager
Chris Neamtzu, Community Development Director

Date: April 1, 2020

To: The Mayor, City Council, Planning Commission, and Staff.

My name is David Nicoli, President and owner of D P Nicoli, Inc. I am working towards a permit for a new building in Wilsonville. As you may well know, the permitting process takes time. The project has already been delayed once due to the pandemic, and it is certainly going to be delayed again unless the city acts now.

This last couple of weeks I have seen extraordinary action by our government to eliminate red tape to get things done at light speed. I am asking the Mayor, City Council, and Wilsonville Staff to make common sense decisions to eliminate red tape and support local development in order to help maintain the economic viability of our small business community. It's important to get jobs up and going as fast as possible once we get moving again. We cannot do that until we get permits. The planning commission has already moved my date out once and may end up delaying it further if unable to meet quorum. Many of us are working from home and are proceeding to get ready to start construction as soon as the government says we can work. Some construction hasn't been shut down and we want to keep these jobs going. I am asking for the following:

1. Waive the requirement for planning commission approval and let the staff give conditional approval. This can save weeks and maybe months. The hearing was originally scheduled for April 13th and is now postponed to April 27th, with possible additional delays depending on quorum. This delay may be a short time to City Staff but to a building project it can mean hundreds of thousands of dollars, possible cancelation and thousands of jobs. It's not a reach to say someone on the planning commission will get sick or the meeting may be canceled in order to maintain social distancing. Let's face it many times the planning commission is a formality, based on Staff recommendations. Please waive this red tape to keep things moving.
2. Currently City rules will not allow us to submit constructions drawings for the building structure until planning commission approval. It can take up to 90 days and more for this process. With the delay in the hearing, this requirement is adding even more delay in our ability to construct the building. Please waive this rule. The drawings are ready for submittal and this waiver could save weeks if not months. The drawings could be approved concurrently and ready simultaneously. This very small request could save weeks or months.
3. Currently permit approval for any work in the public right of way must be issued first, prior to any other permit approvals. Please waive this rule so we can start excavation. Our excavation permit was submitted on March 3rd and we believe that we should be able to complete the review process by the end of April. The Public right of way plans were submitted March 12. We are hopeful that these could also be approved by end of April. However, we have yet to receive comments on either – the public works permitting is more complex, and usually takes longer, so this could save weeks. There again this is not a huge request.
4. While it is not a rule the Planning Department encourages us to have a meeting with neighbors to fill them in on what is going on. Under these circumstances and considering our neighbors are mostly elderly people this requirement is not possible. We have agreed to mail them and update with a phone number to call. I hope we can all understand.

It's no small task to comprehend the current market conditions under this unprecedented pandemic. Trying to navigate my company through these trying times presents various obstacles. Most importantly, I'm trying to protect my employees by maintaining social distances, providing the opportunity for employees to work remotely, and preparing to support people through quarantine and this pandemic. My hope is to eliminate unnecessary delays that are predictable so we can try to anticipate and plan for the unexpected. I am not asking for anything except waiving some bureaucratic and administrative procedures that will likely face further delays in this environment.

Thank you for your consideration.

All the Best and Stay Safe

David Nicoli

Exhibit C1
Public Works Plan Submittal Requirements
and Other Engineering Requirements

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:

Coverage (<i>Aggregate, except where noted</i>)	Limit
<u>Commercial General Liability:</u>	
▪ 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
<u>Business Automobile Liability Insurance:</u>	
▪ Each Occurrence	\$1,000,000
▪ Aggregate	\$2,000,000
<u>Workers Compensation Insurance</u>	\$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 Public Works 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 invert elevations at all utility crossings; include laterals in profile view or provide table with invert elevations 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 Republic Services 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.
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.



April 7, 2020

Attn: Gavin Russell, Project Manager
CIDA / Architecture / Engineering / Planning / Interiors
15895 SW 72nd Ave, Suite 200
Portland, Oregon 97224

RE: ***DP Nicoli Building
Access Driveways Spacing Standard
Request for Waiver***

Dear Mr. Russell,

This letter is in response to your request for approval of a waiver of the requirements for driveway spacing and drive aisle access length with the proposed 11,476 S.F. DP Nicoli Building project fronting SW Boberg Street.

In the information provided in your attached letter, January 17, 2020, you have requested waiver to access driveway spacing standard on SW Boberg Road (Public Works Standards Section 201.2.23.g).


After reviewing the information provided, engineering is in agreement with the recommendation to grant waiver for the driveway spacing standard. This waiver recommendation will be forwarded to the Development Review Board (DRB). Irrespective of the Staff recommendation to waive these requirements, the DRB may determine that these standards be met and make a recommendation or decision independent of this recommendation. A copy of this letter is being forwarded to the Planning Division and will be entered into the Record.

Sincerely,

A handwritten signature in black ink that reads "Khoi Q. Le".

Khoi Q. Le, PE
Development Engineering Manager

cc: Miranda Bateschell, Planning Director

 City of Wilsonville
Exhibit C2 DB20-0002 et seq



4/13/2020

Cindy Luxhoj
AICP, Associate Planner
luxhoj@ci.wilsonville.or.us

**RE: DP Nicoli Industrial Building
28370 SW Boberg Rd.
DB20-0002**

Cindy,

After the review of the proposed land use application for the DP Nicoli development project, the following comments are presented. There may be more comments when the 100% building plan is submitted to the City's Building Department, but for now, we will provide the following comments from The City's Building Department, Public Works Department (pretreatment), and Tualatin Valley Fire and Rescue for the Planning Departments conditions of approval:

Building Conditions of Approval:

1. The City's Building Department has received and approved the grading permit for the DP Nicoli project, and received the building permit application. We are currently processing fees and the permit staff are entering the project into the City's permitting system before routing on to the plan review staff.
2. Building Envelope Requirements. To demonstrate compliance with Part I of the energy code, construction documents shall include the Oregon Zero Energy Ready Compliance Forms. As part of the States Building Codes website, you can find the COMcheck and ZERO Code Calculator reports, required to complete the form. Here is a link to the website where you can obtain a read only version to the ASHRAE 90.1 Standard and all forms mentioned in the text above; <https://www.oregon.gov/bcd/codes-stand/Pages/energy-efficiency.aspx> ideally you will provide these forms at time of permit submittal.
3. The Building Official requires Interceptors, Clarifiers or Separators including grease, oil, sand, or solids where they are necessary for the proper handling of liquid wastes containing grease, flammable wastes, sand, solids, acid or alkaline substances, or other ingredients harmful to the building drainage system. If you connect the wash bay to the sanitary sewer and discharge any of the above mentioned substances to the sanitary sewer you may be required to install an interceptor, clarifier, or separator.



City of Wilsonville
Exhibit C3 DB20-0002 et seq

CITY OF WILSONVILLE • COMMUNITY DEVELOPMENT • BUILDING DIVISION

Phone 503-682-4960
Inspection Line 503-682-4159

29799 SW Town Center Loop East
Wilsonville, OR 97070

www.ci.wilsonville.or.us/building
building@ci.wilsonville.or.us

PW Pretreatment Conditions of Approval:

1. Wash Bay. The City's Pretreatment Coordinator, Mia Pan, spoke with the manufacture of the closed-loop wash bay system to clarify how the system works. The manufacture replied that the system would require some daily/ weekly maintenance depending on the frequency of use. He also mentioned that sometimes facilities have the wash bay connected to the sanitary sewer. It is unclear if DP Nicoli intends to have their wash bay connected to the sanitary sewer. If the wash bay connects to the sanitary sewer, then a completed BMP agreement is necessary to ensure the system is functioning properly (checking pH meters, various filters, hauled waste manifest). If the intent is NOT to connect the wash bay to the sanitary sewer then the owner will be required to submit an annual no discharge certification with the City's Pretreatment Coordinator, Mia Pan at mpan@ci.wilsonville.or.us or (503)570-1551.

TVF&R Conditions of Approval:

FIRE APPARATUS ACCESS:

1. 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)
2. FIRE ACCESS ROADS FOR NON-BUILDING FACILITIES: Fire apparatus access is required for uses at fixed locations that are deemed as being a "facility" by the Fire Marshal. A "facility" includes exterior storage, processing or filling areas for flammable and combustible substances and hazardous materials; piers and wharves; recreational vehicle, mobile home and manufactured housing parks, sales and storage lots; permanent outdoor assembly venues for gatherings exceeding 1,000 persons; and similar uses. Access to facilities may be modified by the Fire Marshal in accordance with OFC 104.8 based on the specific use, frequency, location and other site conditions. (OFC 503.1.1)
3. 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)
4. FIRE APPARATUS ACCESS ROAD EXCEPTION FOR AUTOMATIC SPRINKLER PROTECTION: When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access may be modified as approved by the Fire Marshal. (OFC 503.1.1)
5. ADDITIONAL ACCESS ROADS – COMMERCIAL/INDUSTRIAL HEIGHT: Buildings exceeding 30 feet in height or three stories in height shall have at least two separate means of fire apparatus access. (D104.1)
6. AERIAL FIRE APPARATUS ROADS: Buildings with a vertical distance between the grade plane and the highest roof surface that exceeds 30 feet in height shall be provided with a fire apparatus access road constructed for use by aerial apparatus with an unobstructed driving surface width of not less than 26 feet. For the purposes of this section, the highest roof surface shall be determined by measurement

to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of the parapet walls, whichever is greater. Any portion of the building may be used for this measurement, provided that it is accessible to firefighters and is capable of supporting ground ladder placement. (OFC D105.1, D105.2)

7. AERIAL APPARATUS OPERATIONS: At least one of the required aerial access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial access road is positioned shall be approved by the Fire Marshal. Overhead utility and power lines shall not be located over the aerial access road or between the aerial access road and the building. (D105.3, D105.4)
8. 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)
9. PAINTED CURBS: Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3)
10. FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS: Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet and shall extend 20 feet before and after the point of the hydrant. (OFC D103.1)
11. 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)
12. 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)
13. AERIAL APPARATUS OPERATING GRADES: Portions of aerial apparatus roads that will be used for aerial operations shall be as flat as possible. Front to rear and side to side maximum slope shall not exceed 10%.
14. GATES: Gates securing fire apparatus roads shall comply with all of the following (OFC D103.5, and 503.6):
 1. Minimum unobstructed width shall be not less than 20 feet (or the required roadway surface width).
 2. Gates shall be set back at minimum of 30 feet from the intersecting roadway or as approved.
 3. Electric gates shall be equipped with a means for operation by fire department personnel
 4. Electric automatic gates shall comply with ASTM F 2200 and UL 325.
15. 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:

16. **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
17. **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)
18. **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:

19. **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.
20. **PRIVATE FIRE HYDRANT IDENTIFICATION:** Private fire hydrants shall be painted red in color. Exception: Private fire hydrants within the City of Tualatin shall be yellow in color. (OFC 507)
21. **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)

BUILDING ACCESS AND FIRE SERVICE FEATURES

22. **KNOX BOX:** A Knox Box for building access may be required for structures and gates. See Appendix B for further information and detail on required installations. Order via www.tvfr.com or contact TVF&R for assistance and instructions regarding installation and placement. (OFC 506.1)
23. **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)

Respectfully submitted,

Melissa Gitt
Building Inspector/Plans Examiner Lead
Direct: (503) 570-1537

STAFF CONTACTS:

Building – Melissa Gitt, gitt@ci.wilsonville.or.us (503) 570-1537
Tualatin Valley Fire and Rescue – Jason Arn, Jason.arn@tvfr.com (503) 259-1510
Public Works, pre-treatment – Mia Pan, mpan@ci.wilsonville.or.us (503) 570-1551

USEFUL INFORMATION:

Oregon Structural Specialty Code: https://codes.iccsafe.org/content/document/1018?site_type=public
Wilsonville Development Code: <https://www.ci.wilsonville.or.us/planning/page/development-code>
Wilsonville Online Forms & Applications: <https://www.ci.wilsonville.or.us/forms>

March 24, 2020

Cindy Luxhoj
AICP, Associate Planner
City of Wilsonville
29799 SW Town Center Loop East
Wilsonville, OR 97070

**Re: DP Nicoli Pacific, Industrial building and storage yard.
Tax Lot I.D: 31W14A00 500 & 300**

Cindy,

Thank you for the opportunity to review the proposed land use application surrounding the above-named development project. These notes are provided regarding the request for comment received **March 10, 2020**. 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:

1. **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)
2. **FIRE ACCESS ROADS FOR NON-BUILDING FACILITIES:** Fire apparatus access is required for uses at fixed locations that are deemed as being a "facility" by the Fire Marshal. A "facility" includes exterior storage, processing or filling areas for flammable and combustible substances and hazardous materials; piers and wharves; recreational vehicle, mobile home and manufactured housing parks, sales and storage lots; permanent outdoor assembly venues for gatherings exceeding 1,000 persons; and similar uses. Access to facilities may be modified by the Fire Marshal in accordance with OFC 104.8 based on the specific use, frequency, location and other site conditions. (OFC 503.1.1)
3. **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)
4. **FIRE APPARATUS ACCESS ROAD EXCEPTION FOR AUTOMATIC SPRINKLER PROTECTION:** When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access may be modified as approved by the Fire Marshal. (OFC 503.1.1)
5. **ADDITIONAL ACCESS ROADS – COMMERCIAL/INDUSTRIAL HEIGHT:** Buildings exceeding 30 feet in height or three stories in height shall have at least two separate means of fire apparatus access. (D104.1)



6. **AERIAL FIRE APPARATUS ROADS:** Buildings with a vertical distance between the grade plane and the highest roof surface that exceeds 30 feet in height shall be provided with a fire apparatus access road constructed for use by aerial apparatus with an unobstructed driving surface width of not less than 26 feet. For the purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of the parapet walls, whichever is greater. Any portion of the building may be used for this measurement, provided that it is accessible to firefighters and is capable of supporting ground ladder placement. (OFC D105.1, D105.2)
7. **AERIAL APPARATUS OPERATIONS:** At least one of the required aerial access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial access road is positioned shall be approved by the Fire Marshal. Overhead utility and power lines shall not be located over the aerial access road or between the aerial access road and the building. (D105.3, D105.4)
8. **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)
9. **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3)
10. **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet and shall extend 20 feet before and after the point of the hydrant. (OFC D103.1)
11. **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)
12. **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)
13. **AERIAL APPARATUS OPERATING GRADES:** Portions of aerial apparatus roads that will be used for aerial operations shall be as flat as possible. Front to rear and side to side maximum slope shall not exceed 10%.
14. **GATES:** Gates securing fire apparatus roads shall comply with all of the following (OFC D103.5, and 503.6):
 1. Minimum unobstructed width shall be not less than 20 feet (or the required roadway surface width).
 2. Gates shall be set back at minimum of 30 feet from the intersecting roadway or as approved.
 3. Electric gates shall be equipped with a means for operation by fire department personnel
 4. Electric automatic gates shall comply with ASTM F 2200 and UL 325.
15. **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:

16. **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

17. **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)
18. **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:

19. **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.
20. **PRIVATE FIRE HYDRANT IDENTIFICATION:** Private fire hydrants shall be painted red in color. Exception: Private fire hydrants within the City of Tualatin shall be yellow in color. (OFC 507)
21. **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)

BUILDING ACCESS AND FIRE SERVICE FEATURES

22. **KNOX BOX:** A Knox Box for building access may be required for structures and gates. See Appendix B for further information and detail on required installations. Order via www.tvfr.com or contact TVF&R for assistance and instructions regarding installation and placement. (OFC 506.1)
23. **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 **503-519-1057**.

Sincerely,

Jason Arn

Jason Arn
Deputy Fire Marshal II

Email jason.arn@tvfr.com

Cc: File

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

MONDAY, APRIL 27, 2020

6:30 PM

VII. Board Member Communications:

A. Recent City Council Action Minutes

City Council Special Meeting Action Minutes
February 18, 2020

City Council members present included:

Mayor Knapp
Council President Akervall
Councilor Lehan
Councilor West

Councilor Linville

Staff present included:

Bryan Cosgrove, City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder

AGENDA ITEM	ACTIONS
SPECIAL MEETING	
<u>Continuing Business</u>	
<p>A. <u>Ordinance No. 840</u> An Ordinance Of The City Of Wilsonville Authorizing The Preparation, Submittal, And Publication Of Explanatory Statements For Voters' Pamphlets; And Declaring An Emergency.</p>	Ordinance No. 840 was adopted on second reading by a vote of 5-0.
<u>City Manager's Business</u>	Reminded that the Council meets again on Thursday, February 20, 2020, with the Work Session starting at 6:00 p.m.
<u>Legal Business</u>	No report.
ADJOURN	7:37 p.m.

City Council Meeting Action Minutes
February 20, 2020

City Council members present included:

Mayor Knapp
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

Kimberly Veliz, City Recorder
Jeanna Troha, Assistant City Manager
Chris Neamtzu, Community Develop. Director
Cathy Rodocker, Finance Director
Keith Katko, Finance Director
Mike Nacrelli, Civil Engineer
Miranda Bateschell, Planning Director
Pat Duke, Library Director
Zach Weigel, Capital Projects Engineer Manager
Dan Pauly, Planning Manager

Staff present included:

Bryan Cosgrove, City Manager
Barbara Jacobson, City Attorney

AGENDA ITEM	ACTIONS
WORK SESSION	
A. Update On Library Strategic Plan	Council heard an overview on the upcoming Library Strategic Plan.
B. Residential Code Modernization	Staff presented on the Residential Zoning Modernization Project. Council requested that staff return to the next Work Session for further discussion.
REGULAR MEETING	
<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. <u>Resolution No. 2777</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With K&E Excavating, Inc. For The French Prairie Road Phase II Project (Capital Improvement Project #2500/4500/7500).	The Consent Agenda was approved 5-0.
<u>Public Hearing</u>	
A. <u>Resolution No. 2788</u> A Resolution Of The City Of Wilsonville Establishing And Imposing Just And Equitable User Fees For The City Water System; Amending Resolution Nos. 1624 And 2447; And Repealing Resolution Nos. 1713, 1829, 1957, And 2204.	After a public hearing was conducted, Resolution No. 2788 was approved by a vote of 5-0.

<p>B. <u>Resolution No. 2789</u> A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2019-20.</p>	<p>After a public hearing was conducted, Resolution No. 2789 was approved by a vote of 5-0.</p>
<p><u>City Manager's Business</u></p>	<p>Reported that ODOT signed a contract for the Boone Bridge retrofit study.</p> <p>Announced that the City is working with School District on the possibility of the two agencies co-sponsoring and hosting the World Outdoor Track and Field events.</p>
<p><u>Legal Business</u></p>	<p>No report.</p>
<p>ADJOURN</p>	<p>8:45 p.m.</p>

City Council Meeting Action Minutes
March 2, 2020

City Council members present included:

Mayor Knapp
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

Chris Neamtzu, Community Develop. Director
Cathy Rodocker, Finance Director
Keith Katko, Assistant Finance Director
Mark Ottenad, Public/Government Affairs Director
Miranda Bateschell, Planning Director
Zoe Monahan, Assistant to the City Manager
Dan Pauly, Planning Manager
Zach Weigel, Capital Projects Engineering Manager
Kimberly Rybold, Senior Planner
Martin Montalvo, PW Operations Manager
Bill Evans, Communications & Marketing Manager
Rob Wurpes, Chief of Police

Staff present included:

Bryan Cosgrove, City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Jeanna Troha, Assistant City Manager

AGENDA ITEM	ACTIONS
WORK SESSION	
A. Residential Code Modernization	Council and staff discussed efforts to modernize the residential zoning standards.
B. Equitable Housing Strategic Plan	Council provided guidance for staff to update the draft Equitable Housing Strategic plan for continued discussion.
C. Coronavirus	Staff provided a summary of actions and protocols in place to safeguard staff and the community from the coronavirus.
REGULAR MEETING	
<u>Mayor's Business</u>	
A. State of the City Address	The Mayor presented the 2020 State of the City Address.
B. League of Women Voters Month Proclamation	The Mayor read a proclamation declaring the month of March as League of Women Voters Month.
C. Appointment	<u>Tourism Promotion Committee</u> Appointment of Rohit Sharma to the Tourism Promotion Committee, Position 1 for a term beginning 3/2/20 to 6/30/22. Passed 5-0.
<u>Consent Agenda</u>	
A. <u>Resolution No. 2793</u> A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Autumn Park Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.	The Consent Agenda was approved 5-0.

<p>B. <u>Resolution No. 2794</u> A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Charleston Apartments, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.</p> <p>C. <u>Resolution No. 2795</u> A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Creekside Woods LP, A Low-Income Apartment Development Owned And Operated By Northwest Housing Alternatives, Inc.</p> <p>D. <u>Resolution No. 2796</u> A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Rain Garden Limited Partnership, A Low-Income Apartment Development Owned And Operated By Caritas Community Housing Corporation.</p> <p>E. <u>Resolution No. 2797</u> A Resolution Granting An Exemption From Property Taxes Under ORS 307.540 To ORS 307.548 For Wiedemann Park, A Low-Income Apartment Development Owned And Operated By Accessible Living, Inc.</p>	
<p><u>City Manager's Business</u></p>	<p>Reported that a joint meeting between the West Linn-Wilsonville School District and City Council is scheduled for April.</p>
<p><u>Legal Business</u></p>	<p>Announced that Kinder Morgan is close to completing the automatic shut off valve installation.</p>
<p>ADJOURN</p>	<p>8:29 p.m.</p>

City Council Meeting Action Minutes
March 16, 2020

City Council members present included:

Mayor Knapp
Council President Akervall
Councilor Lehan
Councilor West
Councilor Linville

Kimberly Veliz, City Recorder
Jordan Vance, Economic Development Director
Mike Nacrelli, Civil Engineer
Dan Carlson, Building Official
Dan Pauly, Planning Manager
Zach Weigel, Capital Projects Engineering Manager
Martin Montalvo, Public Work Operations Manager
Beth Wolf, Information Systems Analyst
Andy Stone, IT Director

Staff present included:

Bryan Cosgrove, City Manager
Barbara Jacobson, City Attorney

AGENDA ITEM	ACTIONS
WORK SESSION	
A. Town Center Implementation Update	Staff updated Council on the timing for upcoming Town Center Plan implementation actions, and sought direction on components of the plan.
B. I-5 Pedestrian Bridge and Gateway Plaza	Council provide staff feedback on guiding features for the design principles.
C. Adoption of Building Permit Fees	Staff presented on Resolution No. 2802, which approves the building, mechanical and plumbing permit fee schedules, and repeals Resolution No. 2780.
D. Alternative Contracting Method Water Treatment Plant Expansion	Council was informed of Resolution No 2801, which authorizes the use of a construction manager and/or general contractor alternative contracting method for the Water Treatment Plant expansion project.
<u>Mayor's Business</u>	
A. <u>Resolution No. 2803</u> A Resolution And Order Declaring A Local State Of Emergency And Authorizing Emergency Measures.	Resolution No. 2803 was adopted 5-0.
B. Elect Council President	Councilor Akervall was reappointed as Council President with a term ending December 2020. Passed 5-0.
C. Upcoming Meetings	Mayor Knapp announced that due to the Coronavirus and the need for social distancing many upcoming meetings have been cancelled or postponed.

<u>Communications</u> A. Get Moving 2020 Transportation Measure Briefing.	Metro Councilor Dirksen presented on the Get Moving 2020 Transportation Measure.
<u>Consent Agenda</u> A. <u>Resolution No. 2799</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With McClure And Sons, Inc. For The Memorial Park Lift Station Project (Capital Improvement Project #2065).	The Consent Agenda was approved 5-0.
<u>New Business</u> A. <u>Resolution No. 2782</u> A Resolution Of The City Of Wilsonville Supporting A 2040 Planning And Development Grant Application To Metro For Frog Pond East And South Master Planning And Related Work	Resolution No. 2782 was adopted 5-0.
<u>Public Hearing</u> A. <u>Resolution No. 2801</u> A Resolution Of The City Of Wilsonville Authorizing The Use Of A Construction Manager / General Contractor (CMGC) Alternative Contracting Method For The Water Treatment Plant (WTP) Expansion Project (Capital Improvement Project #1144). B. <u>Resolution No. 2802</u> A Resolution Of The City Of Wilsonville Approving Building Permit Fee Schedule, Mechanical Permit Fee Schedule, And Plumbing Permit Fee Schedule, And Repealing Resolution No. 2780.	After a public hearing was conducted, Resolution No. 2801 was approved by a vote of 5-0. After a public hearing was conducted, Resolution No. 2802 was approved by a vote of 5-0.
<u>City Manager's Business</u>	Recapped Governor Kate Brown's new orders on social distancing measures, effective March 17, 2020 for at least four weeks. Provided information on the Neighborhood Tree Planting event being held by the Friends of Trees.
<u>Legal Business</u>	No report.
ADJOURN	8:57 p.m.