



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

Monday, September 28, 2020 - 6:30 P.M.

- I. Call to order:
- II. Chairman's Remarks:
- III. Roll Call:
 - Richard Martens
 - Shawn O'Neil
 - Samy Nada
 - Ellie Schroeder
 - Nicole Hendrix
- IV. Citizens' Input:
- V. Consent Agenda:
 - A. Approval of minutes of the August 24, 2020 DRB Panel B meeting
- VI. Public Hearings:
 - A. **Resolution No. 382. Magnolia 6-Unit Townhome Development: Base Design + Architecture, LLC. – Applicant for Hillebrand Construction, Inc. – Owner.** The applicant is requesting approval of a Stage II Final Plan, Site Design Review, and Type C Tree Removal Plan for development of a 6-unit townhome development. The site is located at 30535 SW Magnolia Avenue on Tax Lot 2101 of Section 23AB, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Cindy Luxhoj

Case Files:	DB19-0047	Stage II Final Plan
	DB19-0048	Site Design Review
	DB19-0049	Type C Tree Removal Plan

This item was continued to this date and time certain at the August 24, 2020 DRB Panel B meeting.

B. Resolution No. 383. Coffee Creek Logistics Center: Lee Leighton, AICP, Mackenzie – Applicant’s Representative for Panattoni Development Company – Applicant and Chris and Sonya Bickford – Owners. The applicant is requesting approval of a Stage I Preliminary Plan, Stage II Final Plan, Site Design Review, Waivers, Class 3 Sign Permit and Type C Tree Removal Plan for development of a 110,366 square foot warehouse / manufacturing building with accessory office space on SW Clutter Street. The subject site is located on Tax Lot 2100 of Section 3D, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon. Staff: Philip Bradford

Case Files:	DB20-0019	Stage I Preliminary Plan
	DB20-0020	Stage II Final Plan
	DB20-0021	Site Design Review
	DB20-0022	Waivers
	DB20-0023	Class 3 Sign Permit
	DB20-0024	Type C Tree Removal Plan

VII. Board Member Communications:

- A. Results of the August 31, 2020 DRB Panel A Special meeting
- B. 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

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

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

I. Call to Order

Chair **Samy Nada** called the meeting to order at 6:32 p.m.

II. Chair’s Remarks

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

III. Roll Call

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

Staff present: Daniel Pauly, Barbara Jacobson, Miranda Bateschell, Kimberly Rybold, Khoi Le, Cindy Luxhoj, Melissa Gitt, and Shelley White

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

V. Consent Agenda:

A. Approval of minutes of July 27, 2020 DRB Panel B meeting

Nicole Hendrix moved to approve the July 27, 2020 DRB Panel B meeting minutes as presented. Ellie Schroeder seconded the motion, which passed unanimously.

VI. Public Hearing:

A. Resolution No. 382. Magnolia 6-Unit Townhome Development: Base Design + Architecture, LLC. – Applicant for Hillebrand Construction, Inc. – Owner. The applicant is requesting approval of a Stage II Final Plan, Site Design Review, and Type C Tree Removal Plan for development of a 6-unit townhome development. The site is located at 30535 SW Magnolia Avenue on Tax Lot 2101 of Section 23AB, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Cindy Luxhoj

Case Files:	DB19-0047	Stage II Final Plan
	DB19-0048	Site Design Review
	DB19-0049	Type C Tree Removal Plan

Chair Nada called the public hearing to order at 6:39 p.m. and read the conduct of hearing format into the record. All Board members declared for the record that they had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Daniel Pauly, Planning Manager, introduced the application, noting that these sorts of applications were often pretty difficult for a Board to consider as there was a lot to weigh. Staff acknowledged that any time work was done around people's homes or changes were made to long-established neighborhoods, it could be sensitive. Staff had also acknowledged that with the Applicant while working with them throughout the process. Staff had encouraged the Applicant to have a neighborhood meeting during the preconstruction meeting, which was not required by Code, and they did where they acquired some information from the neighborhood.

- Some legal guardrails were more sensitive when dealing with housing than other development, especially with regard to the term "clear and objective" criteria. Much of the housing reviewed by the City was considered needed housing under State law, so the review was limited to applying criteria that were considered clear and objective, which fell into two categories. Some criteria were easily categorized as clear and objective, such as building height, traffic standards, parking requirements, etc. because the requirement was objective; the criterion was either met or not. Others were more ~~complicated~~ and subjective, such as design criteria. For the City to maintain compliance with State law, such subjective criteria ~~they~~ must be applied in a clear and objective manner. It essentially became a simple yes or no question of whether the Applicant provided evidence that the criteria standards had been met, rather than a spectrum of whether or not it met a certain ideal or interpretation of those standards. The Code needed to be applied in a manner that did not unnecessarily increase the cost or time to construct the project, did not make the project unfeasible, and was otherwise allowed by Code. This all must be considered when dealing with housing.
- There had been a trend, in State law in particular, to make housing standards more clear and objective and to limit the amount of subjective review of housing over time. That said, some of the standards being applied today, or the manner in which they were applied, was different than what may have been applied to Old Town prior to some of the most recent laws.

Shawn O'Neil understood Mr. Pauly to say he was giving legal advice, asked if he was speaking as the City Attorney, and declared that he was uncomfortable with Mr. Pauly communicating that that was how the Board should assess tonight's application. He asked Mr. Pauly if he or his predecessor had met with the Old Town Neighborhood Association (OTNA), as had been promised six years ago, and what, if any, progress the City had made to work with that neighborhood to come up with some parameters.

Mr. Pauly explained that his was advice that land use planners would give. He was just clarifying the Planning Staff's experience, adding he had spoken with the City Attorney about all of it ahead of time. He was not an attorney and was not giving legal advice, but as a land use planner, he was giving the Board the details of the criteria that applied in these scenarios. In

terms of standards, Ordinance No. 810 adopted the Old Town Design Standards. Staff had worked with the neighborhood to apply those standards in certain circumstances, such as when pulling a building permit with no public review. The entire time, it had been understood that there was a path in which an applicant was either required or had an option to go through the DRB process and apply standards that showed precedence or of a modern interpretation of architecture from the designated timeframe. Staff had done and implemented that, and had issued permits based on those design guidelines. However, none of that was applicable to the present application as it was classified as a multi-family development.

Mr. O'Neil asked if Board members were prohibited from voting against the proposed development if they believed it was better suited elsewhere in the city because the law established a requirement that the development would have to go in Old Town. He said he wanted clarification about what he could and could not do as far as his decision-making this evening.

Mr. Pauly replied the Board did not make policy, so had no ability to change law. The Board had to apply the law as it existed today, which included the zoning allowance, which consisted of a spectrum of minimum to maximum density that was applied to each parcel. The law on the books on the date an application was applied for was the law that applied. In that sense, the Board did not have the authority to change the number of units allowed on a property.

Mr. O'Neil asked if the Board could review how the volume of parking and other aspects of a development would impact the community and its living situation.

Mr. Pauly responded only as established in clear and objective criteria.

Mr. O'Neil stated that he planned to do that.

Miranda Bateschell, Planning Director, clarified the Old Town ordinance that addressed design standards would not apply tonight because the current application was for multi-family. However, there had been a long process that engaged the community, including a number of work sessions and stakeholder interviews conducted by Mr. Pauly with members of that neighborhood, who had been involved in the prior conversation requesting that Staff proceed with those standards. Many of those community members had been present at the hearing when it was adopted.

Cindy Luxhoj, Associate Planner, announced that the criteria applicable to the application were stated on page 2 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room.

Ms. Luxhoj presented the Staff report via PowerPoint, reviewing the site's location and background, and describing the Applicant's requested application with these key comments:

- The subject .37 acre site was vacant, as the prior single-family residence had been demolished approximately ten years ago. Surrounding land uses included single-family residential to the south and west and multi-family residential to the north and east.
 - The project site was subject to several land use designations, being designated multi-family, including townhomes, apartments and condominiums, in the Wilsonville Square 76 Master Plan and residential with 16 to 20 units per acre in the Comprehensive Plan. (Slide 4) The site was also included in Area of Special Concern F and located in the Boones Ferry District of Wilsonville's Old Town Neighborhood Plan and subject to the Old Town Overlay Zone. The property is zoned Planned Development Commercial (PDC).
- The Applicant proposed development of six town homes in two, three-story buildings, with three units each, on the site. The proposed density was approximately 16.2 dwelling units per acre, the low end of the 16-20 units per acre designated in the Comprehensive Plan and consistent with the multi-family designation in the Wilsonville Square 76 Master Plan.
 - Design of the site went through several iterations in response to concerns of neighboring residents and the larger Old Town neighborhood about off-street parking, density, building height, privacy, and architecture and to address overall compatibility of development with the Old Town neighborhood aesthetic.
 - The Applicant considered the unique location of the site as a transition point for multi-family development on the north and east to single family homes on the west and south. The project was designed to create a multi-family use compatible with the apartments to the north while being at a scale and with an architectural aesthetic that visually emulated, with a modern interpretation, individual single-family homes to the south.
- Noticing. The proper noticing was followed for the application and included the clarification of background information about the project, outlined adaptations for the hearing process, and provided testimony adopted by the City in response to the Covid-19 pandemic.
 - In addition, the Applicant voluntarily held a neighborhood meeting on October 29, 2019 to provide opportunity for Old Town neighborhood residents to comment on the proposed project. Participants included two representatives of the Old Town Neighborhood Association, as well as other residents of the neighborhood. Key concerns raised during the meeting were off-street parking, project density, building height, privacy, and architecture. The Applicant addressed these concerns in the design of the project.
 - Six comment letters were received in response to the public notice. The letters were included in the Staff report as Exhibits D1-D6. Key concerns raised included traffic congestion, safety, parking, adequacy of services and utilities, consistency with the Old Town Plan and Neighborhood Guidelines, historical context, height, building mass, privacy, tree removal, and property values. Those concerns were addressed in the Summary and Discussion Points sections of the DRB Staff report, as well as in the Findings for each request. Only one neighbor who submitted a letter attended the neighborhood meeting that was held by the Applicant.
 - Specific to construction, traffic, and noise, the location of the property presented some challenges. SW Magnolia Ave dead-ended into a cul-de-sac with no other access to the

site other than through an easement from the apartments to the east and north. Careful attention would need to be paid to the timing of construction traffic and hours during which noise was generated to mitigate and minimize the impacts on nearby residents and along SW Magnolia Ave and 5th St. The Applicant was aware of the concerns and was committed to being respectful during the construction process.

- Stage II Final Plan. The subject property was included in the Wilsonville Square 76 Master Plan, which was an amendment to the original 1971 Comprehensive Plan for 33 acres at the southwest quadrant of the Wilsonville Rd/I-5 interchange. Wilsonville Square 76 was approved in 1976 with land designated for primarily commercial development and a small area of multi-family residential use. Land uses proposed at that time included General, Commercial, Travelers Retail, Service Shops, Retail Equipment, and Multi-Family. Since 1976 the Wilsonville Square 76 area has developed with a range of uses that included multi-family housing, a church, the Fred Meyer Old Town Square retail development, and Wilsonville Subaru. Correct capitalization, titles in slide notes
 - The subject property was designated for multi-family and the only remaining, undeveloped part of the Wilsonville Square 76 area. The proposed townhome development on the vacant site was consistent with the designated multi-family use in the Wilsonville Square 76 Master Plan. (Slide 7)
 - In addition to the Wilsonville Square 76 Master Plan, other planning efforts had added additional land use designations to the area and subject site. The proposed development on the site, as demonstrated in the Staff report findings, was consistent with those designations.
 - According to the traffic memorandum prepared by DKS Associates, the project was estimated to generate five vehicle trips during the PM Peak Hour with four trips going through the SW Wilsonville Rd/I-5 interchange. The low volume of traffic would not significantly impact nearby intersections and therefore, did not require any improvements. The Traffic Study did not identify any concerns with sight distance, and found that the proposed drive aisle provided a sufficient internal circulation and access to the six townhomes.
 - The site had minimal frontage on SW Magnolia Ave, which would be occupied by a portion of the driveway; therefore, no frontage improvements were required. The remainder of the driveway was in an easement granted by the neighboring apartment project, and access was consistent with the City's Transportation System Plan and Public Works Standards.
 - Twelve parking spaces were provided to address neighbors' concerns regarding on-street parking near their homes, double the required minimum. Garages and driveways were of sufficient size for each townhome and satisfied minimum requirements.
 - Townhome entries had individual hardscape pedestrian access from the driveway that was clearly delineated. A pathway between the townhome buildings would facilitate direct pedestrian access through the site from the front of the townhomes on the south to the common area on the north. All pedestrian access was clearly marked, well-lit, and met grading and clearance requirements for ADA compliance.
 - Facilities and services, including utilities, were available and sufficient to serve the proposed development. Both Republic Services and Tualatin Valley Fire and Rescue had

reviewed the proposed plans and indicated site access, circulation, and maneuvering was adequate to meet collection and emergency services requirements.

- Approximately 32 percent of the site was landscaped in planters between driveways and common areas, a shared outdoor recreation space, rain gardens for stormwater management, and lawn and perimeter areas. Approximately 1,300 sq ft was provided in shared recreational space on the north side of the townhome buildings. Amenities included picnic tables, barbecues, and play fitness equipment. An additional 912 sq ft was provided in small, private patio areas for each unit which were separated by large planters to provide privacy to each tenant and separation from shared outdoor areas. Covered balconies were included in four of the six units to provide additional private exterior space.
- Site Design Review. Approximately 3,493 sq ft of the site was covered by the two proposed building footprints, and 5,184 sq ft was covered by landscaping in lawn and planter areas. The remaining 7,526 sq ft was in parking, circulation, and pedestrian areas. There was a single vehicle entry to the site at the southeast corner from an existing cul-de-sac at the north end of SW Magnolia Ave. The two buildings had a gross building area of 10,620 sq ft and included three townhomes each.
 - The townhomes were three-story with a height of 32 ft to the roof gable peak, three ft less than the 35-ft maximum allowed height. The buildings faced south/southeast with entrances to the townhomes, garages, and parking on the south side, and patios, a common area, and landscaping on the north.
 - Storm water facilities were in the site's northeast corner and between the buildings.
 - A raised concrete walkway between the buildings created a pedestrian connection between the circulation area on the south and the open space on the north.
 - The Applicant had considered the surrounding neighborhood scale, as well as the Old Town neighborhood aesthetic, and the requirements of the Old Town Overlay Zone, in designing a development that was compatible with nearby single-family detached homes to the south and west.
 - Appropriate landscaping was provided in areas A through C and E. (Slide 10) Area D was proposed to include five Blue Ice Arizona Cypress trees grouped at approximately 18 ft on center in two locations. No shrubs or ground cover was shown on the plans, but the low screen standard must be met in that landscape area to visually screen the vehicle circulation, driveways, and parking area from the adjacent residential use to the south and to integrate the proposed project with other residences, which required the addition of shrubs to form a 3-ft-tall hedge along a portion of the property boundary. A condition of approval was included to ensure that standard was met.
- Type C Tree Removal Plan. Twelve trees on the project site, and an additional six trees on adjacent property, could be impacted by the proposed development. More than half of the onsite trees were black locust, an invasive species. Other species included one each of Japanese Maple, Norway maple, and elm.
 - The offsite trees outlined in red on Slide 11 would be removed and included one each of Silver Maple, Lodgepole Pine, Sweetgum, Deodar Cedar, and an undetermined deciduous species. The Applicant proposed removing all of the onsite trees and two of

the offsite trees, while preserving and protecting the remaining four offsite trees outlined in teal.

- It was not practical to retain the trees proposed for removal without significant reduction to the size of the proposed building footprint and associated onsite improvements. A letter from KWDS, LLC to the Applicant granted permission to remove the two offsite trees and was included in Exhibit B1 of the Applicant's submitted materials. The 32 trees proposed for planting substantially exceeded the required mitigation.
- She reviewed the key discussion points as follows:
 - Neighborhood compatibility. The project site was uniquely situated at the northern edge of the Old Town neighborhood at a transition point from single-family homes on the south and west to multi-family and commercial development on the north and east. The Applicant understood that balance, respected neighborhood concerns, considered surrounding neighborhood scale and Old Town aesthetics, and designed the townhomes to emulate the requirements of the Old Town Overlay Zone, but with a modern interpretation of the architectural style of houses found throughout the Willamette Valley from the 1880s to the 1930s, and within the standards of the Overlay Zone.
 - The illustration on Slide 13 highlighted some of the style features incorporated into the design, such as a pitched roof, alcoves, roof overhangs, porticos, recesses, enhanced entries, articulation and variation in the building facades, and definition of individual townhomes to appear more as single units.
 - Massing of the buildings on the site evolved from six townhomes in one rectangular building to a staggering of units within the buildings to provide variation and differentiation to splitting the townhomes into two buildings and varying the orientation to reduce the scale and achieve a more residential feel.
 - Building height. To address neighbor concerns about a three-story building on the subject property and how that might threaten the privacy of nearby residents in single and two-story homes, the Applicant proposed a gabled roof with a maximum peak of 32 ft., three ft below the allowed maximum. The Applicant also paid careful attention to other design aspects, such as building orientation, landscaping, and the location of balconies and windows, to further mitigate and minimize the visual connections to the neighboring properties.
 - Architecture. According to research and the Old Town Neighborhood Plan, the majority of houses on SW Magnolia Ave north of SW 5th St dated to about the 1970s, had simple architecture with little ornamentation, and straight lines. Most of the homes were single story, with two older homes that were two-story. The traditional architectural features of the ranch and farmhouse style seen in those homes included simple building form, pitched roof, minimal eaves, covered entries, shingle siding, and varied window sizes. In their supplemental materials, the Applicant provided ample examples of those and other features, and how they were incorporated into the project design.
 - Building materials. The color and texture of the proposed exterior materials blended with the surrounding neighborhood and included light gray Hardieshingle siding, tight knot cedar-stained gray and clear at entries and within alcoves and balconies, light gray

perforated panel for balcony railings, and a dark gray standing seam metal roof. The architecture of the proposed project, with its modern, unadorned design, neutral color tones, and varied natural materials, would fit with other homes on the street and emulate, with a modern interpretation, the architectural style of the houses found throughout the Willamette Valley in the late 1800s to early 1900s. A picture of the materials board was shown on Slide 18.

- She noted one of the written comments noted a correction to Finding A29 on Page 29 of 58 of the Staff report. The location of the closest transit to subject property was inaccurate. Per the SMART service map, the closest stop to the subject property was to the north, at the cul-de-sac at the east end of Bailey St where it met the Fred Meyer shopping center. That correction would be made to the Staff report.
- Staff recommended approval of the request with conditions of the Stage II Final Plan, Site Design Review, and Type C Tree Removal Plan.
- She clarified the traffic study was included in Exhibit B1, which included a trip generation memorandum.
- She also clarified there was no direct access to the transit stop from the subject property due to the gate across the drive aisle at the neighboring apartment complex. Residents would have to go around to access the transit stop.

Mr. O'Neil noted his packet went from Exhibit A1 to Exhibit C1. He did not have a traffic study, adding Exhibit B1 was not part of the record.

During a brief discussion, Staff clarified that Exhibit B1 could be found on the City website under Projects Around the City, and the Traffic Study memo was on page 118 of 137 of Exhibit B1.

Daniel Pauly, Planning Manager, explained that traditionally, Staff provided the Board with the packet with the Staff report, exhibits that were not in the Applicant's submittal, as well as the Applicant's submittal. The Traffic Study was part of the Applicant's submittal, provided to the Board as a link on the City website. Three additional attachments were provided where the meeting packet was located on the City website. A link to the attachments and the page itself was emailed directly to the Board.

Richard Martens asked if the present application required a specific Traffic Study or simply a reference to an existing traffic analysis or data.

Mr. Pauly responded that a project this small only required a traffic memo.

Khoi Le, Development Engineering Manager, explained that typically, a Traffic Study was required to accompany a land use application if more than 25 PM Peak Trips would be generated. The subject project would only generate five trips, so a full Traffic Study was not required. A three-sheet traffic memorandum was prepared by DKS, which Ms. Bateschell was currently emailing to the Board.

Mr. Martens understood that essentially, there was no Traffic Study to even include in the materials packet.

Ms. Schroeder asked how DKS got 5 trips with six townhomes and at least six people living in them.

Mr. Le replied the industry standards for number of trips generated by single-family home/multi-family development was .85 trips per unit for each unit within the multi-family development. Even though there were six units, the total trip traffic generated by the six-unit development totaled five trips.

Ms. Schroeder understood that DKS had taken the usual 25-unit measure, applied it to the six units in the proposed development, and come up with a number of trips that was less than the minimum number of people that would be living there.

Mr. Le responded the number of people living in the units is not typically considered. DKS looked at the number of trips generated by the unit. Typically, not everyone in a household would leave the home in separate vehicles during Peak Hours. A trip was only applicable when a resident left in their car between the hours of 4 PM and 6 PM. That was the industry standard in determining number of trips during Peak Hours, the most impactful timeframe to the system during the day.

Ms. Schroeder asked why there was only one Peak Hour.

Mr. Le clarified there were AM Peak Hours, between 7 AM and 9AM, and PM Peak Hours between 4 PM and 6 PM, the times of day that generated the most congestion in the transportation system. Those were the two time periods during the day that a Traffic Study would look at to measure the number of trips and their impact to the system.

Chair Nada asked what the square footage was per unit.

Mr. Le responded the formula was not done by square footage as it was a multi-family residential development. Table 1 on Page 1 of the Traffic Memorandum (Page 118, Exhibit B1) showed how the number of trips was calculated. He did not know the square footage of the townhomes.

Ms. Luxhoj stated the total square footage for the six units was 10,620 sq ft, or approximately 1,500 to 1,600 sq ft per unit. She confirmed the townhomes were three-story and noted the plan sets contained floor plans for all floors.

Chair Nada explained that he was looking at the number of rooms because of parking concerns. He asked what the minimum Code parking requirement was for these homes.

Ms. Luxhoj replied the minimum parking requirement was one space per unit, so six would be required for the proposed development, but the Applicant was providing 12 parking spaces.

Chair Nada asked what the parking requirement was for a three-bedroom apartment.

Mr. Pauly noted that for certain types of multi-family apartments, the number of bedrooms was a factor, but he would have to research that.

Chair Nada replied one space was very little, and he believed that more were required for apartments. Perhaps when the Code was written, houses were larger and contained two-and-three-car garages and large driveways, but that was not the case with the proposed development.

Ms. Luxhoj explained that according to Section 4.1550 (.03) G, the standard for multiple-family dwelling units of nine or fewer units was one parking space per unit. The Code did not specify the square footage of the units. The requirement was solely based on the number of dwelling units in the development. She noted the minimum was one parking space per dwelling unit, but no maximum was provided.

Chair Nada stated that in his opinion, the Code should be changed to also reflect square footage. He asked if a garage and driveway counted as one parking space or two.

Ms. Luxhoj replied the Applicant had provided a garage in each of the units, which counted as six spaces, and four units had a driveway. The remaining two spaces were in the access easement on the property's entrance for a total of 12 spaces, double the required number.

Chair Nada confirmed with Staff that the Code did not address the size of dwelling units at all in determining number of parking spaces, only the number of dwelling units.

Mr. Pauly confirmed size of units was not specified.

Nicole Hendrix asked if Staff could speak to neighborhood infrastructure improvements, as neighbors had expressed concern that more housing units were being added, but infrastructure was not being addressed.

Mr. Le explained that for each development that came into the City, Staff looked at whether or not existing infrastructure was adequate to serve the new development.

- The location of the proposed application did not have curbs on the street, but did have a storm drainage pipe and a catch basin along the street. The proposed development was located at the north end of the street, which was at a lower point than existing properties to the south. The Applicant had also provided a stormwater facility on-site, so any runoff generated by the development would collect into the system on-site before being released into the City system. The development would not create any additional drainage impact to the existing neighborhood.

- The new development would connect to an existing 18-inch City pipe for sanitary and sewer along Magnolia Ave that went across to the apartment complex to the north of the subject property.
- Water pressure to the existing neighborhood would not change, as the records showed adequate water pressure at this location. The system had approximately 110 status psi, much higher than the normal requirement to adequately serve homes. Typically, a single-family home would have approximately 70 to 80 psi.

Ms. Hendrix asked if street and pedestrian infrastructure nearby was not triggered because of the review that was previously done and because the Applicant had satisfied the minimum site requirements.

Mr. Le responded that all new developers in the city were required to provide street frontage improvements if their development had frontage along a public street. Typically, the City would ask them to improve the pavement and install a curb and sidewalk for pedestrians. The current project had very limited frontage along Magnolia, and there was not really anything to be improved. For the existing street, Staff looked at pavement conditions, and they were adequate. He had also spoken with the Capital Improvement Program who agreed the pavement on the street in question was adequate, and therefore, the street was not scheduled for any pavement improvements in the next two years.

Ms. Schroeder asked for clarification regarding the neighbor meeting and how many neighbors attended.

Ms. Luxhoj clarified the City had received six emails and comment letters by the close of the public hearing comment period. Of those, only one individual who submitted a comment letter attended the neighborhood meeting held by the Applicant in October 2019. However, other people who had not submitted comments by letter or email had attended the meeting, including two members of the OTNA. She did not know why the other five people who had submitted comment letters had not attended. She deferred to the Applicant to address how well attended the neighborhood meeting was.

Chair Nada remembered that previous traffic studies had provided the level of service (LOS) rankings of nearby intersections, and he did not see one for the proposed development. He asked if there was one, noting he was curious about the ranking of the nearby intersection and whether the proposed development would impact the intersection.

Mr. Le explained the proposed development did not require a full Traffic Study because the project only generated about five vehicle trips. He had looked at the 2014 Subaru development traffic study, and the Wilsonville/Boones Ferry Rd intersection was rated at LOS D. He had also looked at the recent study done by DKS approximately two weeks ago, and Wilsonville Rd at Boones Ferry continued to function at LOS D, an acceptable service level for the City.

Chair Nada recalled discussion about another road project extending to Brown Rd and asked if that plan was still in the works.

Mr. Le stated the Brown Rd was a capital project in the 5-Year Capital Plan, which was handled by the City Capital Project Team and he believed it was in the very earliest stage. He had no particular status update on it, but he knew it had to be completed within five years. He clarified that the 5th to Kinsman Project was another project. It was in the final design stage and should start next year.

Chair Nada called for the Applicant's presentation.

Kegan Flanderka, Base Design + Architecture, 233 NE 28th Ave, Portland, OR stated he was the lead architect on the project and was impressed with Ms. Luxhoj's presentation. Work had begun on the project just over a year ago with the property owner, who had worked with the City to understand the potential developability of the lot prior to its purchase. The property owner/client sought to put together a small, multi-family development with an emphasis on tenant amenities and a familial setting through the incorporation of two and three-bedroom units, in-facility parking, common areas, and private patios with the idea that the homes would function more like conventional townhomes and less like apartments.

- During the initial site feasibility and background research, the Applicant had looked at the site's zoning, and particular conditions and constraints around the site, and brought their findings to the client's attention as the site was quite particular due to overlapping zoning designations, site access requirement, and its location at the end of a residential cul-de-sac. The Applicant had gone through a series of iterations with the client as outlined in the Staff presentation. They had conducted a series of design and site analyses to understand how many units could be reasonably built on the lot and still maintain vehicular access, parking, and site amenities, and settled on a six-plex configuration.
- The Applicant had looked at a combination of styles, settling on a townhome typology. To achieve the desired density that was allowed on the site, as well as provide parking, the Applicant decided on three-story structures with below-structure parking. The Applicant had decided on a combination of solid massing orientation and free-standing, individual orientation, which also worked well with the Zoning Code and Old Town Overlay Zone requirements. While a multi-family zone, it was located in the middle of a Single-Family Residential Zone, and in an effort to be mindful of that and to limit the impact that a commercial development could have on site such as this one, the Applicant looked at different ways to break up the structures, deciding on a two-building configuration as a combination of scale, constructability, and cost. The orientation of the individual units to their adjacent units was an additional attempt to break down that scale and create a structure that appeared more residentially scaled in appearance.
- The decision to split the project into two structures was facilitated by the need for pedestrian access to the rear of the facility. The client wanted to provide on-site amenities for tenants, such as common play/workout facilities, private balconies, and common cook and picnicking areas to create a familial setting. That area was then also utilized to function

as both a pedestrian access point and stormwater facility, which resulted in less disturbance to the additional site area and enabled better tenant utilization.

- In August 2019, the Applicant had a pre-application meeting with the City and worked with both the Planning Department and his company's site development engineer to understand the site ramifications of their masking strategy, density, and unique access issues as technically the site had no right-of-way frontage. The client had worked with the adjacent property owner to the north to ensure they were comfortable with what the Applicant was providing.
- Subsequently, the Applicant held a meeting with neighbors on October 29. The applicant had worked with two members of the Neighborhood Association, Monica Keenan and Doug Muench, to provide public notice of the meeting. There were a handful of people in attendance at the meeting, and Ms. Keenan had also contacted several neighbors in an attempt to elicit additional comments. A combination of density, traffic, site access, and privacy issues were discussed at the meeting. The Applicant explained zoning requirements and ultimately adjusted the drive aisle slightly to provide two additional parking spaces at the entry point resulting in double the required parking minimum. Due to neighbor concerns, the Applicant adjusted the direction of the orientation of the two buildings to ensure the predominant view windows on the most western unit were not oriented towards that neighbor's yard. Those were the only adjustments made based on the October meeting.
- The Applicant had since worked through several iterations with Mr. Pauly and Ms. Luxhoj to design the package before the DRB this evening. Throughout that process, Staff's concerns were similar to those echoed by neighbors such as building height, orientation, and density. The Applicant had tried to create a building that achieved the desired density but also provided a tapering down from the adjacent structures to the north, as they understood the challenges from a visibility and access standpoint, and tried to utilize the project as a more residentially-scaled transitional piece between the commercial and multi-family buildings to the north.
 - The other major component the Applicant discussed with Staff was the design standards of the Old Town Overlay Zone. Although the site was zoned PDC and multi-family, it sat within the Old Town Overlay Zone. The Applicant had worked to modify the design aesthetics and language to fit within the Residential Design Standards, the Old Town Design Guidelines, and to blend in with the immediately adjacent properties along the Old Town neighborhood with features such as covered entryways, exposed gable facades, a multitude of window sizes, and similar materials. They also used more durable materials wherever possible while still maintaining a similar character to adjacent homes, which resulted in a multi-family structure that had been manipulated as much as possible to retain some residential scale and to provide a transitional buffer between the larger commercial complexes along Bailey and the structures to the south of the site.

Ms. Schroeder confirmed the Applicant had only held one community meeting and asked why another meeting had not been held if attendance was low at the first meeting.

Mr. Flanderka responded that it was a voluntary activity that had required a fair amount of work to put together. The Applicant had to pay for the facility in which the meeting was held. Several weeks' notice had been given; they had worked with the Neighborhood Association, and believed at that time that they had achieved the desired turnout. He confirmed the meeting was held on October 29th at approximately 6 PM, but was unsure as to the day of the week.

Ms. Schroeder noted the Applicant had held one meeting at a time when one group of people could meet but not a subsequent meeting at a different time that might have attracted more people.

Mr. Flanderka explained that prior to scheduling the meeting, the Applicant had reached out to Ms. Keenan and Mr. Muench to ascertain an appropriate time to conduct the meeting, and they suggested 6 PM as they believed attendance would be greatest at that time. The Applicant then secured a local venue for the meeting with several weeks' notice. Ms. Keenan also contacted neighbors to ensure comments were available.

Ms. Schroeder asked if the City had certain notice requirements, such as within a certain radius of a development site.

Mr. Pauly confirmed there were and it was 250 ft.

Ms. Schroeder asked if each resident was notified of the meeting.

Mr. Flanderka believed they were but did not know for sure.

Ms. Schroeder asked if there was an attendance sheet for the October meeting.

Mr. Pauly clarified that meetings were encouraged so that Applicants could get a feel for a neighborhood and neighbor feedback, but there was no City requirement.

Mr. O'Neil said he believed that community meetings were very helpful, and he was glad they were conducted, but it was not required under the law that neighbors attend. Some neighbors might have thought they were well represented by the neighbors who did attend, as he knew there were some very active people in that area. He believed the comments made by Staff that suggested that only one neighbor attended the October meeting, and now there were comments, was improper because so long as those comments were submitted to the DRB for review and were timely, they should be heard, and those neighbors should be allowed to speak. He believed there was gamesmanship afoot and he did not think that was appropriate.

Mr. Pauly interjected that there was no gamesmanship. Staff was simply informing the DRB and everyone had a right to speak and could.

Mr. O'Neil reiterated that it was important that everyone be heard. Neighbors were present this evening and emails had been received. He appreciated the Applicant's presentation, the fact that they had conducted a meeting, and the citizens attending tonight's meeting to be heard.

Mr. Pauly explained that when Ms. Luxhoj discussed how many people had attended the meeting it was simply a statistic and in no way a judgment on participation. She was simply sharing information, and Staff was in no way discouraging people from attending tonight's meeting to share new evidence.

Mr. O'Neil commented he did not believe it was relevant at all and should not have been brought up.

Chair Nada called for public testimony in favor of, opposed and neutral to the application, noting testimony would be limited to three minutes.

Monica Keenan, 9460 SW 4th St, Wilsonville, Old Town wanted to address some of the questions DRB members had had earlier in the meeting.

- She reminded the DRB that the Old Town Development Plan was clear that sidewalks and curbs were not wanted and that the issue had been discussed for over a decade.
- For neighborhood outreach, flyers had been printed out and they had gone door to door or otherwise reached out to ensure that everyone in the neighborhood had been notified. The evening of the meeting was a busy sports night, and the neighborhood had spent over a decade in meetings developing the Old Town Plan, so there could be meeting fatigue although there was still a high level of interest in participation.
- She thanked the DRB for the parking conversation and agreed the Code should be changed to require more than one spot per unit.
- She had participated as a neighborhood representative in the development of the Old Town Plan and as a member of the steering committee for the Old Town Architectural Standards. Regarding tonight's proposed development, she wanted to support the comments she knew her neighbors would make as they had broken up their testimony amongst themselves so as not to be repetitive.
- Most of their testimony regarding the building height of the proposed structure exceeding the 28 ft two-story standard was adopted in Ordinance No. 810, which Mr. Pauly had explained did not necessarily apply to this lot but neighbors believed it should be given consideration. It was requested that the structures be reduced in height to be more suitable to surrounding homes.
- She asked that the DRB require the developer to revise their design to meet one of the design styles adopted by Old Town. The proposed design, supporting documentation, and Staff report used old language to support the modern interpretation, which was a design style the Old Town Plan did not include. She read an excerpt from page 51 of the Staff report, Finding B41, Building Compatibility, "According to the Applicant's materials, the design team's ambition was to create a modern interpretation of the traditional Main Street reflecting the architectural style of Willamette Valley during the period from 1880 to 1930." That wording had been taken from the old Overlay Zone language. She read another

excerpt from page 12 of the Staff report under Architecture, stating, "Neighborhood residents expressed their appreciation of the Applicant's effort to introduce an architectural style that emulates the design guidelines of the Wilsonville Old Town Stable Family Design Standards. They also expressed several times that they found the buildings to be aesthetically pleasing. As discussed earlier in this section, the Applicant responded to neighbor concerns by designing the townhomes to emulate the requirements of the Old Town Overlay Zone, but with a modern interpretation that meshes with the historical context and aesthetic of the surrounding neighborhood," however, this still referenced an old standard.

- She had attended the Applicant's October 2019 meeting and recalled that those in attendance . . . [inaudible]. The consensus at the October 2019 meeting was that the project as proposed looked more like an infill project from Portland rather than something designed for Old Town Wilsonville. The disconnection from the neighborhood was also illustrated with the lack of parking as it was clear that the surrounding street lacked the ability for overflow or guest parking. A follow-up email had been sent to Cait Sylvain at Base Design Architecture after the October 2019 meeting, and after a discussion with neighbors, to advise them of building height concerns. At the October 2019 meeting, the Applicant had referenced a four-story structure that was a block away, not next door to the site as the Applicant had said it was, and as such the proposed three-story homes would not fit in with the other homes at the end of the street.
- In the email, the neighbors had also requested that the Applicant look at the architectural PDF standards developed for the neighborhood and design something without a modern interpretation that used Old Town Standards. Old Town residents had spent many years developing their plan. She asked the Applicant to support that time spent by making revisions to the proposed project that would support the Old Town Plan and while doing so to remember scale as their criteria as the project was not a buffer, was not in scale with the neighborhood, and the schematic in the materials packet that looked north on Magnolia brilliantly illustrated its size and incongruity with the neighborhood.

Ms. Hendrix said she appreciated the clarification on the sidewalks.

Steve Van Wechel, 30730 SW Magnolia, Wilsonville, OR stated he had lived in Old Town for 33 years. He had been the first president of the Old Town Neighborhood Historical Association, was the current president of the Boones Ferry Historical Society, and a member of the City of Wilsonville Arts, Culture, and Heritage Committee. As he only had three minutes, he would not have time to comment on the design of the tin roofs and whether or not they related to an 1880-1900 type design. The additional traffic, on top of the 4,000 cars forced upon them over on Boones Ferry Rd, landscaping, materials, parking, and the transition between two-story to one-story becoming three-story made no sense.

- The entire project was based on zoning from a plan that was nearly 50 years old. When he had moved to Wilsonville, there were 4,700 people; there were now 25,000. Things had changed and the Plan needed to change. The zoning for the subject lot stank and if it had been done appropriately, the neighborhood would not be testifying tonight.

- From a historical perspective, the City had worked with the Neighborhood Association for 18 months to put together the Neighborhood Plan along with a Plan book that gave samples of what would be appropriate in the neighborhood. The massing of a three-story building did not fit anywhere in Old Town or the Plan. There was nothing suggested in the Old Town Overlay Zone that would allow a three-story building, let alone two of them. While paint colors and materials could be discussed, it did not change the fact that a three-story building did not fit the Old Town Plan and did not work in the area.
- The Old Town Neighborhood Association was trying to maintain the historic integrity of the original area of Wilsonville, as they were the only part of Wilsonville that could claim being the original area. Subsequently, they were trying to maintain the large lots, open space, and streets without curbs or gutters. The proposed plan went against all of that.

Mary Elizabeth Harper read the following statement from neighbors Sharon and James Olson into the record:

"We have been married for 34 years and residents of SW Magnolia Ave for the past 30 years and have raised our family here. I think I echo the concerns of most residents in expressing unease over what appears to be an inequitable response to justified concerns over the Magnolia Townhouse Project. Specifically, we, as residents, are particularly struck by the Planning Division's conditions of acceptance of the Stage II Final Plan that lists a plethora of detailed provisions for a bike rack, plants, ground cover, solvents, landscaping, etc., but none that deal with the major concerns regarding compliance, livability, safety, and needs of all current residents directly impacted by this proposal.

As homeowners and residents, who have a great deal invested in our families, our homes, our community, and one another, we would greatly appreciate you listening to our concerns, not only based on the merits, but also as though this were happening to you in your neighborhood and the negative impact it would have in your life, your family, and your investment. One example of inequity that always appears as a note stands out in my mind, and that is the language of page 13 of the DRB review under Discussion Points wherein it is noted, and I quote, 'The limited site access will be challenging when development occurs. Careful attention will need to be paid to the timing of construction traffic and hours during which noise is generated to mitigate and minimize impacts on residents of the neighboring properties and along SW Magnolia Ave and SW 5th St. This Applicant is aware of this concern and committed to being respectful during the construction process.'

My question is, where are the specific details and conditions of how the Applicant will be aware and respectful of noise and hours of construction during the construction process if this monstrosity project is forced upon us? More importantly, why is this not addressed in the conditions of acceptance on behalf of residents whose lives will be significantly impacted? With all due respect, I feel that the language would be similar to a homeowner responding in a general manner to the City's request to pay taxes by saying we are aware of your concern, but be as respectful as that, with no actual commitment or specifics."

- She stated that there was more to her neighbors' statement but there was not enough time to read it.

Mary Elizabeth Harper, 30605 SW Magnolia Ave, Wilsonville, OR stated that she had one of the few two-story homes in the area and her house was more than 100 years old and part of the historic overview of Old Town. The original owner had owned most of the land surrounding the home, and over time, as he sold off the land, he milled the wood from the trees to make the floors of her home. She wanted the antiquity and history of her 100-year-old home preserved and did not want a three-story monstrosity that would be invasive to her and her neighbors' privacy. Her home was representative of Old Town.

Douglas Muench, 30950 SW Fir, Wilsonville, OR stated he had lived at his address for 18 years. He was excited for new construction to Old Town that respected the neighborhood. He was a staunch proponent of property rights, adding it was great that people could invest and build projects, but he had two primary concerns with the proposed development. He agreed with previous comments regarding scale and massing in that the proposed development was out of place. Although it was presented as a transition, it was not. The Boones Ferry Apartments were already enough of a transition and he felt sorry for neighbors who lived on that street. There were ten units near Fir Ave that were wrapping up construction and it was very invasive. He believed it might look good once trees were installed, but it still changed the whole character of the neighborhood. The proposed project on Magnolia would invade neighbors' privacy and completely change their view.

- His other primary concern was parking. The existing neighborhood lots in question were not actually very big, but deep and narrow with narrow street frontage. Consequently, after work hours, there was no parking. It was all taken. The City's allowance for one parking space regardless of a dwelling's square footage was not reasonable. Most people did not park in their garages and the driveways of the neighborhood homes were small. The Applicant had crammed two parking spaces in the complex entry. Tenants' visitors would try to park on Magnolia. He asked that more consideration be given to parking as he believed it was the biggest problem.

Sandi Lawrence, 30555 SW Magnolia, Wilsonville, OR explained she would have loved to have attended the October 2019 meeting but was on vacation. They had owned their home for 27 years and it was adjacent to the subject property. She pointed out that the Plan showed her home as a two-story single-family home, but it was a one-story bungalow home built in 1920. She directed Board members to her written statement submitted August 20 and included in a referenced document beginning on page 66. Specifically, she asked that the building height on the proposed townhomes be reduced. It was not to scale with Old Town, surrounding properties, or with City Ordinance 810, and that included her property as an affected property in that document. The proposed development was being pushed as a part of Square 76, all that went with that, and was being promoted as a transitional buffer between Old Town and the commercial development in Square 76 and beyond.

- When the nearby apartments were to be built, the owner of the property did not want to sell her single-family home and lot to the developers and they built it without her lot included.

The subject property did not access or front either Bailey St or Boones Ferry Rd. Magnolia Ave was the only access and that was fully within the Old Town neighborhood. The Architectural Plan for Old Town specifically stated two-story buildings with a maximum height of 28 ft, which had been created to support the scale and massing of Old Town. The proposed development was a part of Old Town because its only access was on a single-family home street in Old Town and should follow Old Town guidelines.

- The apartments to the north that bordered the subject property were two stories high and the surrounding homes on all other sides were single story. She asked how a three-story building with Scandinavian design could be considered a transition from single-family homes with Old Town design standards. The development as proposed would overwhelm the surrounding properties rather than blending in. She asked Board members to study the photos on page 12 of Exhibit A1 as evidence that the proposed building would neither blend nor be a transition. The focus should shift from trying to be a part of Fred Meyer and instead work to blend in with Old Town and the Overlay that was developed by the neighborhood in conjunction with the City of Wilsonville to protect the special historical part of Wilsonville.
- She concluded that she agreed with all previous comments.

Alexandria Garfield, 30625 SW Magnolia Ave, Wilsonville, OR stated that she agreed with those who testified so far and thanked them for their testimony.

Rose Case, 9150 SW 4th St, Wilsonville, OR, stated she currently lived next door to the two-story, 10-plex and that building already was overwhelming the rest of the homes around it. She had been an active participant in the conservation of Old Town since moving there in 1987, and a constant pain in the City's side. She had a background in archaeology and history, and when she arrived in Old Town Wilsonville, she knew it was a piece of the history and culture of the area and that it needed to be preserved. She had been on the West Side Task Force and part of the Old Town Overlay. Prior to that, she had fought the City over a new sewage treatment plant in Old Town that would have caused malodors all the way to Wilsonville Rd and across I-5 to the park.

- She agreed with all previous comments. She and her neighbors had a problem with the size of the structure. She had put her heart into the Old Town community, and it deserved to be preserved. At one point, she had brought in the State Archeologist, who stated that Old Town was the only remainder of the architectural history of transportation in Oregon as they had started with horse and buggy and on to steamboat, and then to railroad, to 1958 when the bridge came in and I-5 moved from Boones Ferry Rd to its present location. Up until that point, Wilsonville had been the transportation hub of the Willamette Valley. She was giving her heart to the Board to push along the preservation of what the city had, something the City needed to understand and embrace because she did not believe it did.

Chair Nada asked Ms. Case if she had been aware of the October 2019 meeting.

Ms. Case replied that at the time of the meeting, she was fighting the regular flu and so did not attend. She appreciated her fellow citizens on the Board and that they were listening.

Shelly Mendoza, 30595 SW Magnolia Ave, Wilsonville, OR stated she had lived at her current address approximately six years and was unable to attend the October meeting because she commuted to and from Salem, and often was not home until later in the evening. She agreed with all of the previous comments from her neighbors and had met with them on the previous Sunday where they shared concerns and ideas. She had had concerns about water pressure, but since that had already been addressed, she added that some of the main things that attracted her to Old Town was how quiet the neighborhood was and how beautiful and historic the community buildings were. She lived in a two-story home, but was still concerned about the mass and space of the new development.

Chair Nada asked Ms. Mendoza if she was aware of the meeting in October 2019.

Ms. Mendoza replied that she could not remember if she was aware of it or not. She remembered receiving notices about the bridge development and was unsure if perhaps she was conflating notice for the bridge development with the current proposed development.

Chair Nada called for the Applicant's rebuttal.

Mr. Flanderka stated he had no rebuttal, but was happy to answer questions.

Ms. Hendrix asked if there would be street signage that indicated no visitor parking.

Mr. Pauly noted it was a very rural street with no such signage.

Mr. Le added that per the fire department, no parking was allowed in the drive aisle.

Chair Nada confirmed there were no further questions from the Board and closed the public hearing at 8:51 pm.

Chair Nada called for a brief recess and reconvened the meeting at 9:00 pm.

Richard Martens moved to approve Resolution No. 382 with the Staff report as amended to correct Finding A29 on Page 29 of 58 to accurately reflect the nearest transit stop location. Nicole Hendrix seconded the motion.

Mr. O'Neil said he appreciated Ms. Keenan's and Ms. Harper's presentation this evening. They were articulate, prepared and represented the community as a whole, even those who could not attend the October 2019 meeting. He found it telling that neither the City nor the Applicant presented any rebuttal evidence, which spoke volumes about the organization of the community when they presented their concerns. The presentation by the Old Town community had been long-standing. They articulate well. They try to work with the City, and it was

obvious to him that the current proposal had failed and there should be further discussion and consideration of the community.

Ms. Hendrix agreed that the proposed building looked out of place, but also understood that the Board had to follow whether or not a proposed project met Code requirements. She was conflicted because objectively, it met the standards but felt there was a bigger picture.

Ms. Schroeder stated she agreed with her colleagues' comments. Based on remarks from the community, it appeared that the proposed development did not address their concerns at all as the proposed development seemed to violate the two-story, 28-ft condition that was part of the Old Town Plan. She was unsure how the proposed development fit into that Plan, but could tell that it would not be well-received. Additionally, she was concerned that it would affect the quality of the neighborhood, but understood Mr. Pauly's comments at the beginning of the meeting.

Mr. Martens was concerned about how much latitude the DRB had. He agreed that the proposed development might not match the surrounding neighborhood, particularly to the south. However, the property was zoned for multi-family, had been vacant for at least ten years, and a developer had acquired it and had proposed a building it was zoned for. Therefore, he was concerned about a no vote because it met the Code and zoning requirements, and it was not the role of the DRB to vote no because a project was disliked. Their role was to determine whether or not a project fit within Plan constraints as laid out by the City.

Ms. Schroeder stated she agreed with Mr. Martens that a developer had the right to develop land as it was zoned. However, what she had heard from the community was that if the Applicant had proposed a two-story, 28-ft high building, had applied creativity to allow for visitor parking, etc., and perhaps met more often with the community, that neighbors could have gotten behind the plan. Additionally, neighbors hated the modern design. The developer did not seem to care about the neighborhood.

Mr. O'Neil echoed Ms. Schroeder's concerns and added that the Old Town community had had the Subaru dealership go in, a very large project, but for that project the Applicant had taken the time to understand the sensitivities of the neighborhood via several meetings. Given the historic concerns raised by the Old Town community, the proposed development warranted more meetings, thoughtfulness, and effort. He agreed that neither the City nor the developer demonstrated enough effort, and because they failed to present any rebuttal testimony, as an adjudicator, he found that they failed to make their case.

Chair Nada noted that he observed a deep disconnect between City Code, the planning, and what the neighbors wanted. The Parking Code appeared very outdated and written when home lots were quarter-to-half-acre in size. Today, homes were jammed onto small lots which impacted parking. He believed one community meeting was not sufficient and hoped for more communication between the Applicant, the City, and neighbors. Although he did not like the Code as written, especially the Parking Code, he understood the DRB was bound by it. He also

wondered what the point of public comment was if the DRB had to decide on a project strictly based on whether or not that project met Code requirements. He trusted the Staff to present accurate materials that fit within Code parameters to the DRB for review. He believed the Applicant should have spent more time with the neighbors. He agreed with Mr. Martens that the site was planned and zoned for a project, such as the one proposed. He understood it was not possible to make everyone happy, but did not think sufficient effort had been done in this case. He reiterated that the Applicant should have spent more time communicating with neighbors as it would have been a much easier process. He understood it was tough as the lot was very small. He believed the minimum number made no sense, as six units on such a small lot was ridiculous and left no space for anything else.

Ms. Schroeder stated that the number of people at the October 2019 meeting was completely inadequate. When she was a developer, she always had a sign-in sheet at meetings and always knew exactly how many people had attended.

Mr. O'Neil stated that he became concerned when a developer put Staff in the position to advocate for a development, which he believed happened more often than it should. It was the developer's obligation to follow through, establish the relationships, and present their case.

Chair Nada asked what recommendations the DRB wanted to provide to the Applicant and Staff in the event the application was not approved.

Barbara Jacobson, City Attorney, confirmed the motion and second on the floor needed addressed and if the motion failed, another motion could be made.

The motion failed 1 to 4 with Richard Martens in favor and Ellie Schroeder, Shawn O'Neil, Nicole Hendrix, and Chair Nada opposed.

Mr. Pauly explained the Board could continue the hearing to the next meeting, leave the record open, and advise Staff what to bring back, such as specific criteria the Board believed was lacking. He clarified that the height in the document did not apply to the proposed application because it only applied when approving building permits. A request for a single-family or duplex would not go to the Board, only to the Building Division where Staff checked it against the Pattern Book and either approved it or not. The Pattern Book did not apply to projects that came before the Board. Some Applicants in the past had used the Pattern Book as a precedent or for ideas for Old Town design, but it only actually applied for the issuance of a building permit for a single-family home, not for multi-family projects that went before the DRB.

- He confirmed there was time before a final decision needed to be made. The 120-day land use clock would expire on October 23. If the matter was continued to the September 23 DRB B meeting, that would allow time for the proposal to go up to Council. There was enough time for the Board to provide Staff direction on what Staff should provide at the next meeting. Alternatively, the Board could note the precise criteria where the proposal fell short as grounds for denial and pass a resolution to deny the proposal.

Ms. Jacobson added if the proposal was denied, it would be good if the DRB gave reasons for the denial, but if they chose not to, the denial would still stand. If the denial was appealed to City Council with no reasons given, Council would only see the denial, but no reasons why. However, if the DRB believed there was more that the Applicant and Staff could do to alleviate neighbors' concerns, it could be continued to the September 23 meeting and the DRB could specify the areas of concern that required more information.

Chair Nada recommended that the Applicant set up a meeting with the neighbors.

Ms. Jacobson clarified that although it was a good idea to conduct another meeting, it was not required by City Code. If the developer chose to have another meeting, it would provide an opportunity to address some remaining questions and perhaps, the Board would feel more comfortable about approving the application as presented or with modifications. She reiterated that the DRB could continue the matter to allow the developer and Staff to work on it further or deny it and let it go to the next step.

Mr. Pauly stated it would be helpful for Council to have reasons for the denial. It would be more defensible. Otherwise, if Council had questions, they would simply remand it back to DRB for further consideration, as Staff had seen done in the past.

Chair Nada recommended the developer conduct another meeting with neighbors and address the proposed height of the building. He understood that did not mean the neighborhood would get everything it wanted, but he hoped for some middle ground to be attained. That would make him more comfortable in approving the application.

Mr. O'Neil asked Mr. Pauly if he had said earlier that the height issue was not before the DRB.

Mr. Pauly clarified that the height issue was very much before the DRB because height as a concept was clear and objective. The question was which maximum height limit applied to the project.

Mr. O'Neil stated he preferred to continue Resolution 382 to the next DRB regular meeting to allow the developer to reach out to the community and address the issues, especially height. He asked that City Staff assist with that so the neighbors could be heard.

Ms. Jacobson confirmed that Mr. O'Neil wished to continue and leave the record open. She also confirmed the Board wanted clarification on height requirements and to see the developer reach out to community one more time. She asked if there were other things the Board wanted clarification on.

Mr. O'Neil noted that if Ms. Jacobson was stating that the Applicant had no obligation whatsoever to meet with the community, they would be right back where they were again.

Ms. Jacobson replied that Mr. O'Neil could include another meeting recommendation as a part of his motion. Although there was no legal requirement for the developer to do so, it could give them some guidance. She asked if Mr. O'Neil had any other concerns based on tonight's presentation and testimony that he would like Staff to follow-up on, including and besides building height.

Mr. O'Neil responded that he had parking and traffic concerns.

Ms. Hendrix noted there were questions around the building design and Old Town standards and she wanted clarification on those.

Shawn O'Neil moved to continue Resolution No. 382 to September 28, 2020 date certain, leaving the record open to encourage the Applicant to work with the neighborhood to discuss issues of height, design, parking, and traffic.

Mr. Pauly noted that the DRB could follow-up after the meeting with further clarification because each concern listed was a clear and objective criterion. Staff understood the preference, but asked the DRB what additional guidance they had or wanted clarified.

Mr. O'Neil stated his motion was based on the Applicant's lack of effort to work with the community on getting the community's input incorporated into the project. He appreciated Staff's work, but believed the onus now fell upon the Applicant between now and the next meeting.

Chair Nada stated that if he understood correctly, there was not a clear yes or no answer at present. He said he would be comfortable voting yes if he saw the Applicant go the extra mile and try to reach out again and attempt to reach a compromise.

Ms. Schroeder seconded the motion, which passed unanimously.

Mr. Pauly confirmed the proposal would be re-addressed at the September 28 meeting and reminded everyone that there was no requirement that the Applicant meet again with neighbors. It was a suggestion only and up to the Applicant.

VII. Board Member Communications:

A. Results of the August 10, 2020 DRB Panel A meeting

Daniel Pauly, Planning Manager, highlighted the two items reviewed by DRB Panel A, noting both had been continued to the Board's next meeting.

B. Recent City Council Action Minutes

There were no comments.

The DRB proceeded to Agenda Item VIII.B Town Center Loop Safety at this time.

VIII. Staff Communications

A. Change of Use and New Tenants

Daniel Pauly, Planning Manager, responded to discussion regarding the bowling alley changing to a grocery store by reminding the DRB that when they approved a development, they approved a use, not a specific tenant. Tenants could change over time with minimal additional City review, an approach typical across jurisdictions. There were four use categories: legal conforming, legal non-conforming, conditionally allowed, or prohibited. Legal conforming matched the zone, was allowed at present, and allowed when approved. Legally non-conforming was allowed when it was approved, but not allowed at present. Conditional use was a conditional use permit, and prohibited, could not be approved at all, within the subject alone.

- These categories were addressed in the Development Code in Section 4.141, Change of Use, where two scenarios were discussed. The first was a use that was not specifically approved through the Plan Development process, and the second was a use that was specifically approved. An example of the first scenario would be a mini, multi-tenant commercial center such as a strip mall where the mall was approved before any individual tenants were known. An example of the second scenario would be the Subaru dealership, which was approved as a specific car dealership. In the first scenario, any use permitted in the zone could go into that tenant space and remain a legal conforming use, whether it was a Fred Meyer, a bank, or a dental office. In the second scenario, if the Subaru closed and the building was to be used by another tenant, as long as the tenant did not exceed the parking or traffic typical of uses in the zone, it would be allowed.
- The Stage II Final Plan, by definition, was anything consistent with that Plan was a legal conforming use, even if the underlying zoning was different. An example was the Charbonneau development, where a few single-family subdivisions were built in an area zoned commercial, but approved as residential in the Stage II Final Plan. Stage II was critical, and any use allowed under that Stage II Final Plan, without an expiration date, was allowed to continue. The Smart Food Service proposal was a Stage II approval. Whether or not Stage II approvals moved into a non-conforming status was being explored by the Staff and City, especially while they were looking at possibly updating some residential standards that had been the same for many years. For conditional use circumstances, the conditions would still have to be met.
- Because the allowance for a change of use was broad and limited without very much additional land use review, it was important for the Board, when looking at a new development, to consider the lifecycle of the building and development, and potential changes over time, particularly when making decisions about commercial and industrial projects. When there was a change of use, there was the potential for a traffic study, administratively, to see whether there were additional STCs that were owed, but it was not something that typically went before the Board.

Ellie Schroeder remembered Mr. Pauly stating at the previous meeting that the Board must not consider the individual tenant to approve or not. However, a Burger King, for example, would not cause traffic backup, whereas an In and Out Burger would. She asked if she was correct in

assuming that the DRB could not take into consideration the additional traffic that would be generated by an In and Out Burger because the Code currently prohibited that.

Mr. Pauly confirmed that was correct, especially when the use was almost precisely the same even though one chain might be more popular than another, and the system did not reflect that. Grand openings in particular were usually very busy.

Ms. Schroeder stated she had been to In and Out Burgers in other states that had been open for years, and they were still backed up. She did not understand that part of the Wilsonville City Code, which she believed belied the problems that could be caused by a similar tenant with a similar use, but that was more popular. It was naïve because popularity did matter.

Khoi Le, Development Engineering Manager responded that when a traffic study was done, they normally looked at what the common denominator was for obligatory trip generations. When the manual was put together, research was done on a number of burger restaurants, and that was how the traffic data was collected, and a particular number arrived at for that particular use. For example, a burger restaurant would be observed, and data collected from various chains, and DKS would determine how many peak hour trips a burger restaurant would generate based on that information. If a new burger restaurant was proposed, the traffic engineer would take the previous information gathered for burger restaurants and apply it to the new proposal. If one burger restaurant vacated a building and another one moved in, there was no need for a new traffic study. The manual the traffic engineers used was updated every few years. If a certain use became problematic, the traffic engineer would take that into consideration and possibly increase the number. In atypical use cases that were not outlined in the manual, the City required the applicant collect the data from the actual store. Dutch Bros. was a recent example of that, as the City had asked Dutch Bros. to collect data from other Dutch Bros. outlets in nearby cities.

Mr. O'Neil stated Mr. Le comments highlighted why he believed that when a Starbuck's went into the old Arby's location, they should have been required to conduct a traffic study with respect to their other locations, because the crosswalk at the subject Starbuck's was dangerous even back when it was Arby's. He had alerted the City when the Starbuck's was proposed that the crosswalk should be fixed. The yellow crosswalk signs were put in because of the concerns he had raised, but those were temporary fixes. If an In and Out Burger was put in, it made sense to do a survey of other In and Out Burgers statewide to assess their traffic patterns and issues. He suggested that the City revamp portions of the City Code that addressed pedestrian crosswalks and traffic control.

Mr. Le agreed with Mr. O'Neil. When people looked at an intersection, there was a perception that people were driving really fast and it was dangerous. The City would also conduct a fact-check if a complaint was received from a concerned citizen regarding speeding or dangerous intersections. He had looked at the most recent traffic study conducted by DKS for crashes and injuries in Wilsonville, and this particular intersection had none. Whenever Staff was contacted by concerned citizens, DRB Board members, or City Council members about certain intersections

or issues, they checked into the data. If the data backed up the concerns, they would address it. Initially Dutch Bros. had fought the City's request to install the protective crosswalk, but the City was able to show them data collected from other Dutch Bros. outlets that showed evidence that warranted a new crosswalk.

Chair Nada asked if it was not a Dutch Bros, but a small coffee shop, and ownership changed after approval, would it go through the same process and analysis.

Mr. Le explained that every time there was a change of use that required a land use application, Staff would ask that a traffic study be conducted. If the change did not trigger a land use application, the only time a traffic study might be required was during tenant improvement during the building permit process. For example, if a developer applied for a land use permit to build a 30,000 sq ft warehouse that was comprised of 10,000 sq ft of warehouse space, 10,000 sq ft of manufacturing space, and 10,000 sq ft of office space, a traffic study would have been triggered. If that tenant subsequently moved out and another business came in and changed up how the square footage was used, they might only need a building permit. If it was routed to other departments, especially the Engineering Department, the change in square footage use would trigger a traffic report to determine any traffic changes between the new and previous uses. Otherwise, there was no mechanism for the City to conduct a traffic report.

Chair Nada understood that if a non-chain burger restaurant vacated a location and an In and Out Burger moved in, it would pass under the radar, no changes would be made, and neither the DRB nor City Council would have any say.

Mr. O'Neil explained that Arby's had been dead for years, then a Starbuck's went into that location, and there was no hearing on that, so he believed Chair Nada was correct. He further explained that the DRB would not have an opportunity to hear it. As far as he knew, the City would still have to publicize the business change, but there was no hearing.

Chair Nada asked if the City had any sort of say in these matters at all.

Mr. O'Neil read an email he received from then Planning Director Chris Neamtzu:

"Hello, Sean. Starbuck's proposed minor modifications to the building and landscaping that were processed and made through a Class II Administrative Review. The majority of the building remains the same with just repainting. The site was originally approved as a fast-food drive-thru. Starbuck's is an outright permitted use at the site, so the scope of this review was only exterior upgrades. The upgrades to the building and landscaping are much needed as the building was becoming an eyesore. Public notification consistent with City Code was provided to the surrounding property owners on May 9," Although, he noted that as a tenant, he did not get any post notices, "and timelines for City action. This was the final decision replaced in three community locations." He concluded noting there was an opportunity to comment, it was published, but it was an informal process as opposed to going in front of the DRB.

Mr. Pauly noted that in that case, as well as with Black Bear Diner, for example, there were exterior changes to the building, so it went through review. One situation that caught the City by

surprise was when Lam's sold out to Safeway. All Safeway had to do was put up their sign. There was no City input, notice, or review. Safeway simply requested a sign permit.

Mr. O'Neil noted that when Black Bear Diner replaced Denny's, there was a DRB hearing.

Mr. Pauly explained that use was not discussed in that case, only architectural changes. It was a Site Design Review, the Stage II was not involved, all the bears were just being added.

Ms. Schroeder said that regarding the proposal for a grocery store to move into the old bowling alley location, she noted that the bowling alley had been there for 20 years, so at some point, a new use should trigger a review. Twenty years ago it worked. It might not work now. The Code should reflect that a review should be conducted after a certain period of time to determine if conditions were still similar and a previous approval still worked.

Mr. Pauly stated that Stage II approvals were good forever. This topic had come up previously when the Town Center Code was adopted to replace the PDCTC Code. At that point, Staff did not have a good solution, so it was not changed. However, Staff would be addressing the issue again within the scope of the Residential Code work that would be done over the next year. Perhaps if half the numerical standards for a zone changed, at that point all the Stage IIs in that zone would enter a non-conforming status. He had not gotten any guidance from the Planning Commission or City Council on the topic, but Staff would discuss it up with them within the next year.

Chair Nada believed that if a business changed, it should be an opportunity for a review and for it to go through the process again. Currently, there appeared to be a loophole in the Code such that if a similar business type moved into a location, the size and popularity of the previous business versus the new business was not addressed from a traffic standpoint or any other standpoint. He believed two points needed addressed. First, how far from a specific purpose has been approved for a building until it can go back again into the circle in terms of getting approved. And second, all loopholes should be closed so a new owner, especially a big chain, could not come in without even a traffic study being generated.

Mr. O'Neil noted that he appreciated Mr. Pauly and all of the Staff, but he had become pessimistic after six years on the Board because promises had been made that issues would be looked into and changes would be made and they were not. He was disillusioned with the City as a bureaucracy. Although Staff presented, in good faith, that an issue would be addressed and changed, it never happened. He believed all the concerns raised this evening were legitimate and should be addressed. He wondered if the City just waited it out until a Board member's term was up and then hoped whatever the issue was in question would be forgotten about and subsequently never changed. As a volunteer who tried to listen to the citizens, their concerns, and review these proposals, it was disappointing when the bureaucratic structure of the City did not make those changes.

Mr. Pauly said he appreciated Mr. O'Neil's comments. He noted that particular topic was part of a scope of a project that was actually funded and being worked on.

Mr. Le commented that he had worked for West Linn and Tigard for over a decade prior to Wilsonville, and traffic concerns associated with the use of a building was universal, especially number of trips. For example, if a developer wanted to build a shopping mall and wanted to pay a certain SDC for it based on the traffic data collected for a shopping center, the City could use that money for other infrastructure improvements around the city. For example, at some point the shopping mall could have a tenant that would create more traffic, in which case the City would ask the developer to pay more for that additional traffic. Conversely, a tenant could move in that generated a lot less traffic, in which case the developer might ask the City for a refund. He believed they needed to develop a leverage to determine when the need for additional information would be triggered.

The Board proceeded to Adjournment at this time.

B. Town Center Loop West Safety

This agenda item was addressed following Board Member Communications.

Khoi Le, Development Engineering Manager, stated when the traffic study was done for the Dutch Bros, DKS had looked into the suggestion to remove the crosswalk at Starbuck's and direct foot traffic to the more protective crosswalk that would be built as part of the Dutch Bros. development. A protective crosswalk was safer, and the new location away from the Town Center Lp intersection would help mitigate congestion and spillback into the intersection during peak hours. Once the protective crosswalk was installed, the existing striping in the crosswalk at Starbuck's would be removed. He confirmed the crosswalk would have a pushbutton to initiate flashing red and yellow lights to signal traffic to stop.

Mr. O'Neil asked if a 'No Crossing' sign would be erected at the site of the former Starbuck's crosswalk. He was concerned people would still unsafely cross there anyway and open the City up to liability.

Mr. Le responded that at all intersections pedestrians automatically had the right to cross whether it had lights or stripes or not, so the City could not mandate no crossing, but could erect signage guiding pedestrians to the next intersection with a safer crossing.

Mr. O'Neil reminded that on Wilsonville Rd, signage and a bar had gone up that said something like 'Not a Crosswalk', which did a great job deterring people from crossing there.

Mr. Le clarified he was thinking about a different kind of sign that would direct people to the safer crosswalk at the next intersection, but he was open to looking at other signs and discussing it with DKS to determine the best signage for the location.

Mr. O'Neil reiterated that the Starbuck's crosswalk was unsafe, and pedestrians should be directed to the new, safer crosswalk at Dutch Bros.

Ms. Schroeder stated that she agreed with Mr. O'Neil, as every effort should be made to keep pedestrians safe.

The Board returned to Agenda Item VIII.A Change of Use and New Tenants at this time.

IX. Adjournment

The meeting adjourned following Agenda Item VIII.A Change of Use and New Tenants at 10:12 p.m.

Respectfully submitted,

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

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, SEPTEMBER 28, 2020

6:30 PM

VI. Public Hearing:

A. Resolution No. 382. Magnolia 6-Unit Townhome Development: Base Design + Architecture, LLC. – Applicant for Hillebrand Construction, Inc. – Owner. The applicant is requesting approval of a Stage II Final Plan, Site Design Review, and Type C Tree Removal Plan for development of a 6-unit townhome development. The site is located at 30535 SW Magnolia Avenue on Tax Lot 2101 of Section 23AB, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: Cindy Luxhoj

Case Files:	DB19-0047	Stage II Final Plan
	DB19-0048	Site Design Review
	DB19-0049	Type C Tree Removal Plan

This item was continued to this date and time certain at the August 24, 2020 DRB Panel B meeting.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 382**

A RESOLUTION ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE II FINAL PLAN, SITE DESIGN REVIEW, AND TYPE C TREE REMOVAL PLAN FOR DEVELOPMENT OF A 6-UNIT TOWNHOME DEVELOPMENT. THE SITE IS LOCATED AT 30535 SW MAGNOLIA AVENUE ON TAX LOT 2101 OF SECTION 23AB, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. BASE DESIGN + ARCHITECTURE, LLC. – APPLICANT FOR HILLEBRAND CONSTRUCTION, INC. – 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 prepared a report on the above-captioned subject dated August 17, 2020, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B on August 24, 2020, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, on August 24, 2020, the Development Review Board continued the public hearing to a date and time certain of September 28, 2020, and

WHEREAS, the Planning Staff has prepared an amended staff report on the above-captioned subject dated September 21, 2020, and

WHEREAS, said amended staff report was duly considered by the Development Review Board Panel B on September 28, 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 August 24, 2020 as amended on September 21, 2020, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB19-0047 through DB19-0049; Stage II Final Plan, Site Design Review, and Type C Tree Removal Plan.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 28th day of September, 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
Planning Division Staff Report
SW Magnolia Avenue Townhomes

Development Review Board Panel 'B'
Quasi-Judicial Public Hearing
Added language ***bold italics underline***
Removed language ~~struck through~~

Hearing Date:	August 24, 2020
<i>Continued Hearing Date:</i>	<i>September 28, 2020</i>
Date of <i>Original</i> Report:	August 17, 2020
<i>Date of Revised Report:</i>	<i>September 21, 2020</i>

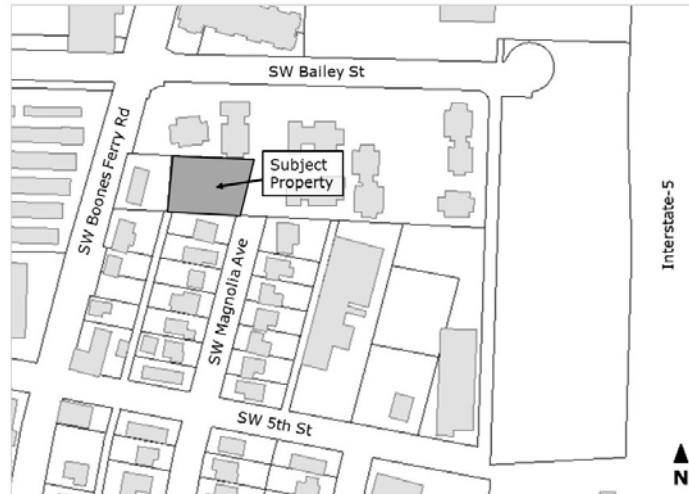
Application Nos.:	DB19-0047 Stage II Final Plan DB19-0048 Site Design Review DB19-0049 Type C Tree Removal Plan
Request/Summary:	The requests before the Development Review Board include a Stage II Final Plan, Site Design Review, and Type C Tree Removal Plan for a 6-unit townhome development in two three-story buildings in Wilsonville's Old Town Neighborhood.
Location:	30535 SW Magnolia Avenue. The property is specifically known as Tax Lot 2101, Section 23AB, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon
Applicant:	Base Design + Architecture, LLC (Contact: Kegan Flanderka)
Owner:	Hillebrand Construction, Inc. (Contact: Daniel Hillebrand)
Comprehensive Plan Designation:	Residential 16-20 dwelling units per acre
Zone Map Classification:	PDC (Planned Development Commercial)
Staff Reviewers:	Cindy Luxhoj AICP, Associate Planner Khoi Le PE, Development Engineering Manager Kerry Rappold, Natural Resources Manager
Staff Recommendation:	<u>Approve with conditions</u> the requested Stage II Final Plan Revision, Site Design Review, and Type C Tree Removal Plan (DB19-0047 through DB19-0049).

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 4.113	Standards Applying to Residential Development in Any Zone
Section 4.116	Standards Applying to Commercial Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.131	Planned Development Commercial Zone (PDC)
Sections 4.133.00 through 4.133.05	Wilsonville Road Interchange Area Management Plan (IAMP) Overlay Zone
Section 4.138	Old Town 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
Sections 4.156.01 through 4.156.11	Sign 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
Sections 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600 through 4.640.20	Tree Preservation and Protection

Other Planning Documents:	
Wilsonville Comprehensive Plan (Area of Special Concern F)	
Wilsonville Square 76 Master Plan	
Wilsonville West Side Master Plan	
Old Town Neighborhood Plan	

Vicinity Map



Background:

The subject property is 0.37 acre in size and vacant, as the single-family residence formerly occupying the site was demolished about 10 years ago. The property is located at the north end of SW Magnolia Avenue in Wilsonville’s Old Town Neighborhood. As illustrated below, the property is subject to several land use designations including: Multi-Family (townhouses, apartments, condominiums) in the Wilsonville Square 76 Master Plan; Residential 16-20 units per acre and included in Area of Special Concern F in the Comprehensive Plan; located in the Boones Ferry District of Wilsonville’s Old Town Neighborhood Plan; and zoned Planned Development Commercial (PDC) with the Old Town Overlay Zone.



The applicant proposes to develop 6 townhomes in two 3-story buildings on the site at a density of approximately 16.2 dwelling units per acre, consistent with the Comprehensive Plan designation of Residential 16-20 dwelling units per acre and the Wilsonville Square 76 Master Plan designation of Multi-Family.

Design of the site went through several iterations in response to concerns of neighboring residents and the larger Old Town Neighborhood about off-street parking, density, building height, privacy, and architecture, and to address overall compatibility of development with the Old Town Neighborhood aesthetic. At a transition point from multi-family development on the north and east, to single-family homes on the west and south, the subject site offers an opportunity to bridge higher and lower density uses. The proposed project – a walk-up 6-plex in two 3-unit buildings – accomplishes this by creating a multi-family use that is compatible with the apartments to the north, while being at a scale and with an architectural aesthetic that visually blends with and emulates individual single-family homes to the south.

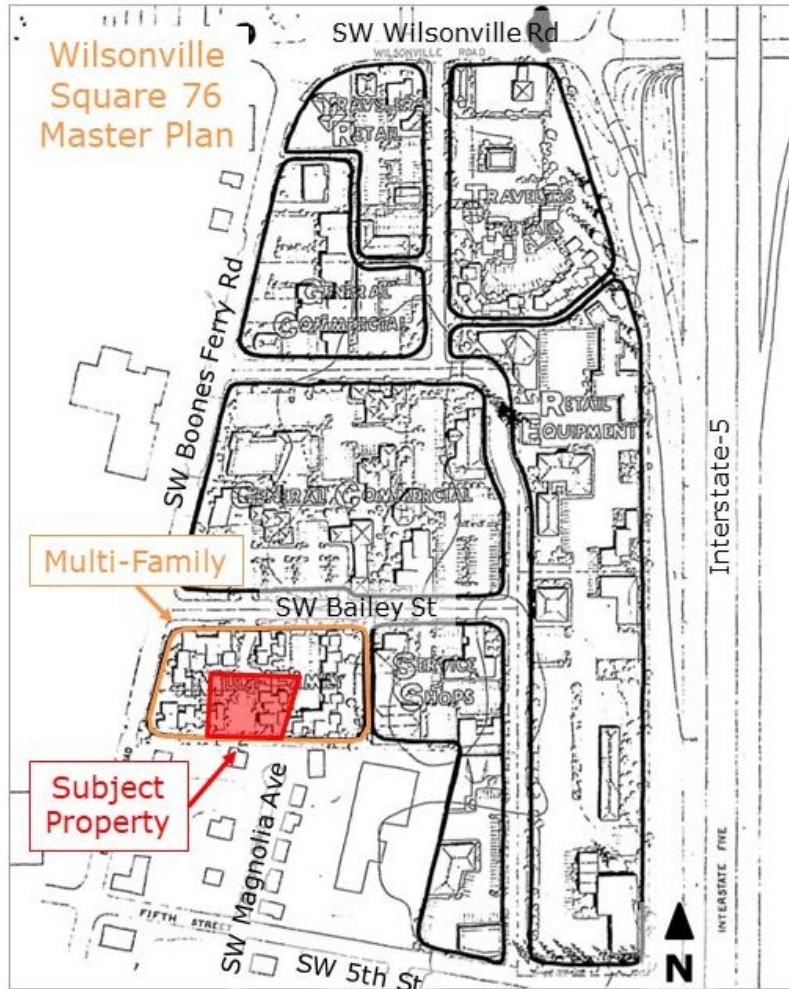
Summary:

Stage II Final Plan (DB19-0047)

The subject property is included in the Wilsonville Square 76 Master Plan, an amendment to the original 1971 Comprehensive Plan, for 33 acres at the southwest quadrant of the SW Wilsonville Road/Interstate-5 (I-5) interchange. Wilsonville Square 76 was approved in 1976 with land designated for primarily commercial development and a small area for multi-family residential use. Land uses proposed at that time included General Commercial, Travelers Retail, Service Shops, Retail Equipment, and Multi-Family. The boundary of the Wilsonville Square 76 area is shown below.

Since 1976, the Wilsonville Square 76 area has developed with a range of uses including multi-family housing, a church, the Fred Meyer Old Town Square retail development, and Wilsonville

Subaru. The subject property, designated for Multi-Family (townhomes, apartments, condominiums), is the only remaining part of the Wilsonville Square 76 area that is currently vacant. The proposed townhome development on the site is consistent with the designated Multi-Family use in the Wilsonville Square 76 Master Plan.



Other planning efforts have added additional layers of land use designation to the Wilsonville Square 76 area and the subject site. As described in the Background section of this staff report, land use designations include:

- Wilsonville Square 76 Master Plan - Multi-Family (townhouses, apartments, condominiums)
- Comprehensive Plan - Residential 16-20 units per acre, Area of Special Concern F
- Wilsonville’s Old Town Neighborhood Plan – Boones Ferry District
- Development Code/Zoning - Planned Development Commercial (PDC), Old Town Overlay Zone

Development proposed on the subject property is consistent with these land use designations.

Traffic

A traffic memorandum was completed in 2019 by DKS Associates, the City's traffic consultant. The proposed project is estimated to generate a total of 5 trips (3 in, 2 out) during the p.m. peak hour, with 4 p.m. peak hour (2 inbound, 2 outbound) trips expected through the I-5/SW Wilsonville Road interchange. The low volume of traffic anticipated to result from the proposed development does not significantly impact nearby intersections and, therefore, does not require any improvements. The traffic study did not identify any concerns with sight distance for the proposed site access and found that the proposed 20-foot-wide drive aisle provides sufficient internal circulation and access to all 6 townhomes and their associated driveways.

Street Access and Improvements

The subject site has minimal frontage on SW Magnolia Avenue which will be occupied by a portion of the driveway for the development, therefore, no frontage improvements are required. The remainder of the driveway will be on an easement granted by the neighboring apartment project. Street access is proposed consistent with the City's Transportation System Plan (TSP) and Public Works Standards, and other applicable standards.

Parking

Garages and driveways of sufficient size are proposed for each townhome to satisfy the minimum parking requirements. In addition, double the number of required spaces, 12 rather than 6, are provided to address concerns of neighbors about finding on-street parking near their homes.

Pedestrian Access and Circulation

The site is designed with pedestrian access in mind. Townhome entries have individual hardscape pedestrian access from the driveway that is clearly delineated, facilitating direct pedestrian access through the site from the front of the townhomes on the south to the common area on the north. The central pathway is vertically raised above the elevation of the main drive aisle to enhance visibility and safety. All pedestrian access is clearly marked, well lit, and meets grading and clearance requirements for ADA compliance.

Utilities and Services

Facilities and services, including utilities, are available and sufficient to serve the proposed development.

Open Space

A minimum of 25% of the 16,204-square-foot project site, or 4,051 sf must be open space, of which 1,000 sf must be in recreational space. Approximately 5,184 sf (32%) of the site is landscaped, of which 2,691 sf (17% of the site, 52% of the landscaped area) is in planters between driveways and in common areas (472 sf), the shared outdoor recreation space (1,300 sf), and rain gardens for stormwater management (919 sf). The remaining 2,492 sf of landscaping is in lawn and perimeter

areas of the site. The required recreational and open space is provided in a mix of both common and private areas. The 1,300 sf (25% of the landscaped area) of shared recreational space on the north side of the townhome buildings includes picnic tables, barbeques, and play/fitness equipment. In addition, approximately 912 sf is provided in small private patio areas for each unit that are separated by large planters and, in some locations, grade changes to provide adequate privacy for each tenant and separation from shared outdoor areas. Covered balconies are included in the design of 4 of the 6 units to provide additional private exterior space.

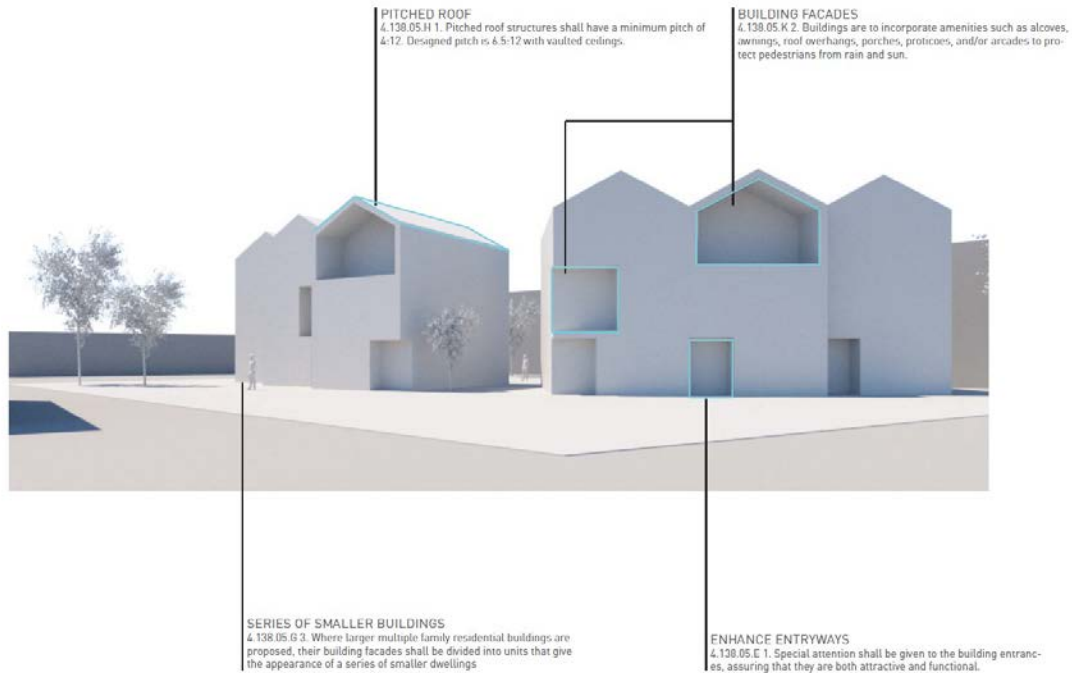
Site Design Review (DB19-0048)

Of the 0.37-acre site, approximately 3,493 square feet is covered by the 2 proposed building footprints and 5,184 square feet by landscaping in lawn and planter areas. The remaining 7,526 square feet of the site is parking, circulation, and pedestrian areas. There is a single vehicle entry to the site at the southeast corner from an existing cul-de-sac at the north end of SW Magnolia Avenue. The 2 buildings have a gross building area of 10,620 square feet and include 3 townhomes each. The townhomes are 3-story with a height of 32 ft to the roof gable peak. The buildings face south/southeast with entrances to the townhomes, garages, and parking on their south side and patios, a common area, and landscaping on the north. Stormwater facilities/rain gardens are in the site's northeast corner and between the buildings. A raised concrete walkway between the buildings creates a pedestrian connection between the circulation area on the south and the open space on the north.



The applicant has considered the surrounding neighborhood scale, as well as the Old Town Neighborhood aesthetic and requirements of the Old Town Overlay Zone in designing a

development that is compatible with nearby single-family detached homes to the south and west. The exterior of the townhomes is intended to represent a modern interpretation of the architectural style of houses that were found throughout the Willamette Valley from the 1880s to the 1930s. The clean lines and unadorned design, as shown in the illustration below, fits well with the other homes on the street. Additional discussion of architecture and compatibility with the Old Town Neighborhood aesthetic is included in the Discussion Points later in this report.



Type C Tree Removal Plan (DB19-0049)

There are 12 trees growing on the project site, and an additional 6 trees on adjacent property that could be impacted by the proposed development. More than half the on-site trees are black locust, an invasive species, with other species including one each of Japanese maple, Norway maple, and elm. Off-site trees include one each of silver maple, lodgepole pine, sweetgum, deodar cedar, and an undetermined deciduous species. The applicant proposes removing all on-site and 2 off-site trees, while preserving and protecting the other 4 off-site trees. It is not practical to retain the trees proposed for removal without significantly reducing the size of the proposed building footprints and associated on-site improvements. A letter from KWDS, LLC, to the applicant granting permission to remove the 2 off-site trees is included in the Exhibit B1 of the applicant’s submitted materials.

The 32 trees proposed to be planted as part of the site landscaping substantially exceed the required mitigation.

Discussion Points:

Neighborhood and Architectural Compatibility

The project site is uniquely situated at the northern edge of the Old Town Neighborhood, at a transition point from single-family homes on the south and west to multi-family and commercial development on the north and east. Understanding this delicate balance and respecting neighborhood concerns (see discussion below), the applicant designed the townhomes to emulate the requirements of the Old Town Overlay Zone but with a modern interpretation that meshes with the historical context and aesthetic of the surrounding neighborhood.

Massing of buildings on the site, as illustrated below, evolved from 6 townhomes in one rectangular building, to staggering of units within the building to provide variation and differentiation, to splitting the townhomes into 2 buildings and varying the orientation to reduce scale and achieve a more residential feel.



According to research in the Old Town Neighborhood Plan, the majority of houses on SW Magnolia Avenue north of SW 5th Street date to the 1970s and have simple architecture with little ornamentation and straight lines. While most of the homes are single-story, there are two older homes, located at 30645 and 30590 SW Magnolia Avenue, that are two-story. Traditional architectural features of the ranch and farmhouse styles seen in these homes include simple building form, pitched roof pitch, minimal eaves, covered entries, shingle siding, and varied window sizes. The applicant, in their supplemental materials, provides ample examples of these features and how they are incorporated into the project design. A few examples are included below.



- Multiple gable peaks expressed along the approached facade to break up overall massing similar to proposed design
- Forward-facing gable massing characteristic of western farmhouse styling
- Minimal Eaves

A home on SW Magnolia Avenue built in 1910 in the western farmhouse styling and use of multiple, expressed gable peaks to break up front facade similar to the proposed design. Building is within Residential Scope Border of the Old Town Single-Family Design Standards.



- Multiple gable peaks expressed along the approached facade to break up overall massing similar to proposed design
- Deep entry
- Large square window facing the building's approach

A home on SW Magnolia Avenue in 1915 with a deep entryway similar to the proposed design. Building is within Residential Scope Border of the Old Town Single-Family Design Standards.

The color and texture of proposed exterior materials also blend with the surrounding neighborhood. These include light gray HardiShingle siding, tight-knot cedar stained gray and clear at entries and within alcoves and balconies, light gray perforated panel for balcony railings, and a dark gray standing seam metal roof. The architecture of the proposed project, with its modern unadorned design, neutral color tones, and varied natural materials, fits well with the other homes on the street and emulates the architectural styles of houses that were found throughout the Willamette Valley from the 1880s to the 1930s.



Neighborhood Meeting and Concerns

A neighborhood meeting was voluntarily held by the applicant on October 29, 2019, to provide opportunity for Old Town Neighborhood residents to comment on the proposed project. Participants included representatives Monica Keenan and Doug Muench of the Old Town Neighborhood Association, as well as other residents of the neighborhood. Three key issues were identified at the meeting as discussed below: off-street parking and density, building height and privacy, and architecture.

Off-street Parking and Density

Neighbors expressed concern about adding density to the subject property, given that on-street parking is already limited for residents on SW Magnolia Avenue. They are concerned that adding new residents will make it more difficult for current residents to find parking near their homes. Although the design presented at the neighborhood meeting incorporated the minimum 1 parking space per dwelling unit required by code, neighbors expressed concern that spaces are offered in each unit's garage, which often is used for storage, not parking. The applicant addressed this concern by revising the design to provide 6 additional driveway and on-street spaces, for a total of 12, twice the required amount.

Building Height and Privacy

Neighbors also expressed concern that a 3-story building on the subject property would threaten the privacy of nearby residents because the closest houses are single and 2-story structures. To address this concern and minimize the effect of a 3-story building, the applicant proposes a gabled roof with a maximum peak of 32 ft, 3 ft below the allowed maximum. As shown in the building perspectives below, the applicant paid careful attention to other aspects of design to further mitigate and minimize visual connections to neighboring properties.

Proposed Townhomes



View from SW Boones Ferry Road looking East (left)

View from SW Magnolia Avenue looking North (below)

Proposed Townhomes



Architecture

Neighborhood residents expressed their appreciation of the applicant's effort to introduce an architectural style that emulates the design guidelines of the Wilsonville Old Town Single-Family Design Standards. They also expressed several times that they found the buildings to be aesthetically pleasing. As discussed earlier in this section, the applicant responded to neighbor concerns by designing the townhomes to emulate the requirements of the Old Town Overlay Zone but with a modern interpretation that meshes with the historical context and aesthetic of the surrounding neighborhood.

Construction Traffic and Noise

The subject property is located at the north end of SW Magnolia Avenue with access taken through an easement from the apartments to the east and north. The street dead ends in a cul-de-

sac and there is an emergency-only access gate to the apartment property. There is no other access to the site. Although residents who attended the neighborhood meeting did not express concern about traffic and noise during construction, the limited site access will be challenging when development occurs. Careful attention will need to be paid to timing of construction traffic and hours during which noise is generated to mitigate and minimize impacts on residents of the neighboring properties and along SW Magnolia Avenue and SW 5th Street. The applicant is aware of this concern and is committed to being respectful during the construction process.

Comments Received and Responses:

Comments were received from the following individuals during the public comment period and are included in Exhibits D1 to D6 of this Staff Report:

- Email from M. Conniry
- Letter from M. E. Harper and S. L. VanWecker
- Letter from N. and S. Lawrence Dated
- Letter from R. Case Dated
- Email from S. and J. Olson
- Email from S. Mendoza

A summary of comments by topic area is included below. *In addition, all written and oral testimony is summarized in Exhibit A3 of this Staff Report.* All concerns raised in the comments received are addressed in the Summary and Discussion Points sections, above, as well as in the Findings for each request, which can be found later in this Staff Report. Staff also notes that a neighborhood meeting was voluntarily held by the applicant on October 29, 2019, to provide opportunity for Old Town Neighborhood residents to comment on the proposed project. Participants included representatives Monica Keenan and Doug Muench of the Old Town Neighborhood Association, as well as other residents of the neighborhood. One neighbor who submitted a comment letter on the proposed project attended the meeting, however, other commenters did not participate. Comments and concerns raised at that meeting and how they were addressed by the applicant is discussed in the Discussion Points section of this Staff Report.

Traffic, Congestion, and Safety

Concern is expressed about increased traffic and congestion on SW Magnolia Avenue resulting from the proposed project. Because the street is minimally improved and does not have sidewalks, concern is expressed about the effects of increased use on street maintenance and drainage. Additional trips to and from the site raise safety concerns for children playing at the end of SW Magnolia Avenue, as well as related to sight distance for vehicles entering and exiting the development. Construction traffic also is a concern, as well as increased pollution and health concerns from dust and car fumes.

Parking

Several neighbors commented that there is insufficient parking for current residents on SW Magnolia Avenue and the proposed development will put an added burden on an already difficult situation.

Services and Utilities

A concern is raised that there is not enough room on the street for additional garbage and recyclables collection bins. Further, there is concern that emergency vehicles will not have enough space to access and serve the site in the event of an emergency or evacuation. Neighbors also express concern that police calls will increase due to a higher incidence of crime in multi-family developments. One comment letter raised concern about adequacy of water pressure to serve the site.

Consistency with Old Town Plan and Design Guidelines, and Historical Context

Several neighbors comment that the proposed buildings are out of character with the Old Town Neighborhood because they are taller than other homes in the area and modern in design. A suggestion is made that development on the site be 2-story duplexes, which would be more in keeping with the neighborhood and Design Guidelines.

Height, Building Mass, and Privacy

Height and mass of the townhome buildings and whether they reflect the immediate context of the area is a concern. Neighbors express concern that the lot will be overcrowded by the development and that it will overwhelm the street and neighborhood. There is concern that the height of the buildings will cause light to shine into neighbors' homes and that solar access could be impacted. A suggestion is made that using the site for a nature area or park would be a nice amenity for the neighborhood and more in keeping with the "quiet Old Town Neighborhood".

Tree Removal

There is concern that several mature trees at the edges of the site will be removed and that the trees could be preserved with a different design. In addition, there is concern that removal of the trees will result in the townhome buildings dominating the view from surrounding properties.

Property Values

A concern is raised that property values will be affected because the townhomes will be occupied by renters rather than owners.

Conclusion and Conditions of Approval:

Staff has reviewed the applicant's analysis of compliance with the applicable criteria. The Staff Report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, Staff recommends that the Development Review Board approve, with the conditions below, the proposed Stage II Final Plan, Site Design Review, and Type C Tree Removal Plan (DB19-0047 through DB19-0049) for the Magnolia 6-Unit Townhome project.

Planning Division Conditions:

Request A: DB19-0047 Stage II Final Plan

PDA 1.	General: 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.
PDA 2.	Prior to Building Permit Issuance: The applicant shall provide a cut sheet of the proposed bicycle rack showing its design and demonstrating that it will be securely anchored. See Finding A59.
PDA 3.	Prior to Temporary Occupancy: Building addressing meeting building and fire code shall be provided. See Finding A64.
PDA 4.	Prior to Occupancy: The applicant shall provide landscaping to meet the Low Screen Standard along the south property boundary to visually screen the vehicle circulation and driveways/parking from the adjacent residential use while integrating the proposed project with other residences in the Old Town Neighborhood. See Finding A69.
PDA 5.	Prior to Building Permit Issuance: The applicant shall indicate on the plans the proposed method of irrigation. See Finding A72.
PDA 6.	General: All travel lanes shall be constructed to be capable of carrying a twenty-three (23) ton load. See Finding A73.

Request B: DB19-0048 Site Design Review

PDB 1.	General: 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 B3.
PDB 2.	Prior to Occupancy: All landscaping required and approved by the Board shall be installed prior to issuance of occupancy permits, unless security equal to 110% of the cost of the landscaping, as determined by the Planning Director, is filed with the

	<p>City assuring such installation within 6 months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding B14.</p>
<p>PDB 3.</p>	<p><u>Ongoing:</u> 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 B15 and B17.</p>
<p>PDB 4.</p>	<p><u>Ongoing:</u> All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered as allowed by Wilsonville’s Development Code. See Findings B16.</p>
<p>PDB 5.</p>	<p><u>General:</u> All trees shall be balled and burlapped and conform in size and grade to “American Standards for Nursery Stock” current edition. See Finding B25.</p>
<p>PDB 6.</p>	<p><u>General:</u> 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 three (3) years of planting. • Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4-inch pot spaced 2 feet on center minimum, 2-1/4-inch pots spaced at 18 inch on center minimum. • No bare root planting shall be permitted. • Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. • Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.

	<ul style="list-style-type: none"> Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. <p>See Finding B31.</p>
PDB 7.	<u>Prior to Occupancy:</u> Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. See Finding B31.
PDB 8.	<u>Prior to 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 B45.
PDB 9.	<u>Prior to Non-Grading Building Permit Issuance:</u> 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 B53 through B60.

Request C: DB19-0049 Type C Tree Permit

PDC 1.	<u>General:</u> This approval for removal applies only to the 12 on-site and 6 off-site trees identified in the applicant's submitted materials. All other trees on the property shall be maintained unless removal is approved through separate application.
PDC 2.	<u>Prior to Grading Permit Issuance:</u> The Applicant/Owner 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. See Finding C7.
PDC 3.	<u>General/Ongoing:</u> 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 C10.
PDC 4.	<u>General/Ongoing:</u> The applicant shall add a note to the Landscape Plans specifying that all trees to be planted shall consist of nursery stock that meets requirements of the American Association of Nurserymen (AAN) American Standards for Nursery Stock (ANSI Z60.1) for top grade. See Finding C11.
PDC 5.	<u>Prior to Commencing Site Grading:</u> 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 C13.

PDC 6. General/Ongoing: Solvents, building material, construction equipment, soil, or irrigated landscaping, shall not be placed within the drip line of any preserved tree, unless a plan for such construction activity has been approved by the Planning Director or Development Review Board based upon the recommendations of an arborist. See Finding C13.

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

Engineering Division Conditions:

PFA 1.	<u>Prior to Issuance of Public Works Permit</u> , Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1.
PFA 2.	<u>Prior to Issuance of Public Works Permit</u> , 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 3.	<u>Prior to Issuance of Public Works Permit</u> , 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 4.	<u>Prior to Site Commencement</u> , an approved Erosion Control Permit must be obtained and erosion control measures must be in place. Permits shall remain active until all construction work is completed and the site has been stabilized. The permits will be closed out when home construction is completed and the final certificate of occupancy has been issued.
PFA 5.	<u>Prior to Issuance of Final Building Certificate of Occupancy</u> , all public improvements including streets and utilities located in the right of way or in the public easement, shall be constructed and completed.

PFA 6. Onsite 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 Division Conditions:

NR 1. Natural Resource Division Requirements and Advisories listed in the “Public Works Plan Submittal Requirements and Other Engineering Requirements”, Exhibit C1, apply to the proposed development.

Building Division Conditions:

BD 1. **Prior to Submittal for Building Permit Review:** Revise Plan Sheet P5.0, Utility Plan, to show one domestic water meter per building sized per Chapter 6 of the 2019 OPSC (Oregon Plumbing Specialty Code) and Wilsonville City Code, Section 3.103(5)(b).

BD 2. **Prior to Submittal for Building Permit Review:** Construction of the proposed townhouses shall meet section R302.2 (Townhouses) of the 2017 ORSC (Oregon Residential Specialty Code); providing fire resistance rated walls and construction for all exterior walls. If applicant chooses to install a fire sprinkler system in accordance with NFPA 13D or other approved sprinkler system, to reduce the fire rating to 1-hour, the fire sprinkler design documents must be included with the submittal or noted as a deferred submittal.

BD 3. **Prior to Private Utility Connection:** All public and service utilities to the private building lot must be installed, tested, and approved by the City’s Engineering Department or other utility designee.

Master Exhibit List:

The following exhibits are hereby entered into the public record by the Development Review Board as confirmation of its consideration of the application as submitted. This is the exhibit list that includes exhibits for Planning Case Files DB19-0047 through DB19-0049.

Planning Staff Materials

- A1. Staff report and findings (this document)
- A2. Staff's Presentation Slides for Public Hearing
- A3. Staff Memorandum to DRB Dated September 21, 2020

Materials from Applicant

- B1. Applicant's Narrative and Submitted Materials
 - Table of Contents
 - Project Summary
 - Background Information
 - Relevant Design Issues
 - Response to Key Code Criteria
 - Property Documents
 - Communication with Tualatin Valley Fire & Rescue
 - Communication with Republic Services
 - Preliminary Storm Drainage Report
 - Geotechnical Report and Addendum Dated July 10, 2020, regarding Second Infiltration Tests
 - Trip Generation Memo
 - Tree Maintenance and Protection Plan, including KWDS, LLC, Permission Letter Dated February 10, 2020
 - Lighting Cutsheets
 - Siding and Roofing Specifications
 - Materials Board (available under separate cover)
- B2. Applicant's Drawing Package
 - G0.01 General Information
 - G0.02 Site Survey
 - A0.01 Site Plan
 - A2.01 Ground Floor Plan
 - A2.02 Second Floor Plan
 - A2.03 Third Floor Plan
 - A2.04 Roof Plan
 - A2.10 Exterior Lighting Plan
 - A3.00 Exterior Elevations: Building A East and South
 - A3.01 Exterior Elevations: Building A West and North
 - A3.02 Exterior Elevations: Building B East and South
 - A3.03 Exterior Elevations: Building B West and North

P3.0 Tree Removal and Protection Plan

P3.1 Tree Preservation Table

P4.0 Grading and Erosion Control Plan

P5.0 Composite Utility Plan

L1.01 Landscape Area Plan

L2.01 Landscape Plan

L3.01 Plant Material List

B3. Applicant's Supplemental Drawing Package:

Page 3. History and Context: Region Timeline

Page 4. History and Context: Zoning Complexity

Page 5. Existing Site

Page 6. Site Strategy

Page 7. Massing Diagram

Pages 8-13. Historic Precedents (6 sheets)

Page 14. Building Perspectives: View from Site Entry at SW Magnolia

Page 15. Building Perspectives: View from Building Frontage

Page 16. Building Perspectives: View from Southwest Corner of Property

Page 17. Building Perspectives: View from North Looking Across Common Area

Page 18. Building Perspectives: View from Boones Ferry Road

Page 19. Building Perspectives: View from SW Magnolia Avenue

Page 20. Landscape Plans: Landscape Area Plan

Page 21. Landscape Plans: Landscape Plan

Pages 22-23. Landscape Plans: Plant Material List (2 sheets)

Page 24. Landscape Plans: Common Space Concept

Page 25. Landscape Plans: Plant Materials

Page 26. Exterior Lighting Plan

Development Review Team Correspondence

C1. Public Works and Other Engineering Requirements

Other Correspondence

D1. Email from M. Conniry Dated August 14, 2020

D2. Letter from M. E. Harper and S. L. VanWecker Dated August 14, 2020

D3. Letter from N. and S. Lawrence Dated August 14, 2020

D4. Letter from R. Case Dated August 14, 2020

D5. Email from S. and J. Olson Dated August 14, 2020

D6. Email from S. Mendoza Dated August 14, 2020

D7. *Comment from R. Case Dated August 24, 2020*

Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The application was received on December 23, 2019. Staff conducted a completeness review within the statutorily allowed 30-day review period and on January 17, 2020, determined the application to be incomplete. On March 27, 2020, the City received revised application materials for review, and on April 24, 2020, again deemed the application incomplete. On May 29, 2020, the City received revised application materials for review, and on June 25, 2020, deemed the application complete. The City must render a final decision for the request, including any appeals, by October 23, 2020.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	PDC	Multi-family Residential
East:	PDC	Multi-family Residential
South:	RAH-R	Single-Family Residential
West:	PDC	Single-Family Residential

3. Previous Planning Approvals:

Ordinance No. 66 Wilsonville Square 76 Master Plan

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

Findings:

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

General Information

Application Procedures-In General Section 4.008

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

Initiating Application Section 4.009

The application submittal was on behalf of the property owner, Daniel Hillebrand of Hillebrand Construction, Inc., and is signed by Daniel Hillebrand.

Pre-Application Conference
Subsection 4.010 (.02)

The City held a Pre-application conference on August 29, 2019 (PA19-0016) in accordance with this subsection.

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

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

General Submission Requirements
Subsection 4.035 (.04) A.

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

Zoning-Generally
Section 4.110

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

Request A: DB19-0047 Stage II Final Plan

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

Planned Development Regulations

Planned Development Purpose
Subsection 4.140 (.01)

A1. The subject property is located in the Wilsonville Square 76 Master Plan area, which 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.

The property is subject to several land use designations including: Multi-Family (townhouses, apartments, condominiums) in the Wilsonville Square 76 Master Plan; Residential 16-20 units per acre and included in Area of Special Concern F in the Comprehensive Plan; located in the Boones Ferry District of Wilsonville’s Old Town Neighborhood Plan; and zoned Planned Development Commercial (PDC) with the Old Town Overlay Zone. Although the property is less than 2 acres in size, it will be developed as a planned development as it is located in the PDC zone. The design team looked at many

of the review criteria in this subsection as drivers for both the building design and site approach. No waivers are being sought for the property or the proposed design.

Planned Development Lot Qualifications

Subsection 4.140 (.02)

- A2.** The subject development site is 0.37 acre and of sufficient size 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.

Ownership Requirements

Subsection 4.140 (.03)

- A3.** The land included in the proposed Stage II Final Plan is under the single ownership Daniel Hillebrand of Hillebrand Construction, Inc., and the application is signed by Daniel Hillebrand.

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: Kegan Flanderka, Principal Architect, with Base Design + Architecture, LLC; Luke Lappan, Civil Engineer, with Pioneer Design Group, Inc.; and Kate Holmquist, Landscape Architect, with Werkstadt Urban Planning + Development. Kegan Flanderka is the designated coordinator for the planning portion of the project.

Planned Development Permit Process

Subsection 4.140 (.05)

- A5.** The subject property is less than 2 acres, is designated Residential 16-20 units per acre in the Comprehensive Plan, and is zoned PDC. The property will be developed as a planned development in accordance with this subsection.

Consistency with Comprehensive Plan and Other Applicable Plans

Subsection 4.140 (.06)

- A6.** The subject property is included in the Wilsonville Square 76 Master Plan, an amendment to the original 1971 Comprehensive Plan, for 33 acres at the southwest quadrant of the SW Wilsonville Road/Interstate-5 (I-5) interchange. Wilsonville Square 76 was approved in 1976 with land designated for primarily commercial development and a small area for multi-family residential use. Land uses proposed at that time included General Commercial, Travelers Retail, Service Shops, Retail Equipment, and Multi-Family. The boundary of the Wilsonville Square 76 area is shown below.



Since 1976, the Wilsonville Square 76 area has developed with a range of uses including multi-family housing, a church, Fred Meyer and the surrounding Old Town Square retail development, and Wilsonville Subaru. The subject property, designated for Multi-Family (townhomes, apartments, condominiums), is the only remaining part of the Wilsonville Square 76 area that is currently vacant. The proposed townhome development on the site is consistent with the designated Multi-Family use in the Wilsonville Square 76 Master Plan.

Other planning efforts have added additional layers of land use designation to the Wilsonville Square 76 area and the subject site. As described earlier in this Staff Report, land use designations include:

- Wilsonville Square 76 Master Plan - Multi-Family (townhouses, apartments, condominiums)
- Comprehensive Plan - Residential 16-20 units per acre, Area of Special Concern F
- Wilsonville’s Old Town Neighborhood Plan – Boones Ferry District
- Development Code/Zoning - Planned Development Commercial (PDC), Old Town Overlay Zone

Development proposed on the subject property is consistent with these land use designations.

Stage II Final Plan Submission Requirements and Process

Timing of Submission
 Subsection 4.140 (.09) A.

A7. The applicant is not requesting a modification of the previously approved Stage I Master Plan (Wilsonville Square 76 Master Plan). The Stage I Master Plan identifies the subject property for a recommended use of Multi-Family (townhouses, apartments,

condominiums) and the current proposal is for 6 townhomes consistent with the Master Plan.

Determination by Development Review Board

Subsection 4.140 (.09) B.

- A8.** 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.

Stage I Conformance and Submission Requirements

Subsection 4.140 (.09) C.

- A9.** The Stage II Final Plan substantially conforms to the previously approved Stage I Master Plan, which identifies the subject property for a recommended use of Multi-Family (townhouses, apartments, condominiums). The applicant has provided the required drawings and other documents showing all the additional information required by this subsection.

Stage II Final Plan Detail

Subsection 4.140 (.09) D.

- A10.** The applicant has provided sufficiently detailed information to indicate fully the ultimate operation and appearance of the development, including a detailed site plan, landscape plans, and elevation drawings.

Submission of Legal Documents

Subsection 4.140 (.09) E.

- A11.** No additional legal documentation is required for dedication or reservation of public facilities.

Expiration of Stage II Approval

Subsection 4.140 (.09) I. and Section 4.023

- A12.** 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.

Consistency with Plans

Subsection 4.140 (.09) J. 1.

- A13.** The proposed townhome development is consistent with the Comprehensive Plan and the Wilsonville Square 76 Master Plan.

Traffic Concurrency

Subsection 4.140 (.09) J. 2.

- A14.** A traffic memorandum by DKS Associates, the City's traffic consultant, estimated the proposed project will generate a total of 5 trips (3 in, 2 out) during the p.m. peak hour, with

4 p.m. peak hour (2 inbound, 2 outbound) trips expected through the I-5/SW Wilsonville Road interchange. The low volume of traffic anticipated to result from the proposed development does not significantly impact nearby intersections and, therefore, does not require any improvements. The traffic study did not identify any concerns with sight distance for the proposed site access and found that the proposed 20-foot-wide drive aisle provides sufficient internal circulation and access to all 6 townhomes and their associated driveways.

Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

A15. Facilities and services, including utilities, are available and sufficient to serve the proposed development.

Adherence to Approved Plans

Subsection 4.140 (.09) L.

A16. 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.

Residential Development Standards in Any Zone

Outdoor Recreational Area and Open Space in Residential Developments

Subsection 4.113 (.01) and (.02)

A17. A minimum of 25% of the 16,204-square-foot project site, or 4,051 sf must be open space, of which 1,000 sf must be in recreational space. Approximately 5,184 sf (32%) of the site is landscaped, of which 2,691 sf (17% of the site, 52% of the landscaped area) is in planters between driveways and in common areas (472 sf), the shared outdoor recreation space (1,300 sf), and rain gardens for stormwater management (919 sf). The remaining 2,492 sf of landscaping is in lawn and perimeter areas of the site. The required recreational and open space is provided in a mix of both common and private areas. The 1,300 sf (25% of the landscaped area) of shared recreational space on the north side of the townhome buildings includes picnic tables, barbeques, and play/fitness equipment. In addition, approximately 912 sf is provided in small private patio areas for each unit that are separated by large planters and, in some locations, grade changes to provide adequate privacy for each tenant and separation from shared outdoor areas. Covered balconies are included in the design of 4 of the 6 units to provide additional private exterior space.

Building Setbacks – Lots Over 10,000 Square Feet

Subsection 4.113 (.03) A.

A18. Approximately 6 ft of the south property boundary fronts on SW Magnolia Avenue; therefore, for determining setbacks, the east property boundary is considered the front lot

line of the site. For lots over 10,000 sf in size, the minimum front and rear yard setback is 20 ft and the minimum side yard setback is 10 ft. The proposed development meets or exceeds the required setbacks on all sides.

Height Guidelines Subsection 4.113 (.04)

A19. Staff does not recommend the Development Review Board require a height less than the 32 ft to roof peak proposed by the applicant, as the height provides for fire protection access, does not impact scenic views of Mt. Hood or the Willamette River, addresses neighbor concerns about privacy, and is 3 ft less than the allowed maximum of 35 ft. In addition, although the proposed buildings are more than 2 stories in height, they are placed a minimum of 30 ft from property lines abutting the lower density RA-H Zone to the south and have been designed to minimize to the extent possible the effect of a 3-story building. The applicant also has paid careful attention to other aspects of design to further mitigate and minimize visual connections to neighboring properties.

Effects of Compliance Requirements and Conditions on Cost of Needed Housing Subsection 4.113 (.14)

A20. No parties have presented evidence nor has staff discovered evidence that the determination of compliance or attached conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of housing or effectively excluding a needed housing type.

Standards Applying to All Planned Development Zones

Additional Height Guidelines Subsection 4.118 (.01)

A21. Compliance of the proposed development with additional height guidelines is discussed above, under Subsection 4.113 (.04).

Underground Utilities Subsection 4.118 (.02)

A22. All utilities on the property are required to be underground.

Waivers Subsection 4.118 (.03)

A23. 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.

A24. No additional requirements or restrictions are recommended pursuant to this subsection.

Effect of Determination of Compliance and Conditions of Approval on Development Cost

Subsection 4.118 (.04)

A25. It is staff's professional opinion that 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)

A26. No additional tracts are being required for recreational facilities, open space area, or easements.

Habitat Friendly Development Practices

Subsection 4.118 (.09)

A27. 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 are met or will be with Conditions of Approval, thus limiting adverse hydrological impacts on water resources, and no impacts on wildlife corridors or fish passages have been identified.

Planned Development Commercial Zone

Uses in the Planned Development Commercial Zone

Subsections 4.131 (.01) and (.02)

A28. While the Wilsonville Square 76 Master Plan designated the majority of property within the plan area as commercial, it also provided for residential use by identifying a small area Multi-Family (townhouses, apartments, condominiums), including the subject site. The site is designated Residential 16-20 units per acre in the Comprehensive Plan, and the proposed density for the project is approximately 16.2 units per acre, which is on the low end of this range.

Block and Access Standards in the PDC Zone

Subsection 4.131 (.03)

A29. As discussed above, the property is located at the end of a residential street. It does not connect directly to any major transit street or thoroughfare, the closest transit stop is to the north at the cul-de-sac at the end of SW Bailey Street next to the Fred Meyer parking lot, two blocks away intersection of SW Magnolia Avenue and SW 5th Street, approximately 400 ft south from the subject site. In addition, there are two bus stops on SW Boones Ferry Road north of SW Bailey Street, one on the west side near Starbucks and one on the east side near McMEnamin's. ~~and~~ ~~Foot~~ traffic in the project vicinity is limited. Adequate on-site pedestrian circulation and connectivity to the adjacent residential street is provided

consistent with the standards in Sections 4.154, 4.155, and 4.177. No additional conditions of approval are necessary.

Old Town Overlay Zone

Purpose

Subsection 4.138 (.01)

A30. The applicant has applied the Site Design Review provisions of this overlay zone to the proposed development, as is demonstrated in Request B.

Old Town Overlay Application in Conjunction with Underlying Zone

Subsection 4.138 (.02)

A31. As demonstrated through subsequent findings in this Staff Report, specifically contained in Request B, the Old Town Overlay Zone is being applied in conjunction with the underlying PDC Zone.

Standards for Development Subject to Site Design Review

Subsection 4.138 (.05)

A32. These standards are reviewed in detail through Request B, Site Design Review. The functional and overall aesthetic design of the development to comply with Stage II design standards does not prevent it from meeting the building design standards for the Old Town Neighborhood reviewed in Request B. See Findings B32 through B54.

Wilsonville Road Interchange Area Management Plan (IAMP) Overlay Zone

Traffic Impact Analysis

Subsection 4.133.01 (.01)

A33. A Trip Generation Memo, Exhibit B2, has been prepared and reviewed consistent with this subsection.

Where IAMP Regulations Apply

Section 4.133.02

A34. The subject property is wholly within the IAMP Overlay Zone, as shown on Figure I-1 of Wilsonville's Development Code, the IAMP standards are thus being applied.

Permitted Land Uses with the IAMP Overlay Zone

Section 4.133.03

A35. Uses consistent with the underlying PDC zone, as established in the Square 76 Master Plan, are proposed.

Access Management Applicability
Section 4.133.04 (.01) through (.03)

A36. A planned development, including both the previously approved Stage I Master Plan and the current Stage II Final Plan, is proposed within the IAMP Overlay Zone, therefore the access management standards and requirements apply. There are no accesses shown in the IAMP that are proposed to be closed or otherwise restricted on the site.

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

A37. Vehicle access to the property will continue to be from SW Magnolia Avenue. The proposed street access does not impact any of the street access points identified in the access management plan.

Joint ODOT Review
Subsection 4.133.04 (.04) A.

A38. The proposal has been reviewed by the City’s traffic consultant (see Trip Generation Memo in Exhibit B2) and City Engineering staff, and ODOT has been notified and given the opportunity to comment. The analysis determined that the proposed development would generate only 5 PM Peak Hour trips through the I-5/Wilsonville Road interchange, and confirmed that adequate pedestrian and bicycle access is provided. A concern raised in the report about adequacy of on-site parking was addressed by the design team by reconfiguring the parking and adding additional spaces for a total of 12. Access is taken from SW Magnolia Avenue, a local street, and adjacent local streets and arterials are not impacted.

Cross Access Easements
Subsection 4.133.04 (.05)

A39. No new cross access easements are involved in the proposed development, although there is an existing access easement between the subject site and the property directly adjacent to the north and east (Boones Ferry Village Apartments), which is used both for driveway access to the site and off-site parking (2 spaces).

On-site Pedestrian Access and Circulation

Conformance with Standards
Subsection 4.154 (.01) B. 1.

A40. All on-site pedestrian access and circulation standards are applied to and met with the proposed development.

Continuous Pathway System

Subsection 4.154 (.01) B. 1.

A41. As described in the applicant's narrative, the site is configured with tenant access in mind. Townhome entries have individual hardscape pedestrian access from the driveway that is clearly delineated with building materials, articulation, and cladding. Entry paths are covered, and there are two buildings, thus allowing direct pedestrian access through the site from the front of the townhomes on the south to the common area on the north. The central pathway is vertically raised above the elevation of the main drive aisle to enhance visibility and safety. All pedestrian access is clearly marked, well lit, and meets grading and clearance requirements for ADA compliance.

Safe, Direct, and Convenient Pathways

Subsection 4.154 (.01) B. 2. a. and b.

A42. All proposed pathways are of smooth and consistent concrete and no hazards are evident on the site plan. Additionally, pathways are kept separate from drive aisles, designed for pedestrian safety, and meet, where appropriate, ADA requirements or will be required to by the building code.

Vehicle/Pathway Separation

Subsection 4.154 (.01) B. 3.

A43. The main pathway between the buildings is concrete and distinguished in materials from the drive aisle, which is asphalt. In addition, the pathway is vertically raised above the main drive aisle to enhance visibility and safety, consistent with this subsection.

Crosswalks

Subsection 4.154 (.01) B. 4.

A44. As indicated in the applicant's site plan, no pathways cross a parking area or driveway, therefore, this subsection does not apply.

Pathway Width and Surface

Subsection 4.154 (.01) B. 5.

A45. The main pathway is constructed of concrete and at least 5 feet wide, which meets the requirement.

Appropriate Pathway Signage

Subsection 4.154 (.01) B. 6.

A46. The pathways do not connect destinations beyond the small site and no signs would be appropriate or standard in the scenario.

Parking Area Design Standards

Minimum and Maximum Parking Subsection 4.155 (.03) G.

A47. Each townhome requires one (1) parking space, or a total of 6 spaces. The applicant's proposal exceeds the minimum parking requirement two fold, providing 12 spaces. No ADA spaces are required or proposed. Parking is as follows:

Use and Parking Standard	Total Area No. of Units	Minimum Off-street Spaces Required	Maximum Off-street Spaces Allowed	Proposed Off-street Spaces	Minimum Bicycle Parking Spaces	Proposed Bicycle Parking Spaces
Multiple-family dwelling units of nine (9) or fewer units 1 per dwelling unit	10,620 sf 6 units	6	No limit	12	2	2

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

A48. The applicable parking designs standards are met as follows:

Standard	Met	Explanation
Subsection 4.155 (.02) General Standards		
B. All spaces accessible and usable for parking	<input checked="" type="checkbox"/>	All areas considered parking spaces are accessible and usable for that purpose and have maneuvering area for vehicles. Submitted floor plans demonstrate garages of sufficient size and with adequate accessibility to provide parking space for each unit.
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"/>	Bumper guards not required for parking spaces in townhome driveways. Although not required, plans show curbing at least 6 inches in width defining front and rear boundaries of compact spaces along drive aisle.
K. Surfaced with asphalt, concrete or other approved material.	<input checked="" type="checkbox"/>	Parking and maneuvering areas are surfaced with either concrete or asphalt.
Drainage meeting City standards	<input checked="" type="checkbox"/>	Drainage is professionally designed and being reviewed to meet City standards
L. Lighting not shining into adjoining structures or into the eyes of passers-by.	<input checked="" type="checkbox"/>	Lighting is proposed to be fully shielded and meet the City's Outdoor Lighting Standard

N. No more than 40% of parking compact spaces.	<input checked="" type="checkbox"/>	Two compact spaces proposed, which is 17% of 12 spaces provided, substantially less than maximum allowed.
O. Where vehicles overhang curb, planting areas at least 7 feet in depth.	<input checked="" type="checkbox"/>	No parking spaces proposed where vehicles overhang a curb.
Subsection 4.155 (.03) General Standards		
A. Access and maneuvering areas adequate.	<input checked="" type="checkbox"/>	Access and maneuvering areas are adequate to serve the functional needs of the site, with a 20-foot-wide drive aisle at the entry to the site and in front of the buildings. The applicant worked with TVF&R and Republic Services to ensure access and maneuvering areas are adequate for service needs.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	<input checked="" type="checkbox"/>	Plans clearly delineate separate vehicle and pedestrian traffic areas.
C. Safe and convenient access, meet ADA and ODOT Standards.	<input checked="" type="checkbox"/>	Proposed parking and access enable meeting ADA and ODOT standards.
For parking areas with more than 10 spaces, 1 ADA space for every 50 spaces.	<input checked="" type="checkbox"/>	Proposal required to provide 6 parking spaces, but provided 12 in response to neighbor concerns. No ADA parking required to meet City standards and none provided.
D. Where possible, parking areas connect to adjacent sites.	<input checked="" type="checkbox"/>	On-site parking area connects to SW Magnolia Avenue via one driveway entrance and does not connect to any adjacent properties.
Efficient on-site parking and circulation	<input checked="" type="checkbox"/>	Careful and professional design of parking provides for safety and efficiency and is typical design of residential development.

Parking Standards Minimum Criteria
Section 4.155 (.02) A.

A49. The standards are considered minimum criteria and in many cases are exceeded, such as the number of planned parking spaces.

Parking Variances and Waivers
Section 4.155 (.02) A. 1. and 2.

A50. No variances or waivers to the parking standards are requested nor would be necessary to approve the proposed development.

On-Street Parking for Parking Calculations
Subsection 4.155 (.03) F.

A51. No on-street parking is counted as required parking for the proposed development.

Electric Vehicle Charging
Subsection 4.155 (.03) H.

A52. No electric vehicle charging stations are proposed.

Motorcycle Parking
Subsection 4.155 (.03) I.

A53. No motorcycle parking is proposed.

Parking Area Landscaping

Minimizing Visual Dominance of Parking
Subsection 4.155 (.03) B.

A54. Landscaping of trees and shrubs proposed in parking areas minimizes visual dominance of these areas.

Parking Area Landscape Requirement - 10%
Subsection 4.155 (.03) B. 1. through 3.

A55. As demonstrated by the applicant's submitted plan set, approximately 5,184 square feet (32%) of the site will be covered by landscaping. In parking/driveway areas at the front of the townhome buildings, approximately 399 sf of landscaped area is provided in planters between driveways, 336 sf is in raingarden/stormwater facility between the buildings, and 828 sf is along the south and west property boundaries, for a total of 1,563 sf, which is approximately 10% of the 16,204 sf site area. In excess of double the 15% required by code is provided for total landscaping of the site. The minimum ratio of tree planting areas to parking spaces is met through the proposed landscape plan, as at least one (1) tree will be planted for every eight (8) spaces.

Bicycle Parking - General Provisions

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

A56. Two (2) bicycle spaces are required per Table 5, Parking Standards, as shown above in Finding A47. The applicant proposes 2 bicycle spaces, both of which are located outside on the north side of the drive aisle near the compact parking spaces.

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

A57. 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.

A58. The proposed bicycle parking area is 4 ft by 6 ft in size with one bike rack for parking 2 bicycles, each in a 2 ft by 6 ft area. A 4-ft by 5-ft maneuvering area also is provided, and both the parking and maneuvering areas are concrete surfaced.

Spacing of Bicycle Racks, and Bicycle Racks and Lockers Anchoring

Subsection 4.155 (.04) B. 3. and 4.

A59. The proposed bicycle rack is located appropriately for use. A cut sheet of the proposed bicycle rack is not provided in the plans, therefore, staff cannot determine if the rack will be securely anchored. A Condition of Approval requires a cut sheet be provided demonstrating that the standard is met.

Bicycle Parking Location

Subsection 4.155 (.04) B. 5.

A60. The bicycle parking spaces are proposed to be located less than 30 ft from the entrance to the nearest townhome in Building 2 and are adjacent to the project driveway entrance, providing convenient and direct access from SW Magnolia Avenue.

Other Development Standards

Access, Ingress, and Egress

Section 4.167 (.01)

A61. Primary vehicle access to the site is from SW Magnolia Avenue, a defined point approved by the City that is consistent with the public's health, safety and welfare.

Protection of Natural Features and Other Resources

Section 4.171

A62. The subject property does not contain natural environmental and scenic features, and no part of the site is protected by the City's Significant Resource Overlay Zone (SROZ). No hillsides, powerline easements, etc. needing protection exist on the site. It is currently vacant as the single-family home that previously occupied the site was demolished about 10 years ago. Topography is generally flat, sloping gently from northeast to southwest by approximately 2 feet. Minimal grading will be performed to prepare the site for development and address stormwater treatment through a combination of flow-through planters and rain gardens.

There are 12 trees growing on the project site, with an additional 6 trees on adjacent property that could be impacted by the proposed development. More than half the on-site trees are black locust, an invasive species, with other species including one each of Japanese maple, Norway maple, and elm. Off-site trees include a silver maple, lodgepole pine,

sweetgum, deodar cedar, and an indeterminate deciduous species. The applicant proposes removing all on-site and 2 off-site trees, while protecting 4 off-site trees. It is not practical to retain the trees proposed for removal without significantly reducing the size of the proposed building footprints and associated on-site improvements. A letter from KWDS, LLC, to the applicant granting permission to remove the 2 off-site trees is included in the Exhibit B1 of the applicant's submitted materials.

The 32 trees proposed to be planted as part of the site landscaping substantially exceed the required mitigation.

Public Safety and Crime Prevention

Design for Public Safety, Surveillance and Access

Subsection 4.175 (.01)

A63. According to the applicant's narrative, the proposed design has been laid out with public and tenant safety in mind. The units are individually lit at the entries, garages, and rear patio areas for security and safety. An overhead post light provides additional lighting at the site entry between the 2 vehicle parking spaces and bike parking area. Bollard lighting is proposed along the pathway between the buildings and in the shared recreation space on the north side of the site. The orientation of the buildings, while still establishing a sense of privacy, draw one's view toward the central walkway leading to the north side of the property providing eyes on the common area. A wide drive area in front of the buildings on the south side of the site is easily accessible by police patrol and/or emergency services.

Addressing and Directional Signing

Subsection 4.175 (.02)

A64. Addresses are not shown on submitted building elevations and the applicant has not proposed any directional signage to assure identification of individual buildings. However, a Condition of Approval requires addressing to meet building and fire code requirements.

Surveillance and Access

Subsection 4.175 (.03)

A65. The parking areas are easily accessible, the common area is visible from the patios of individual townhomes, and no areas of particular vulnerability to crime have been identified warranting additional surveillance.

Lighting to Discourage Crime

Subsection 4.175 (.04)

A66. Lighting has been designed in accordance with the City's outdoor lighting standards, which will provide sufficient lighting to discourage crime and ensure public safety.

Landscaping Standards

Landscape Standards Purpose Subsection 4.176 (.01)

A67. 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 landscape purpose statement.

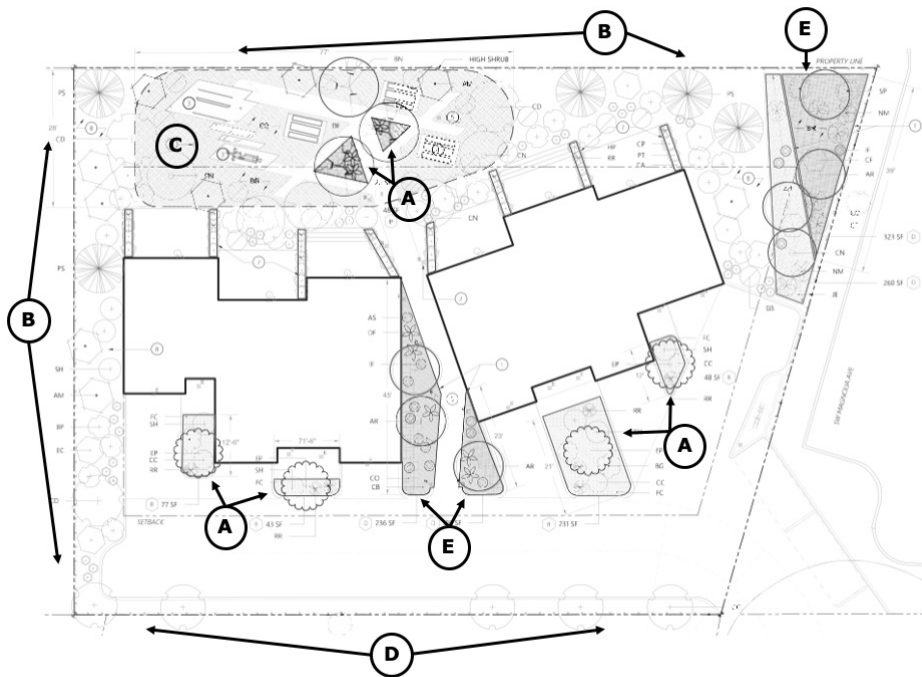
Landscaping Code Compliance Subsection 4.176 (.02) B.

A68. 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.

A69. As described in the applicant's narrative, the landscape strategy is to promote a visually pleasing site area that meets the landscaping requirements while incorporating native, naturally occurring, and drought-tolerant/water conserving plantings. The applicant's intent is to reflect the natural landscape of the area while minimizing irrigation and aggressive maintenance needs, such as pruning, over-fertilizing, and mowing.

As shown on Sheets L1.01 through L3.01 (Exhibit B2) materials required to meet the landscaping standards are provided as follows:



Landscape Areas A, B, and C

- Area Description:** Landscape planting areas between driveways at front of townhomes, in the common area on north side of buildings, and in lawn and site perimeter areas on the west and north sides of the site.
- Landscaping Standard:** General
- Comments on Intent:** Applied in areas that are generally open and distance is the principal means of separating uses or developments and landscaping is required to enhance the intervening space
- Required Materials:** Fully cover, shrubs and trees may be grouped, one tree every 30 feet when landscaped area less than 30 feet deep, one tree every 800 square feet and two high shrubs or three low shrubs every 400 square feet when landscaped area 30 feet deep or greater
- Materials Provided:** Snow gum trees, shrubs and groundcover in planting areas between driveways. Dura-heat river birch, Pacific dogwood, Pacific madrone, and Deodar cedar, shrubs and groundcover in common area. In addition, a high shrub 77 ft in length is proposed along the north property boundary to visually screen the common area from the multi-family development to the north. Foothill pine, deodar cedar, Pacific madrone, Blue ice Arizona cypress, shrubs and groundcover in lawn and perimeter site areas. Proposed plantings provide required visual break to residential areas to the west, north and east of the site.

Landscape Area D

- Area Description:** Along south perimeter of site abutting to single-family development
- Landscaping Standard:** Low Screen
- Comments on Intent:** Low Screen - Applied along street lot lines or in area separating parking lots from street rights-of-way
- Required Materials:** Low Screen - Fully cover, 3-foot hedge 95% opaque year round, trees every 30 feet or as required to provide canopy over landscape area
- Materials Provided:** Five (5) Blue ice Arizona cypress trees grouped 18 ft on center in two locations. No shrubs or groundcover shown on plans. A Condition of Approval requires the Low Screen Standard to be met along the south property boundary to visually screen the vehicle circulation and driveways/parking from the adjacent residential use while integrating the proposed project with other

residences in the Old Town Neighborhood.

Landscape Area E

Area Description:	Northeast part of site and between townhome buildings in center of site
Landscaping Standard:	Not applicable – Stormwater facilities
Comments on Intent:	Not applicable
Required Materials:	Not applicable
Materials Provided:	Red alder trees, shrubs and groundcover appropriate for stormwater facilities.

Landscape Area and Locations

Subsection 4.176 (.03)

A70. As discussed earlier in this report (see Findings A17 and A55) and demonstrated by the applicant’s submitted plan set, approximately 5,184 square feet (32%) of the site will be covered by landscaping.

In parking/driveway areas at the front of the townhome buildings, approximately 399 sf of landscaped area is provided in planters between driveways, 336 sf is in raingarden/stormwater facility between the buildings, and 828 sf is along the south and west property boundaries, for a total of 1,563 sf, which is approximately 10% of the 16,204 sf site area.

Approximately 2,691 sf (17% of the site, 52% of the landscaped area) is in planters between driveways and in common areas (472 sf), the shared outdoor recreation space (1,300 sf), and rain gardens for stormwater management (919 sf). The remaining 2,492 sf of landscaping is in lawn and perimeter areas of the site. The 1,300 sf (25% of the landscaped area) of shared recreational space on the north side of the townhome buildings includes picnic tables, barbeques, and play/fitness equipment. In addition, approximately 912 sf is provided in small private patio areas for each unit that are separated by large planters and, in some locations, grade changes to provide adequate privacy for each tenant and separation from shared outdoor areas. Covered balconies are included in the design of 4 of the 6 units to provide additional private exterior space.

In excess of double the 15% required by code is provided for total landscaping of 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)

A71. The subject site is zoned PDC, but is intended for, and proposed to be developed in, multiple-family residential use consistent with the Comprehensive Plan and Wilsonville Square 76 Master Plan. The south boundary of the site abuts residential use in the RAH-R

zone, a different zone than the subject site. However, the Screening and Buffering Overlay Zone has not been applied because the subject site is proposed for residential rather than nonresidential use, which is compatible with the abutting residential development. Further, applying the Low Screen Standard along the south property boundary will visually screen the vehicle circulation and driveways/parking from the adjacent residential use while integrating the proposed project with other residences in the Old Town Neighborhood. No fences over 6 feet tall are proposed.

Landscape Plan Requirements

Subsection 4.176 (.09)

A72. The Landscape Plans provide the required information including proposed landscape areas, type, installation size, number and placement of materials, and plant materials list. While water use areas are shown on the plans, a proposed method of irrigation is not indicated. A Condition of Approval requires a note be added to the plans indicating the proposed method of irrigation.

Other Development Standards

General Conformance with Public Works Standards and TSP

Subsection 4.177 (.01)

A73. All development and any related public facility improvements are required to conform to the TSP and Public Works standards, and connection to the ROW of SW Magnolia Avenue will be reviewed by the City Engineer for conformance with the Public Works standards. The access drive will be asphalt and designed to provide a clear travel lane, free from obstructions. A Condition of Approval will ensure this travel lane is capable of carrying a 23-ton load. The emergency access lane is improved to a minimum 12 feet and the development has been reviewed and approved by Tualatin Valley Fire and Rescue (TVF&R).

Street Design Standards and Sidewalks

Subsection 4.177 (.02) and (.03)

A74. Per the applicant's narrative, the unusual configuration of the site has created a situation where the property has minimal direct right-of-way connection or frontage on SW Magnolia Avenue. In addition, there are no sidewalks on the street in this location and no plans to improve the street to comply with Public Works standards. The applicant will maintain an access easement with the adjacent property to the east. This situation has been reviewed by the City Engineer who determined that no street improvements are required of the proposed development.

Mixed Solid Waste and Recyclables Storage
Section 4.179

A75. The proposed development is required to meet the standards for mixed solid waste and recyclables storage. See Request B, Findings B8 through B11.

Outdoor Lighting
Sections 4.199.20 through 4.199.60

A76. The proposal is required to meet the Outdoor Lighting Standards. See Request B, Findings B53 through B60.

Underground Installation of Utilities
Sections 4.300-4.320

A77. There are no existing overhead facilities that require undergrounding as part of this development and all on-site utility lines will be underground.

Request B: DB19-0048 Site Design Review

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

Site Design Review

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

- B1. Staff summarizes the compliance with this subsection as follows:
- **Excessive Uniformity:** The proposed development is unique to the particular development context and does not create excessive uniformity.
 - **Inappropriate or Poor Design of the Exterior Appearance of Structures:** The applicant used appropriate professional services to design the buildings on the site using quality materials that are compatible with surrounding residential development and consistent with the context of the PDC zone and Wilsonville Square 76 Master Plan. As explained by the applicant, “the design team worked through the site orientation and layout with the combined intention of providing an aesthetically pleasing and functional development for future tenants, as well as a development that would maximize the beneficial visual impact on the adjacent community, while simultaneously minimizing any negative impacts that can come with a new land development within an existing mixed-residential community”.
 - **Inappropriate or Poor Design of Signs:** The applicant does not propose any signs for the development, thus this criteria does not apply.
 - **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.

Purpose and Objectives

Proper Functioning of the Site

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

B2. 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 creates a visual environment that is compatible with other surrounding residential uses. In addition, as described by the applicant, “the layout has been carefully thought out so that no adjacent property receives a ‘back’ of the structures and at the same time allow[s] delineated and activated pedestrian access through the property”.
- **Pursuant to Objective B** (encourage originality, flexibility, and innovation), as described in the applicant’s narrative, “given the unique location of the property abutting a higher density zone to the north, but having a lower density residential zone to the south, as well as its site access at the end of a residential street, great care has been taken to design a series of structures that properly bridges these two zones” and is consistent with the Comprehensive Plan, while still making a connection that is scaled to provide a transition the lower density neighborhood.
- **Pursuant to Objective C** (discourage inharmonious development), the professional design of the proposed buildings 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 buildings, layout of the site, and extensive landscaping improve the general aesthetic of the site and harmonize with the visual character of surrounding residential development and the aesthetic of the Old Town Neighborhood.
- **Pursuant to Objective E** (protect and enhance City’s appeal), development of the site with well-designed townhomes and landscaping will help activate the site by taking “a historically ‘undevelopable’ lot that has been left to disuse and applying a small development” at the north end of SW Magnolia Avenue, and enhance the residential fabric of the area by creating a residential feel that is appropriate to the community.
- **Pursuant to Objective F** (stabilize property values/prevent blight), developing the subject property, which is currently vacant, will enhance the site and surrounding residential 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 townhomes is such that the public area is clearly defined as being between and on the north side of the buildings. In addition, windows, porches and balconies connect the interior and exterior to provide eyes on the street while being sensitive to privacy concerns of neighbors related to views from the townhomes into surrounding property, and landscaping along the boundaries is designed to reduce visual connections between the site and neighboring areas.
- **Pursuant to Objective I** (foster civic pride and community spirit), the project is intended to foster civic pride by enhancing a previously undeveloped lot with attractive townhome buildings, while being sensitive to adjacent residential uses and the Old Town Neighborhood aesthetic.
- **Pursuant to Objective J** (sustain favorable environment for residents), as described under Objective H, the proposed development incorporates several design features to integrate the proposed development with the surrounding neighborhood and to ensure the comfort and health of neighboring residents. In addition, in response to a concern from neighboring residents about the development affecting their ability to find parking near their homes, the applicant doubled the amount of parking on the site from one (1) space per unit to 2, providing 12 parking spaces, to sustain a favorable environment on SW Magnolia Avenue.

Development Review Board Jurisdiction
Section 4.420

- B3.** A Condition of Approval will ensure construction, site development, and landscaping are carried out in substantial accord 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)

- B4.** 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 preserve 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 is generally flat with slight, 1 ft or less variation, in a few locations and does not have any naturally sensitive areas. Surrounding uses in the general area are of similar intensity to the north and east and of lower intensity to the south and west consistent with the zoning in the area, and landscaping and screening at the site perimeter provides appropriate screening and buffering to adjacent properties 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 areas in individual driveways and along the site access on the south side of the buildings from common area and open space on the west, north and east sides. One new access driveway is proposed from SW Magnolia Avenue and there is clear pedestrian routing from the front of the townhomes to the common area in the back via a pedestrian walkway between the buildings. The site design provides efficient, safe and convenient circulation for vehicles and pedestrians.
- **Pursuant to Standard D** (Surface Water Drainage), stormwater drainage facilities are incorporated into the site design and no adverse impacts to surface water drainage are expected to 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), no signs are proposed, therefore, this standard does not apply.
- **Pursuant to Standard G** (Special Features), no special features such as accessory areas and structures are proposed as part of the development, therefore this standard does not apply.

Applicability of Design Standards

Subsection 4.421 (.02)

B5. Design standards have been applied to all buildings, structures, and other features.

Conditions of Approval

Subsection 4.421 (.05)

B6. 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)

B7. The color and texture of proposed exterior materials blend with the surrounding neighborhood and add architectural and visual interest and variety. These include light gray HardiShingle siding, tight-knot cedar stained gray and clear at entries and within alcoves and balconies, light gray perforated panel for balcony railings, and a dark gray standing seam metal roof. No specific paints or colors are required.

Standards for Mixed Solid Waste and Recycling Areas

Mixed Solid Waste and Recycling Areas Colocation

Subsection 4.430 (.02) A. and B.

- B8.** Storage and removal of mixed solid waste and recycling in the proposed development are addressed through individual unit storage of receptacles and curb-side pickup. Receptacles will be stored in the individual townhome garages as shown on Sheet A2.01, Ground Floor Plan. The design team has worked with Republic Services to confirm that curb-side pickup is their preferred method for collection and a corroborating letter from the service provider is included in Exhibit B2 of this report. Review of the Building Permit will ensure compliance with the Uniform Building and Fire Code requirements.

Exterior vs Interior Storage, Number of Locations

Subsections 4.430 (.02) C.-F.

- B9.** The applicant does not proposed exterior storage of mixed solid waste and recycling. Rather, receptacles will be stored in individual townhome garages and the development will be serviced with curb-side pickup at the driveway of each unit. Sheet A2.01, Ground Floor Plan, of the applicant's materials (Exhibit B2) identifies a location of adequate dimension for receptacle storage in each unit. Communication with Republic Services (Exhibit B1), the franchise hauler, requires that the drive aisle in front of the townhomes be posted with "No Parking" signs and curb markings to provide safe ingress and egress for service trucks.

Collection Vehicle Access, Not Obstruct Traffic or Pedestrians

Subsections 4.430 (.02) G.

- B10.** The submitted letter from Republic Services indicates a preference for curb-side pickup and that the location and pickup arrangement is accessible to collection vehicles. Curb-side collection does impede sidewalks, parking area aisles, or public street right-of-way.

Design and Access Standards for Storage Area

Subsections 4.430 (.03) and 4.430 (.04)

- B11.** Pursuant to the submitted letter from Republic Services, applicant's Exhibit B1, storage of mixed solid waste and recycling receptacles in the garages of individual townhomes and curbside pickup is acceptable, accessible to collection vehicles without requiring backing out of a driveway onto a public street, and provides adequate turning radius for collection vehicles to safely exit the site in a forward motion.

Site Design Review Submission Requirements

Submission Requirements

Section 4.440

B12. The applicant submitted materials in addition to requirements of Section 4.035, as applicable.

Time Limit on Site Design Review Approvals

Time Limit on Approval-Void after 2 Years

Section 4.442

B13. The applicant has indicated 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)

B14. 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)

B15. 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)

B16. A Condition of Approval will ensure landscaping is continually maintained in accordance with this subsection.

Modifications of Landscaping

Subsection 4.450 (.04)

B17. A Condition of Approval will provide ongoing assurance that this criterion is met by preventing modification or removal without the appropriate City review.

Natural Features and Other Resources

Protection

Subsection 4.171

B18. 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.

B19. No waivers of landscape standards have been requested, thus all landscaping and screening must comply with the standards of this section.

Intent of Required Materials

Subsection 4.176 (.02) C. through I.

B20. The minimum or higher standard has been applied throughout different landscape areas of the site and landscape materials are proposed to meet each standard, or Conditions of Approval ensure the standards will be met, 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)

B21. Site Design Review is occurring concurrently with the Stage II Final Plan, which includes a thorough analysis of landscape areas and locations, and the functional application of the landscaping standards.

Buffering and Screening

Subsection 4.176 (.04)

B22. Consistent with the Stage II Final Plan, adequate screening is proposed, or Conditions of Approval ensure the standards will be met.

Site-Obscuring Fence or Planting

Subsection 4.176 (.05)

B23. No sight-obscuring fencing or landscaping is required, therefore, this standard does not apply.

Shrubs and Groundcover Materials

Subsection 4.176 (.06) A.

B24. The applicant's Landscape Plans show shrubs in at least 2-gallon containers and groundcover in at least 1-gallon containers as required by this subsection. A Condition of Approval will require that the detailed requirements of this subsection are met.

Plant Materials-Trees

Subsection 4.176 (.06) B.

B25. All trees in the applicant's Landscape Plans 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 tree 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.

B26. The proposed buildings, as shown on the elevations, are 32 ft tall to the top of the roof gable, which meets the threshold for requiring larger or more mature plant materials as defined by this subsection. However, the proposed buildings are less than 50,000 sq ft in footprint area and the design provides architectural interest by using a variety of materials. In addition, the applicant's Landscape Plans propose to include numerous trees in landscaped areas and around the site perimeter that soften views of the buildings 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 Species-Street Trees

Subsection 4.176 (.06) D.

B27. SW Magnolia Avenue is classified as a local road, requiring 2-inch minimum caliper street trees. However, the configuration of the subject property is such that it has minimal frontage on SW Magnolia Avenue which will be occupied by a portion of the driveway for the development, therefore, no frontage improvements and no street trees are required. The requirements of this subsection do not apply.

Types of Plant Species

Subsection 4.176 (.06) E.

B28. 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.

B29. The applicant is not proposing to preserve any trees to be counted as tree credits.

Exceeding Plant Standards
Subsection 4.176 (.06) G.

B30. The selected landscape materials do not violate any height or vision clearance requirements.

Landscape Installation and Maintenance
Subsection 4.176 (.07)

B31. Conditions of Approval ensure that installation and maintenance standards are or will be met including that plant materials are required 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.

Landscape Plans
Subsection 4.176 (.09)

B32. The applicant's submitted plans provide the required information, and Sheet L1.01 identifies water usage area for site landscaping.

Completion of Landscaping
Subsection 4.176 (.10)

B33. The applicant has not requested to defer installation of plant materials and, thus, must install landscaping prior to occupancy.

Old Town Overlay Zone Standards

Purpose
Subsection 4.138 (.01)

B34. The applicant has applied the Site Design Review provisions of the Old Town Overlay Zone to the proposed development, as demonstrated in Findings below.

Old Town Overlay Application is Conjunction with Underlying Zone
Subsection 4.138 (.02)

B35. The Old Town Overlay Zone is being applied in conjunction with the underlying PDC zone.

Review Process
Subsection 4.138 (.03) A. 1.

B36. The Site Design Review process is being applied as this is a new multi-family residential development.

Standards for Development Subject to Site Design Review Building Setbacks
 Subsection 4.138 (.05) A-

B37. The standards are met or will be met by conditions of approval as follows: Both buildings on site meet the minimum setback requirements for residential development in all zones.

<u>Standard</u>	<u>Met</u>	<u>Explanation</u>
<u>Subsection 4.138 (.03)</u>		
<u>A.1.</u>	<u>Conform with Subsection 4.138 (.05)</u>	<u>---</u> <u>See below</u>
<u>Subsection 4.138 (.05)</u>		
<u>A.</u>	<u>Building fronting SW Boones Ferry Road setbacks</u>	<u>---</u> <u>Not applicable</u>
	<u>Other setbacks to accommodate sidewalks, landscaping, other streetscape features</u>	<u>---</u> <u>None identified</u>
<u>B.</u>	<u>Not less than 15% landscaping</u>	<u>YES</u> <u>Exceeds landscaping standards</u>
	<u>Side setback from SW Boones Ferry Road, Bailey Street or 5th Street, intervening area to be landscaped</u>	<u>---</u> <u>Not applicable</u>
	<u>Parking lots between building and street, screen from public right-of-way</u>	<u>---</u> <u>Not applicable</u>
<u>C.</u>	<u>Height as specified in the underlying base zone</u>	<u>YES</u> <u>Not specified in PDC zone for residential</u>
<u>D.</u>	<u>Access to SW Boones Ferry Road for adjoining lots</u>	<u>---</u> <u>Not applicable</u>
<u>E. 1.</u>	<u>Special attention to primary building entrances, assure both attractive and functional</u>	<u>YES</u> <u>Enhanced covered entryways provided</u>
<u>E. 2.</u>	<u>Pedestrian environment enhanced by amenities such as street furniture, landscaping</u>	<u>YES</u> <u>Pedestrian environment along frontage limited by limited access area, private areas have landscaping and amenities</u>
<u>E. 3.</u>	<u>Sidewalk width</u>	<u>---</u> <u>No sidewalk required due to lack of frontage</u>
<u>F.</u>	<u>SW Boones Ferry Road building frontage</u>	<u>---</u> <u>Not applicable</u>

<u>G. 1.</u>	<u>Design reflects architectural styles of the Willamette Valley during the period from 1880s to 1930s</u>	<u>YES</u>	<u>Examples of precedent architecture with corresponding notes provided. All architecture elements, articulation, roof, and materials requirements intended to have structures reflect the period architecture, as listed below for Subsections G.3., H. and I., are met.</u>
	<u>Materials reflect architectural styles of the 1880s to 1930s</u>	<u>YES</u>	<u>Subsections H. and I list material requirements intended to have structures reflect period architecture. All material meet the requirements of these subsections and thus reflect period architecture.</u>
<u>G. 3.</u>	<u>Residential buildings designed to reflect the size of traditional dwellings from the period from 1880s to 1930s</u>	<u>YES</u>	<u>As shown in precedent photos, size typical of era row house</u>
	<u>Residential buildings designed to reflect the shape of traditional dwellings from the period from 1880s to 1930s</u>	<u>YES</u>	<u>As shown in precedent photos, shape and scale typical of era row house</u>
	<u>Larger multiple family residential buildings divided into units giving appearance of series of smaller dwellings</u>	<u>YES</u>	<u>Buildings broken up by rooflines and facade articulation, matches scale of era multi-family</u>
<u>G. 4.</u>	<u>Manufactured dwellings meet same design requirements</u>	<u>---</u>	<u>Not applicable</u>
<u>H. 1.</u>	<u>Facades varied and articulated to provide visual interest to pedestrians</u>	<u>YES</u>	<u>Facades varied and articulated to provide visual interest</u>

	<u>Larger developments have variations in facades, floor levels, architectural features, and/or exterior finishes to create appearance of series of smaller buildings</u>	<u>YES</u>	<u>Architectural features, including roof lines and articulation, break up facades, and massing split into two smaller buildings</u>
<u>H. 2.</u>	<u>Exterior building materials durable and convey visual impression of durability; includes masonry, stone, stucco, and wood and other materials that replicate their appearance</u>	<u>YES</u>	<u>All exterior materials as listed</u>
<u>H. 3.</u>	<u>Varied patterns for masonry if used</u>	<u>---</u>	<u>No masonry used</u>
<u>H. 4.</u>	<u>Wood siding to be bevel, shingle siding or channel siding or equivalent</u>	<u>YES</u>	<u>Shingles and natural wood used</u>
<u>H. 5.</u>	<u>Exterior materials to match architecture of period</u>	<u>YES</u>	<u>Exterior materials match period architecture by complying with listed materials in Subsection H. and I. and precedent photos</u>
	<u>Exterior color to match architecture of period</u>	<u>YES</u>	<u>Natural neutral colors typical of a variety of styles</u>
<u>I. 1.</u>	<u>Pitch roofs at least 4:12</u>	<u>YES</u>	<u>6.5:12</u>
<u>I. 5.</u>	<u>Preferred roofing material visible from public street includes wood or architect grade comp, tile, or metal with standing or batten seams</u>	<u>YES</u>	<u>Roofs are metal with standing seam</u>
<u>I. 6.</u>	<u>Roof and wall mounted mechanical screened</u>	<u>---</u>	<u>Not applicable</u>

Landscaping

Subsection 4.138 (.05) B.

B38. The submitted Landscape Plans include 5,184 sq ft of landscaping, which exceeds the minimum required 15% of the total site area.

Building Height

Subsection 4.138 (.05) C.

B39. The PDC Zone allows a maximum building height of 35 ft. The applicant proposes a gabled roof with its maximum peak at 32 ft, which is 3 ft less than the maximum height.

Pedestrian Environment

Subsection 4.138(.05) E.

~~B40. The applicant has given special attention to primary building entrances, assuring they are both attractive and functional. As described in the applicant's narrative, entrances are highly visible and delineated from the rest of the building façade, while being protected and privatized with plantings and overhangs. Strategic use of wood enhances and highlights primary entrances and other features of key use to residents, differentiating these areas from the rest of the buildings and providing a well defined transition from public to private space.~~

~~The proposed design includes extensive landscaping, covered entries, planters, and an elevated walkway between the buildings, all of which enhance the pedestrian environment. In addition, each townhome has a private patio delineated with planters, and there is a designated common area for all residents with picnic tables, a barbecue area, and play and fitness equipment further enhance the pedestrian environment.~~

~~Due to its unique configuration, the subject property has minimal frontage on SW Magnolia Avenue which will be occupied by a portion of the driveway for the development; therefore, no frontage improvements are required. There is no sidewalk on SW Magnolia Avenue. Therefore, no sidewalk improvements are required and none are proposed as part of the development, and continuity of streetscape design is maintained.~~

Building Compatibility

Subsection 4.138 (.05) G.

~~B41. According to the applicant's materials, the design team's ambition was to create a modern interpretation of the traditional main street reflecting the architectural style of the Willamette Valley during the period from 1880-1930. Local architecture from the immediate street and surrounding area was reviewed for both architectural aspects and scale. The proposed design includes 6 units at a scale and mass that resembles a traditional main street orientation (townhomes) rather than a single apartment buildings or block massing. The 6 units are divided between 2 buildings with a path leading to the shared backyard separating the two. The buildings are articulated vertically to differentiate each individual unit. This, combined with careful selection of materials, traditional architectural forms, and extensive outdoor space creates a pleasing and pedestrian-oriented environment that blends well with the Old Town Neighborhood.~~

~~As shown in the applicant's supplemental materials, the massing strategy for the 6 townhomes evolved from 1 building with no façade articulation, to 1 building with staggered placement of units, to a massing split into 2 buildings, each with 3 units, to provide a more residential feel to the development. The proposed design strategically differentiates each individual townhome to represent the scale of a typical residential building, and a pedestrian path between the buildings to a shared common area further contributes to the residential scale.~~

According to research in the Old Town Neighborhood Plan, the majority of houses on SW Magnolia Avenue north of SW 5th Street date to the 1970s and have simple architecture with little ornamentation and straight lines. While most of the homes are single story, there are two older homes, located at 30645 and 30590 SW Magnolia Avenue, that are two story. Traditional architectural features of the ranch and farmhouse styles seen in these homes include simple building form, pitched roof pitch, minimal eaves, covered entries, shingle siding, and varied window sizes. The applicant, in their supplemental materials, provides ample examples of these features and how they are incorporated into the project design.

The color and texture of proposed exterior materials also blend with the surrounding neighborhood. These include light gray HardiShingle siding, tight knot cedar stained gray and clear at entries and within alcoves and balconies, light gray perforated panel for balcony railings, and a dark gray standing seam metal roof. The architecture of the proposed project, with its modern unadorned design, neutral color tones, and varied natural materials, fits well with the other homes on the street and emulates the architectural styles of houses that were found throughout the Willamette Valley from the 1880s to the 1930s.

Varied and Articulated Facades

Subsection 4.138 (.05) H. 1.

B42. As discussed above, the massing strategy for the 6 townhomes evolved from 1 building with no façade articulation, to 1 building with staggered placement of units, to a massing split into 2 buildings, each with 3 units, to provide a more residential feel to the development. The proposed design strategically differentiates each individual townhome to represent the scale of a typical residential building, and a pedestrian path between the buildings to a shared common area further contributes to the residential scale. The use of HardiShingle siding, wood at entries and in balcony areas, articulation of units along the building façade, and balconies and alcoves, create variation and breaks to further reduce building massing into components that are at a human scale. This helps create the appearance of smaller buildings and generally enhances the pedestrian experience at ground level.

Building Materials

Subsection 4.138 (.05) H. 2., 4., and 5.

B43. The color and texture of proposed exterior materials blend with the surrounding neighborhood. These include light gray HardiShingle siding, tight knot cedar stained gray and clear at entries and within alcoves and balconies, light gray perforated panel for balcony railings, and a dark gray standing seam metal roof. These materials provide the visual impression of durability or replicate the appearance of durable materials. The architecture of the proposed project, with its modern unadorned design, neutral color tones, and varied natural materials, fits well with the other homes on the street and emulates the architectural styles of houses that were found throughout the Willamette Valley from the 1880s to the 1930s.

Building Roof Materials and Design

Subsection 4.138 (.05) I. 1. through 5.

~~B44. The proposed design incorporates a dark gray, gabled, metal standing seam roof for each townhome with a pitch of 6.5:12 with vaulted ceilings, which exceeds the minimum pitch of 4:12. This addresses the requirement that the roof be a dark non-ornamental color if visible from the public right of way. The buildings also incorporate wood or architectural grade composition shingle, tile or metal with standing or batten seams, as required for roofs visible from the public street. As described above, the proposed metal roofs have standing seams, which is an acceptable option for this standard.~~

Screening of Rooftop Mechanical Equipment

Subsection 4.138 (.05) I. 6.

~~B45. As required by this standard, all exterior, roof and ground mounted mechanical and utility equipment will be screened from ground level off site view from adjacent streets or properties by parapets, walls or other means, or camouflaged to match exterior of building. A Condition of Approval ensures this standard will be met.~~

Building Entrances

Subsection 4.138 (.05) J.

~~B46. The townhomes have welcoming, recessed, covered entries emphasized with wood cladding and lighting. Lighting and definition of secondary entrances on the back side of the units contribute to creating a sense of community within the development through connection to the commonly shared open space area on the north side of the site.~~

Building Facades

Subsection 4.138 (.05) K.

~~B47. While simple in line and not incorporating many ornamental devices, building facades incorporate amenities such as wood lined entries and alcoves and balconies defined with wood siding and perforated metal panel railings that allow residents to enjoy the outdoors while being protected from rain and sun. The use of materials and articulation create variation and breaks to further reduce building massing into components that are at a human scale.~~

Landscapes & Streetscapes

Subsection 4.138 (.05) M.

~~B48. No benches or other streetscape items are proposed as the project site has minimal frontage on SW Magnolia Avenue which will be occupied by a portion of the driveway for the development. However, as shown in the applicant's supplemental materials, outdoor furniture, and play and exercise equipment is provided in the common open space area that is designed to harmonize with the materials and aesthetic of the townhome buildings and proposed landscaping.~~

Lighting

~~Subsection 4.138 (.05) N.~~

~~B49. According to the applicant's narrative and shown in the Lighting Plan (Sheet A2.10), townhome units are individually lit at the entries, garages, and rear patio areas. An overhead post light provides additional lighting at the site entry between the 2 vehicle parking spaces and bike parking area. Bollard lighting is proposed along the pathway between the buildings and in the shared recreation space on the north side of the site. All lighting meets or will meet with Conditions of Approval the lighting requirements.~~

Exterior Storage

~~Subsection 4.138 (.05) O.~~

~~B50. No exterior storage or display is proposed with this application.~~

Storage of Trash and Recyclables

~~Subsection 4.138 (.05) P.~~

~~B51. Solid waste and recyclables storage will be contained in the garages of the individual townhomes. The standards of Subsection 4.430 have been applied to the proposed project. See Findings B8 through B11.~~

Signs

~~Subsection 4.138 (.05) Q.~~

~~B52. No freestanding or other signs are proposed with this application.~~

Outdoor Lighting

Applicability of Outdoor Lighting Standards

Sections 4.199.20 and 4.199.60

B53. 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

B54. The subject property is within Lighting Zone 2 (LZ 2) and the proposed outdoor lighting system is reviewed under the standards of this lighting zone.

Optional Lighting Compliance Methods

Subsection 4.199.40 (.01) A.

B55. The applicant has elected to comply with the Prescriptive Option.

Wattage and Shielding

Subsection 4.199.40 (.01) B. 1.

B56. Based on the applicant’s submitted materials, shielded fixtures are proposed with less than the maximum 100 watts allowed for shielded fixtures in LZ 2, as shown in Table 7. 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.

B57. The applicant is complying with the Oregon Energy Efficiency Specialty Code, Exterior Lighting.

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

B58. All exterior mounted lighting on the buildings is less than 40 feet high. 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.

B59. The subject site is bordered by the same base PDC zoning on the west, north and east sides, and by the RA-H zone on the south (single-family residential use). 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 the site as it abuts a property that is a different base zone. The applicant proposes freestanding fixtures 8 feet or lower in height that are setback more than 24 feet from the south property boundary, which meets the standard. One exception is the pole-mounted street light in the vehicle and bicycle parking area in the southeast corner of the property. However, this light meets Exception 1 of the standard and is not required to meet the three times mounting standard.

Lighting Curfew

Subsection 4.199.40 (.01) D.

- B60.** The applicant proposes the standard LZ 2 curfew of 10 p.m. A Condition of Approval will ensure that lighting curfew requirements are met.

Standards and Submittal Requirements

Subsection 4.199.40 and 4.199.50

- B61.** All required materials have been submitted.

Request C: DB19-0049 Type C Tree Removal Plan

Type C Tree Removal-General

Tree Related Site Access

Subsection 4.600.50 (.03) A.

- C1.** It is understood by the applicant that the City has access to the property to verify information regarding trees.

Review Authority

Subsection 4.610.00 (.03) B.

- C2.** 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.

- C3.** No additional conditions are recommended pursuant to this subsection.

Completion of Operation

Subsection 4.610.00 (.06) B.

- C4.** It is understood the tree removal will be completed prior to construction of the proposed buildings, which is a reasonable time frame.

Security for Permit Compliance

Subsection 4.610.00 (.06) C.

- C5.** 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)

- C6.** 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 12 trees growing on the project site, with an additional 6 trees on adjacent property that could be impacted by the proposed development. More than half the on-site trees are black locust, an invasive species, with other species including one each of Japanese maple, Norway maple, and elm. Off-site trees include a silver maple, lodgepole pine, sweetgum, deodar cedar, and an indeterminate deciduous species. The applicant proposes removing all on-site and 2 off-site trees, while protecting 4 off-site trees. It is not practical to retain the trees proposed for removal without significantly reducing the size of the proposed building footprints and associated on-site improvements. The applicant proposes mitigating tree removal by planting 32 trees as part of the site landscaping, substantially exceeding the required mitigation. The Tree Maintenance and Protection Plan includes tree protection fencing along the property boundaries at the drip line of the off-site retained 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 buildings and other site improvements.
- Residential Development: The existing natural features and topography of the site, including existing trees and vegetation, were taken into consideration during design.
- Compliance with Statutes and Ordinances: The proposed landscape plan provides the necessary tree replacement and protection, according to the requirements of tree preservation and protection ordinance.
- Relocation or Replacement: The applicant proposes to plant 32 trees as replacement for the 15 proposed for removal, substantially exceeding the mitigation requirement.
- 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)

- C7. The plan is being reviewed concurrently with the Stage II Final Plan. Review of the proposed Type C Tree Plan is concurrent with other necessary land use approvals. The City will not issue any tree removal permit prior to final approval of concurrent land use requests. A Condition of Approval binds the applicant to no tree removal on the properties, except for hazardous situations unrelated to development, prior to issuance of the tree removal permit by the City.

Tree Maintenance and Protection Plan

Section 4.610.40 (.02)

C8. The applicant has submitted the necessary copies of a Tree Maintenance and Protection Plan. See the applicant's submitted materials in Exhibit B2.

Replacement and Mitigation

Tree Replacement Requirement Subsection 4.620.00 (.01)

C9. Fifteen (14) trees are proposed for removal, including 12 on site and 2 off site, 32 are proposed to be planted, exceeding the one-to-one ratio and requirements of this Subsection.

Basis for Determining Replacement, and Replacement Tree Requirements Subsection 4.620.00 (.02) and (.03)

C10. 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)

C11. The planting notes on the applicant's Landscape Plans do not indicate the appropriate quality of replacement tree stock. A Condition of Approval ensures that all trees to be planted shall consist of nursery stock that meets requirements of the American Association of Nurserymen (AAN) American Standards for Nursery Stock (ANSI Z60.1) for top grade.

Replacement Trees Locations Subsection 4.620.00 (.05)

C12. The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development.

Protection of Preserved Trees

Tree Protection During Construction Section 4.620.10

C13. 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. Further, no person may conduct any construction activity likely to be injurious to a tree designated to remain, including, but not limited to, placing solvents, building material, construction equipment, or depositing soil, or placing irrigated landscaping, within the drip line, unless a plan for such construction activity has been approved by the Planning Director or Development Review Board based upon the recommendations of an arborist. Conditions of Approval will ensure the applicable requirements of this Section are met.



Planning Division Memorandum

From: Cindy Luxhoj AICP, Associate Planner
To: Development Review Board Panel B
Date: September 21, 2020
RE: Review of SW Magnolia Avenue Townhomes Stage II Final Plan, Site Design Review, and Type C Tree Removal Plan (DB19-0047 through DB19-0049)

On August 24, 2020, the Development Review Board (DRB) Panel B continued the public hearing on the above-referenced application to a date certain of September 28, 2020. The continuation was to allow the applicant to address the DRB's request that they reach out to Old Town residents to address concerns about the proposed project, particularly related to height, parking, traffic, and design standards. Staff prepared this memorandum to update the DRB on actions that have occurred since the August 24 meeting. The memorandum is included in the Revised DRB Staff Report as Exhibit A3.

Staff Report Correction

As discussed on August 24, a correction to the staff report about transit service was received from Rose Case on the day of the public hearing. The language of Finding A29 has been corrected to reflect Ms. Case's comment and the comment is included as Exhibit D7 to the Revised DRB Staff Report.

Public Testimony

To facilitate the DRB's continued review of the application at tonight's meeting, staff has prepared a summary of written and oral testimony received, which is attached to this memorandum. The summary is categorized by topic areas and identifies applicable Code sections where appropriate.

Code Compliance

Also to facilitate the DRB's review, staff prepared a table listing compliance of the proposed project with the standards of Section 4.138 (.05), Old Town Overlay Zone, of the Development Code. The table has been inserted at Finding B37 of the Revised DRB Staff Report and Findings B38 through B52 have been deleted as they are repetitive of the table's contents.



TOPIC AREA	COMMENT	TESTIMONY FROM	APPLICABLE CODE SECTION(S)
Access	Access to site demonstrates it is part of Old Town Neighborhood, which is all single-family; "large, massive, two story buildings" are out of character for SW Magnolia Avenue area; particularly with limited access in cul-de-sac.	M.E.Harper & S.L.VanWechel, written	4.167 (Access, Ingress, and Egress); 4.154 (On-site Pedestrian Access and Circulation); 4.177 (Street Improvement Standards)
	Concern about cars entering and exiting the site, safety of children who play in the cul-de-sac, sight distance/clearance for the access drive, insufficient driveway and parking space for maneuvering.	R.Case, written	
	When apartments were built, site homeowner did not want to sell; as a result, access to SW Bailey Street and SW Boones Ferry Road were cut off and access is only from SW Magnolia; therefore, site is wholly part of the Old Town Neighborhood and should be developed that way.	S.Lawrence, oral	
Compatibility	Wants development that respects the neighborhood.	D.Muench, oral	4.138 (Old Town Overlay Zone); 4.113 (Standards Applying to Residential Development in Any Zone)
	Seems out of place with respect to scale and massing; not a good transition; refers to Fir Avenue Commons project (which he lives by) and "it changes the whole character of the neighborhood"; will completely change view for neighbors and invade privacy.	D.Muench, oral	
	Many houses are over 100 years old and highlight the uniqueness of Old Town. Proposed project is incompatible with this character.	M.E.Harper & S.L.VanWechel, written	
	Owns one of few two-story homes in area and representative of Old Town; over 100 years old; part of historic fabric of neighborhood; wants antiquity and history of house preserved; project is "monstrosity", "invasive to privacy of all of us".	M.E.Harper, oral	
	Consensus from neighborhood meeting is that the project looks more like an infill project in Portland than appropriate for Old Town.	M.Keenan, oral	
	Love Old Town Neighborhood with historic character and hope developer will preserve "this special community's uniqueness and charm".	N. & S.Lawrence; R. & J.Rayniak; K.Morgan, written	
	Request development be "in keeping with the Old Town Overlay and the surrounding homes in the neighborhood".	N. & S.Lawrence; R. & J.Rayniak; K.Morgan, written	
	Architecture of Old Town is part of the transportation history of Oregon with styles ranging from "Willamette Valley farm house to vernacular to Victorian to craftsman to 1950s ranch style". Includes 1960s "Butterfly" house. New development should blend into the neighborhood and its historical context.	R.Case, written	
	Proposed development could be mistaken for a business or hotel, which could result in increased traffic from "lost people looking for the hotel".	R.Case, written	
	Example given of 4-plex at SW Magnolia Avenue and SW Tauchman Street that is two-story but "blends with one story duplexes". Built in 1970s but "historic" since "fifty years is the legal definition of historic in the US".	R.Case, written	
	Question how a multi-unit housing addition will benefit the quiet neighborhood.	S. Foghorn Mendoza & J. Mendoza Foghorn, written	
	Environment of neighborhood will change with increased noise, traffic and pollution.	S. Foghorn Mendoza & J. Mendoza Foghorn, written	
	Nature area or park is preferable to multi-family housing.	S. Foghorn Mendoza & J. Mendoza Foghorn, written	
	Affordable and sustainable housing is necessary, but more appropriate in another location that would be less impacted.	S. Foghorn Mendoza & J. Mendoza Foghorn, written	
Historical perspective; City worked with Neighborhood Association for 18 months on plan; developed Design Guidelines for what fits; proposed project does not fit anywhere in Old Town.	S.VanWechel, oral		
Trying to maintain the historic integrity of the original part of Wilsonville; large lots, open space, no street improvements, etc.; project goes against all of that.	S.VanWechel, oral		
Construction	Construction vehicle traffic, effects on livability and safety.	S. & J. Olson, written	6.204 (Noise); 6.218 (Maintenance of Construction Site)
	Quotes discussion point in staff report regarding limited access, construction traffic and disruption; questions why there is not a condition of approval specific to this concern; saying applicant is aware and will be respectful is not sufficient.	S.&J.Olson (by M.E.Harper), oral	
Design Standards	Design standards established and approved by City Council apply to "all new buildings in the Old Town Neighborhood area". Question about whether these are being followed. For example, the standards call for maintaining large lots and character of buildings already established in neighborhood. Large, massive, two-story bulky buildings do not fit the character of what the standards are attempting to preserve in the neighborhood through the Old Town Plan.	M.E.Harper & S.L.VanWechel, written	4.138 (Old Town Overlay Zone); 4.113 (Standards Applying to Residential Development in Any Zone)
	Design should be revised to be consistent with one of the styles in the Design Guidelines - western farmhouse, craftsman, new ranch; "modern interpretation" is "old language" that the design guidelines do not include; taken from old overlay zone language; asked that design use current standards and not be "a modern interpretation".	M.Keenan, oral	
	"Immediate context" of Single-Family Design Guidelines is not complied with. For example, if immediate context is one-story, proposed development should be 1.5 stories maximum; if immediate context is mixed, any new construction should be 2 stories maximum. Immediately adjacent homes on SW Magnolia Avenue and SW Boones Ferry Road are one-story and apartments are two-story, therefore, new development should be 2 stories maximum.	N. & S.Lawrence; R. & J.Rayniak; K.Morgan, written	
	Single-Family Design Guidelines for Old Town state a maximum height of 28 feet for two-story Craftsman and Farmhouse styles. "There is not option or allowance for three-story homes in the Old Town Overlay."	N. & S.Lawrence; R. & J.Rayniak; K.Morgan, written	
	Idea of Pattern Book was that "buildings can be built using modern materials to make their building look old without using specific historical materials".	R.Case, written	
	Development would not "preserve and be in keeping with the immediate context" of the neighborhood, which is historically mostly single-family homes, or the Old Town Overlay.	S. & J. Olson, written	
	Unsure that tin roofs relate to 1880s-1900s style.	S.VanWechel, oral	

TOPIC AREA	COMMENT	TESTIMONY FROM	APPLICABLE CODE SECTION(S)
	Architecture "style is terrible, bland, too tall, and not with in the historical architectural range of 1880 to 1930". Design disregards Old Town Overlay and Pattern Book. Seems applicant did not "research what apartments or multi-plexes would have looked like in the past 174 years or architectural styles". Does not "consider the historic timeline of Old Town". Has not seen historic apartments or multi-plexes taller than 2 stories from this timeline.	R.Case, written	
Emergency Services	Inadequate room for emergency (fire and ambulance) vehicles and height of structures in close proximity to other structure in the neighborhood in event of fire. Safety and police response; higher incidents in multi-family dwellings.	S. & J. Olson, written S. & J. Olson, written	4.175 (Public Safety and Crime Prevention)
General	Changes in Old Town boundary "against Old Town desires and input" combined with encroaching development on all sides can be perceived as the City "trying to wipe Old Town off the map". The current proposal is "simply one more effort to shrink and kill Old Town". Agrees with all testimony that has been presented by others. Agrees with all testimony that has ben presented by others. Old Town "deserves to be preserved"; per State Historian Old Town is the remaining place that embodies the transportation history of the State; it is "transportation hub of the Willamette Valley". Provided correction to existing conditions on plans: home is immediately adjacent to project site and it is one-story bungalow, not two-story as shown on plans. Agrees with all testimony that has been presented by others. Quiet, beautiful, historic neighborhood was attractive to commenter when they purchased home in Old Town.	M.E.Harper & S.L.VanWechel, written A.Garfield, oral R.Case, oral R.Case, oral S.Lawrence, oral S.Mendoza, oral S.Mendoza, oral	Not Applicable
Health	Insufficient space in the development for social distancing of residents entering and exiting the townhomes. Insufficient open space and landscaped area for "residents and children to be outside to safely sit, gather or play". Increased pollution from dust and car fumes will have negative impact on pre-existing health conditions (asthma, pulmonary hypertension); increased population leading to increased risks of COVID-19; increased carbon footprint of neighborhood.	R.Case, written S. Foghorn Mendoza & J. Mendoza Foghorn, written	4.175 (Public Safety and Crime Prevention)
Height	Height exceeds 28' standard for new homes in Old Town; doesn't apply to this lot, but should be given consideration. Three-story height is not in keeping with homes at end of street. Proposed height is 55 feet with two three-story triplexes. This contrasts with Old Town Overlay "created to preserve the unique, historic character" of Old Town Neighborhood including "maintaining a desired small scale for any future new construction and remodels". "There has never been a three story, primary residential building of any type in the history of Old Town." Buildings have always been two-story. Bell Tower has commercial on the first floor with apartments above and is three stories. Is in Commercial part of Square 76 Master Plan. Building are too tall, impact privacy of neighboring homes, livability, home values, infringe on rights of homeowners, compromise integrity of neighborhood, inhibit solar access. Height should be reduced; not consistent with surroundings or with design standards. Two-story, 28-foot maximum building height is required by Design Standards. The transition is from existing two-story apartments to one-story homes; proposed project does not provide a transition - goes from two story to three story to one story.	M.Keenan, oral M.Keenan, oral N. & S.Lawrence; R. & J.Rayniak; K.Morgan, written R.Case, written S. & J. Olson, written S.Lawrence, oral S.Lawrence, oral S.VanWechel, oral	4.113 (Standards Applying to Residential Development in Any Zone); 4.138 (Old Town Overlay Zone)
Investment	City has not meaningfully invested in Old Town to make it safer or more appealing, yet seeks to increase traffic significantly with the proposed project. Insulting for city to put a modern building in a neighborhood it has otherwise neglected. Allowing proposed building demonstrates that interests of expansion outweigh interest to invest in citizens who already call [Old Town] home. Provided clarification re: Old Town Plan - there are no curbs and sidewalks in Old Town and that is intentional to keep historic character.	M.Conniry, written M.Conniry, written M.Keenan, oral	4.177 (Street Improvement Standards); 4.140 (Planned Development Regulations)
Lighting	Light will shine into neighboring houses and yards. There wouldn't be lights shining into the neighbors' bedrooms and yards at night. There would be more sunlight, which is healthier."	R.Case, written R.Case, written	4.199 (Outdoor Lighting); 4.138 (Old Town Overlay Zone)
Livability	"Inequitable response to justified concerns" about project compatibility, livability, safety, etc.; staff report conditions of approval address landscaping, bike parking, etc., not most important concerns. Negative impact of project on family, life, investment.	S.&J.Olson (by M.E.Harper), oral S.&J.Olson (by M.E.Harper), oral	4.138 (Old Town Overlay Zone)
Meeting	Provided clarification re: noticing that was completed for Neighborhood Meeting held by applicant - printed flyers, went door to door to ensure everyone was notified; was a busy night when meeting was held for sports, etc. and meeting fatigue is high in Old Town from work related to planning and development proposals; but there is still high level of interest in the project.	M.Keenan, oral	Not Applicable
Parking	There is no parking; standard is unreasonable; visitors are not taken into account; give more consideration for parking. On-site parking and whether it is sufficient, particularly for families with teenage children and older individuals needing care assistance in their homes. Appreciate parking discussion; standard should be increased to more than one space per unit. Insufficient parking. Concern about additional parking for occupants and guests beyond garage and driveway spaces provided.	D.Muench, oral M.E.Harper & S.L.VanWechel, written M.Keenan, oral M.Keenan, oral N. & S.Lawrence; R. & J.Rayniak; K.Morgan, written	4.155 (Parking, Loading, and Bicycle Parking)

TOPIC AREA	COMMENT	TESTIMONY FROM	APPLICABLE CODE SECTION(S)
	Already very little parking and street can get crowded. Neighbors already park at the church of in the alley for overflow parking on holidays, etc. Parking on street also is limited by fire hydrant in front of 30555 SW Magnolia.	N. & S.Lawrence; R. & J.Rayniak; K.Morgan, written	
	Parking at end of street in front of emergency gate for the apartments blocks the gate for fire access. Used to be a sign about not blocking the gate, but it is no longer on the fence.	N. & S.Lawrence; R. & J.Rayniak; K.Morgan, written	
	Inadequate parking and "overflow into street".	S. & J. Olson, written	
Property Value	"Apartment dwellers are less likely to care about a community due to the fact that most often they are only residing in an area temporarily and also have no financial or personal investment in the property or community in which they are living which has the potential to lower property values along with sense of community". "High concentration of renters negatively impacts property values up to 14%". Old Town already is in a "high renter category" and that adding more rentals will not maintain the neighborhood feel.	S. & J. Olson, written	4.400 (Site Design Review)
	"Likely decrease" in property values due to loss of "quiet country appeal on street".	S. Foghorn Mendoza & J. Mendoza Foghorn, written	
Scale	Size and height is incongruent with neighborhood.	M.Keenan, oral	4.138 (Old Town Overlay Zone);
	Proposed development is "simply overcrowded for that lot, space, and neighborhood".	N. & S.Lawrence; R. & J.Rayniak; K.Morgan, written	4.113 (Standards Applying to Residential Development in Any Zone)
	Development will overwhelm the street and existing neighbors.	N. & S.Lawrence; R. & J.Rayniak; K.Morgan, written	
	Lives next to Fir Avenue Commons, which are two-story, and even they are "overwhelming" the area around them.	R.Case, oral	
	Problem with size of structures.	R.Case, oral	
	Buildings are too tall, out of place, and out of proportion with Old Town.	R.Case, written	
	Once trees are removed, proposed buildings will dominate the visible space.	R.Case, written	
	Lot is not big enough to accommodate the proposed development, cars, and people safely.	R.Case, written	
	"Best fit for Old Town would be to build two one story duplexes which would fit far better with the Old Town Overlay and in that space". Fewer units would provide more room for residents and their vehicles.	R.Case, written	
	"Done right the building will integrate nicely into our neighborhood, it wouldn't loom over the neighborhood and look like misplaced Amazon boxes when seen from I-5.	R.Case, written	
	Questions how the project is a transition; it is three-story and in "Scandinavian architectural style"; overwhelms surrounding properties; does not blend with Old Town.	S.Lawrence, oral	
	Lives in two-story home and is concerned about mass and space of proposed project.	S.Mendoza, oral	
	Two three story buildings on site "simply does not work"; massing out of scale; materials do not matter; "a dog is still a dog no matter what you dress it up with".	S.VanWechel, oral	
Services	Trash and recyclables collection trucks have difficulty turning around at the end of SW Magnolia Avenue because it is smaller than a typical cul-de-sac, measuring 57 feet at the widest spot, and there are numerous receptacles in the street. There is no room for additional receptacles on the street. Does not appear that trucks will have enough room on site to collect from townhomes.	N. & S.Lawrence; R. & J.Rayniak; K.Morgan, written	4.179 (Mixed Solid Waste and Recyclables Storage); 4.430 (Mixed Solid Waste and Recycling Areas)
	Garbage/recycling canisters in street is a problem and collection vehicles will not have enough room to maneuver.	S. & J. Olson, written	
Traffic	5th Street Extension and potentially 4,000 cars/day on SW Boones Ferry Road and congestion at intersection with SW 5th Street, which residents of proposed project would use as their primary access.	M.E.Harper & S.L.VanWechel, written	4.140 (Planned Development Regulations); 4.133 (Wilsonville Road Interchange Area Management Plan (IAMP) Overlay Zone)
	Project could add 12-16 cars to in/out trips compared with only 1-2 for neighboring lots.	M.E.Harper & S.L.VanWechel, written	
	Traffic on SW Boones Ferry Road, SW Magnolia, and other streets in Old Town already is bad and proposed development would compound the problem. There is only one way in and one way out. "The 'escape road' will always be on the back burner, because the location of the escape road will not work."	R.Case, written	
	Increased traffic on "small street" is concern.	S. & J. Olson, written	
	Traffic congestion and safety are concern with increased vehicles during construction and after project completion.	S. Foghorn Mendoza & J. Mendoza Foghorn, written	
	Traffic on top of 4,000 cars "forced upon us" on Boones Ferry Road.	S.VanWechel, oral	
Trees	Development will remove many beautiful, mature trees at the edges of the lot that could be preserve with a "different, reasonable design".	N. & S.Lawrence; R. & J.Rayniak; K.Morgan, written	4.600 (Tree Preservation and Protection)
Utilities	Adequacy of water services.	S. & J. Olson, written	4.140 (Planned Development Regulations)
	Impact of development on water pressure.	S. Foghorn Mendoza & J. Mendoza Foghorn, written	
	Concern about water pressure.	S.Mendoza, oral	
Zoning	Property "was divorced from the Square 76 Plan decades ago" and is now "located in a traditionally residential zone which now takes precedence over the Square 76 commercial zone it is physically separated from by tradition".	R.Case, written	4.131 (Planned Development Commercial Zone (PDC))
	Based on zoning from a plan that is nearly 50 years old; plan needs to change; zoning for this lot "stinks"	S.VanWechel, oral	

SW Magnolia Avenue Townhouses DRB - 'D' Staff Report 8/24/2020
Planning Division Staff Report
Block and Access Standards in the PDC Zone
Subsection 4.131 (.03) Page 29 of 78
A.29 – Transit stop

The staff report reads..”the closest transit stop is at the intersection of SW Magnolia Avenue and 5th Street, approximately 400 ft south from the subject, and foot traffic is limited.”

It should read..”the closest transit stop is to the north at the cul-de-sac at end of Bailey Street adjacent to the Fred Meyer parking lot, two blocks away from the subject site.”

There is also two other bus stops on Boones Ferry Road. One on the West side near Starbucks and the is in front of McMinnemen’s.

There has not been a SMART bus stop at this location for about 1 1/2 years when the route into Old Town was discontinued.

When school is in session, the school bus stops at SW Magnolia Avenue and 5th Street.

Rose Case
rosanne.case@gmail.com
9150 SW 4th Street
Wilsonville, OR 97070



City of Wilsonville
Exhibit D7 DB19-0047 et al

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, SEPTEMBER 28, 2020

6:30 PM

VI. Public Hearing:

B. Resolution No. 383. Coffee Creek Logistics Center: Lee Leighton, AICP, Mackenzie – Applicant’s Representative for Panattoni Development Company – Applicant and Chris and Sonya Bickford – Owners. The applicant is requesting approval of a Stage I Preliminary Plan, Stage II Final Plan, Site Design Review, Waivers, Class 3 Sign Permit and Type C Tree Removal Plan for development of a 110,366 square foot warehouse / manufacturing building with accessory office space on SW Clutter Street. The subject site is located on Tax Lot 2100 of Section 3D, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon. Staff: Philip Bradford

Case Files:	DB20-0019	Stage I Preliminary Plan
	DB20-0020	Stage II Final Plan
	DB20-0021	Site Design Review
	DB20-0022	Waivers
	DB20-0023	Class 3 Sign Permit
	DB20-0024	Type C Tree Removal Plan

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 383**

A RESOLUTION ADOPTING FINDINGS AND CONDITIONS OF APPROVAL, APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, SITE DESIGN REVIEW, WAIVERS, CLASS III SIGN PERMIT AND TYPE C TREE REMOVAL PLAN FOR DEVELOPMENT OF 110,366 SQUARE FOOT WAREHOUSE / MANUFACTURING BUILDING WITH ACCESSORY OFFICE SPACE ON SW CLUTTER STREET. THE SUBJECT SITE IS LOCATED ON TAX LOT 2100 OF SECTION 3D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON. LEE LEIGHTON, AICP, MACKENZIE – APPLICANT’S REPRESENTATIVE FOR PANATTONI DEVELOPMENT COMPANY – APPLICANT AND CHRIS AND SONYA BICKFORD – OWNERS.

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 September 21, 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 September 28, 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 September 21, 2020, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations, subject to City Council approval of the Annexation and Zone Map Amendment Requests (DB20-0017 and DB20-0018) for:

DB20-0019 through DB20-0024; Stage I Preliminary Plan, Stage II Final Plan, Site Design Review, Waivers, 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 28th day of September, 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
Coffee Creek Logistics Center

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

Hearing Date:	September 28, 2020
Date of Report:	September 21, 2020

Application Nos.:	DB20-0019 Stage I Preliminary Plan DB20-0020 Stage II Final Plan DB20-0021 Site Design Review DB20-0022 Waivers DB20-0023 Class 3 Sign Permit DB20-0024 Type C Tree Removal Plan
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Request/Summary: The Development Review Board is being asked to review a Quasi-judicial Class 3 Stage I Preliminary Plan, Stage II Final Plan, Site Design Review, Waivers, Class 3 Sign Permit and Type C Tree Removal Plan.

Location: 10680 SW Clutter Street. The property is specifically known as Tax Lot 2100, Section 3D, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon

Owner: Chris & Sonya Bickford

Applicant: Brendan Mason, Panattoni Development Company, Inc.

Applicants' Representative: Lee Leighton, AICP, Mackenzie

Comprehensive Plan Designation: Industrial

Zone Map Classification (Current): Future Development 20 Acre (FD-20)

Zone Map Classification (Proposed): Planned Development Industrial-Regionally Significant Industrial Area (PDI-RSIA)

Staff Reviewers: Philip Bradford, Associate Planner
Khoi Le PE, Development Engineering Manager
Kerry Rappold, Natural Resources Program Manager

Staff Recommendation: Approve with conditions the requested Stage I Master Plan Revision, Stage II Final Plan, Waivers, Site Design Review, Class 3 Sign Permit, and Type C Tree Plan. Approval of these applications is contingent upon City Council approval of the Annexation (DB20-0017) and Zone Map Amendment (DB20-0018) requests currently under review.

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
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.117 and 4.135.5	Planned Development Industrial- RSIA Zone and Industrial Standards
Sections 4.134	Coffee Creek Industrial Design Overlay District
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Section 4.167	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
Sections 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600-4.640.20	Tree Preservation and Protection
<u>Other Planning Documents:</u>	
Wilsonville Comprehensive Plan	
Coffee Creek Master Plan	
Coffee Creek Industrial Design Overlay District Pattern Book	

Vicinity Map



Background:

The subject area has long been rural / semi-rural adjacent to the growing City of Wilsonville. Metro added the +/-216 gross acre area now known as the Coffee Creek Industrial Area to the Urban Growth Boundary in 2002 to accommodate future industrial growth. To guide development of the area, the City of Wilsonville adopted the Coffee Creek Industrial Master Plan in 2007. In 2018, the City adopted the Coffee Creek Industrial Area Form-based Code and accompanying Pattern Book to establish clear and objective regulations and guidelines for the street design and connectivity, site design, circulation, building form and architecture, and landscaping for future development in Coffee Creek. As part of this adoption, the Development Code was amended to enable administrative review of applications meeting all of the Form-based Code standards. Projects requesting one or more waivers are reviewed by the Development Review Board. The City also modified procedures governing City Council review of annexation and zone map amendments in Coffee Creek, allowing for City Council review of these requests without prior review or recommendation by the Development Review Board. This modification allows for the concurrent processing of the annexation and zone map amendment requires with the other related development permit applications.

The applicant, Panattoni, Inc., a developer specializing in industrial real estate and warehouses, wishes to construct the Coffee Creek Logistics Center. The 110,366-square-foot speculative warehouse / manufacturing facility contains accessory office space and is designed to accommodate a single tenant or two tenants. The proposed development is the first to be

reviewed under the new standards and will set the tone for future developments within Coffee Creek.

The Development Review Board will review these land use applications since the applicant is requesting waivers to Form-based Code standards. City Council held public hearings for the annexation (DB20-0017) and zone map amendment (DB20-0018) requests on September 10, 2020, adopting ordinances approving these request on first reading. Second reading of these ordinances is scheduled for September 21, 2020. The annexation and Zone Map amendment ordinances will expire 120 days from City Council adoption if the Stage II Final Plan application is not approved by the Development Review Board.

Summary:

Stage I Preliminary Plan (DB20-0019)

The Stage I Preliminary Plan proposes a speculative industrial development planned to contain warehousing / distribution uses and manufacturing uses with two office end-caps designed for accessory office space to serve the industrial tenants. The overall development, and layout are consistent with the Coffee Creek Master Plan, Design Overlay District, and Industrial Design Pattern Book.

Stage II Final Plan (DB20-0020)

The proposed Stage II Final Plan reviews the function and design of the Coffee Creek Logistics Center, including assuring the proposal meets all the performance standards of the PDI-RSIA Zone and the Coffee Creek Industrial Design Overlay District.

Traffic

The Traffic Impact Analysis (see Exhibit B2) performed by the City’s consultant, DKS Associates, identifies the most probable used intersections for evaluation as:

- Boones Ferry Road / SW 95th Ave
- SW 95th Ave / Ridder Road

The Level of Service (LOS) D standard will continue to be met by existing street improvements at the studied intersections with existing, planned, and this proposed development as follows:

TABLE 3: EXISTING INTERSECTION OPERATIONS

STUDY INTERSECTION	OPERATING STANDARD	EXISTING OPERATIONS		
		V/C RATIO	DELAY (SECS)	LOS
BOONES FERRY RD/95TH AVE	LOS D	0.69	26.3	C
95TH AVE/RIDDER RD	LOS D	0.84	29.0	C

TABLE 5: FUTURE INTERSECTION OPERATIONS

STUDY INTERSECTION	OPERATING STANDARD	EXISTING + STAGE II			EXISTING + STAGE II + PROJECT		
		V/C RATIO	DELAY (SECS)	LOS	V/C RATIO	DELAY (SECS)	LOS
BOONES FERRY RD/95TH AVE	LOS D	0.71	26.1	C	0.72	26.1	C
95TH AVE/RIDDER RD	LOS D	0.86	32.1	C	0.88	33.9	C

The project will add an additional 57 PM peak hour trips (16 in, 41 out) with a total of 433 daily trips. Of the additional trips, 26 new PM peak hour trips are estimated to pass through the I-5 Elligsen Road interchange area and 5 PM peak hour trips through the I-5 Wilsonville Road interchange area.

TABLE 4: TRIP GENERATION

LAND USE (ITE CODE)	SIZE ^A	PM PEAK HOUR				DAILY	
		TRIP RATE	IN	OUT	TOTAL	TRIP RATE	TOTAL
MANUFACTURING (140)	29 KSF	2.1 trips/KSF	6	13	19	8.7 trips/KSF ^B	252
WAREHOUSING (150)	86 KSF	0.44 trips/KSF ^B	10	28	38	2.1 trips/KSF ^B	181
TOTAL	115 KSF	-	16	41	57	-	433

^A KSF= 1,000 square feet

^B Rate back calculated from ITE fitted curve equation

Industrial Performance Standards

The PDI-RSIA zone prohibits development not meeting an extensive list of performance standards including wholly enclosed operations, no off-site vibrations, no off-site odors, screened outdoor storage, no heat or glare, no dangerous substances, no waste storage attracting pests, sewer conveyance meeting City standards, no noise violating the City’s noise ordinance, no electrical disturbances, limits on air pollution, and no open burning. The proposed Coffee Creek Logistics Center development can meet all the performance standards.

Pedestrian Access and Circulation

The applicant proposes two points of pedestrian access from SW Clutter Street. An access point at the northwestern corner of the site travels through a preserved landscape area connecting to the proposed short-term parking area and then to the western pedestrian entrance to the building. The second pedestrian access point is provided at the northeastern corner of the site near the

intersection of SW Clutter Street and SW Garden Acres Road connecting to the second short-term parking area and the primary building entrance.

Vehicular and Bicycle Parking

The Coffee Creek Logistics project requires a minimum of 69 parking spaces and as it contains a planned manufacturing component, no limit exists for vehicular parking spaces. The applicant proposes 73 stalls, one space greater than the minimum amount required. The applicant proposes to locate the parking along the east and western edges of the property with a small amount (9 spaces) proposed between the building and SW Clutter Street to serve as short term visitor parking, and ADA-accessible spaces.

Required bicycle parking is calculated as the sum of the requirements for the individual primary uses. The applicant proposes eight bicycle parking spaces, three spaces fewer than the minimum required for the project. Staff notes that the indicated bicycle parking minimums apply to all development, and the actual minimum required can be greater than the indicated minimum based on the square footage devoted to each use. The 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
Manufacturing	27,592 sf	1.6 per 1,000 = 44.2	No limit	--	1.0 per 10,000 (min 6) = 6	--
Warehouse	82,774 sf	0.3 per 1,000 = 24.8	0.5 per 1,000 = 41.4	--	1.0 per 20,000 (min 2) = 5	--
Total	110,366 sf	69	No limit	73	11	8

A condition of approval will ensure that the minimum number of bicycle parking spaces is provided at the time of building permit review.

Site Design Review (DB20-0020)

The proposed building is consistent with the building design standards in the Coffee Creek Industrial Design Overlay District, with a few exceptions as noted in the waiver requests. The applicant proposes a warehouse / distribution building that contains office endcaps on the east and west corner of the front façade. The concrete components of the project are shown in three different colors: Regal White, Parchment, and Weathered Copper. The building will also contain smooth and corrugated sheet metal and glass. The project will provide dense landscape plantings to create a natural character along the SW Clutter Street corridor, including an industrial wayside consistent with the requirements of the Coffee Creek Industrial Design Overlay District requirements.

Waivers (DB20-0021)

The applicant requests five waivers from Section 4.134 (.11) Development Standards Table CC-3 Site Design and Table CC-4. Building Design. The requested waivers are as follows:

- Subsection 4.134 (.11) Table CC-3 4. Parking Location and Design – Off Street Loading Berth – Addressing Streets
Standard: One loading berth permitted, no elevated or recessed docks or truck wells permitted.
Request: The applicant proposes one at-grade loading berth and 19 recessed loading berths on the front façade of the building facing an addressing street.
- Subsection 4.134(.11) Table CC-3 4. Parking Location and Design – Parking Location and Extent – Addressing Streets
Standard: Limited to one double loaded bay of parking, 16 spaces maximum between building and Addressing Street.
Request: The applicant proposes two parking bays one containing 4 spaces and the other containing 5 spaces.
- Subsection 4.134(.11) Table CC-4 3. Overall Building Massing / Base Design
Standard: The body shall be equal to or greater than 75% of the overall height of the building.
Request: Proposed body is 66.25% of overall building height.
- Subsection 4.134 (.11) Table CC-4 2. Primary Building Entrance Accessible Entrance / Required Canopy
Standard: The Primary Building Entrance shall be 15 feet wide, minimum and 15 feet tall, minimum. Protect the Primary Building Entrance with a canopy with a minimum vertical clearance of 15 feet.
Request: The applicant proposes a 12-foot-high canopy.
- Subsection 4.134(.11) Table CC-4 3 Overall Building Massing – Ground Floor Height
Standard: The ground floor height shall measure 15 feet, minimum from finished floor to finished ceiling.
Request: The applicant proposes a ground floor height of 12 feet.

Class 3 Sign Permit (DB20-0023)

The subject property has frontage on SW Clutter Street and up to two building signs are proposed on the north sign-eligible elevation of the building. Up to one sign is proposed on the west and east sides of the building, respectively. Proposed signs are appropriately located on the building and are within the sign area allowed for each elevation. One ground mounted sign is proposed at the northeast corner of the site. Since tenants have not been determined at this time, specific sign copy and design will be approved through subsequent sign permits.

Type C Tree Removal Plan (DB20-0024)

The subject property is generally flat, with a grove of Douglas-fir trees located at the northwest corner of the property. Other trees are located throughout the site, including non-native tree

species such as European birch, Norway maple, and sweet cherry. The Arborist Report (Exhibit B1) notes that of the trees to be removed, only 17 require mitigation as mitigation is not recommended for non-native tree species or for trees in very poor health or structural condition. Staff notes that mitigation is required for all trees 6 inches D.B.H. and greater, resulting in 32 trees that require mitigation. The applicant proposes planting 74 trees, exceeding a one-to-one ratio and the requirements of this subsection. The Douglas-fir tree grove at the northwest corner of the site will be preserved. The Tree Maintenance and Protection Plan included in the Arborist Report (Exhibit B1) includes tree protection fencing around the grove at the root protection zones of these trees to protect them during construction.

Public Comments:

None Received

Discussion Points:

Coffee Creek Land Use Review Process

Development Code Section 4.134 (Coffee Creek Industrial Design Overlay District) was written to contain clear and objective standards intended to result in automatic project approval if all criteria are met. The standards were written to allow for limited adjustments to some of the building and site design standards. Projects meeting these standards, including any limited adjustments, are reviewed and approved by the Planning Director under the Class II Administrative Review Process (Clear and Objective Track). The Development Code acknowledges there may be instances where proposed development is generally consistent with the goals of the Coffee Creek Industrial Design Overlay District, but flexibility may be desired by the applicant for one or more of the clear and objective standards. In this instance, applicants may elect to request waivers to these standards, which are then reviewed by the Development Review Board (Waiver Track). When choosing the Waiver Track the applicant must demonstrate that the waiver request is consistent with the intent of the Coffee Creek DOD Pattern Book and the guidelines contained therein. As this project meets all other standards intended to be clear and objective the primary focus of the Development Review Board's review should be the waivers requested by the applicant.

Waivers to Coffee Creek Industrial Design Overlay District Standards

The applicant is requesting five waivers, all of which relate to Table CC-3 Site Design and Table CC-4 Building Design within Section 4.134 (.11) Development Standards Table. To facilitate shifting the building to the south in order to preserve the strand of mature Douglas fir trees, the loading berths have been positioned to the front of the building. As only one loading berth is permitted on an Addressing Street frontage a waiver is required. In addition, with a public entrance at each corner of the building and loading berths in between, it is not practically feasible to locate the short term and ADA parking in a single bay on the SW Clutter Street frontage as allowed by the Development Code, as it would require visitors to walk a significant distance and navigate the circulation areas for the trucks to get to the other building entrance. Locating the

parking spaces in two separate parking bays requires a waiver from the Site Design standards. In order to provide a cohesive design the applicant has matched the canopy at the building entrances with the canopy along the loading docks, which triggers the three (3) waivers for required ground floor height, canopy height, and based body and top dimensions.

Conclusion and Conditions of Approval:

Staff has reviewed the applicant’s analysis of compliance with the applicable criteria. The Staff Report adopts the applicant’s responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, staff recommends that the Development Review Board approve, with the conditions below, the proposed Stage I Preliminary Plan, Stage II Final Plan, Site Design Review, Waivers, Class III Sign Permit, and Type C Tree Plan (DB20-0019 through DB20-0024).

Planning Division Conditions:

Request A: DB20-0019 Stage I Preliminary Plan

<p>PDA 1. <u>General:</u> Minor changes in an approved preliminary 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.</p>
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Request B: DB20-0020 Stage II Final Plan

<p>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.</p>
<p>PDB 2. <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 B40 – Building Design.</p>
<p>PDB 3. <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 B110.</p>
<p>PDB 4. <u>Prior to Non-Grading Building Permit Issuance:</u> 11 bicycle parking spaces shall be shown on construction plans to meet the code required bicycle parking minimum. See Finding B78.</p>

PDB 5.	<u>Prior to Non-Grading Building Permit Issuance:</u> Bicycle parking spaces shall be designed to meet all dimensional, maneuvering, spacing, anchoring and locational standards. See Findings B81 through B86.
PDB 6.	<u>Prior to Non-Grading Building Permit Issuance:</u> The applicant shall provide documentation demonstrating compliance with the 65% transparent glazing standard in Table CC-4 Building Design. See Finding B40.
PDB 7.	<u>Prior to Non-Grading Building Permit Issuance:</u> The applicant shall ensure that all tree planting areas provide the required 8-foot minimum width and length clearance. See Finding B75.

Request C: DB20-0021 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 C14.
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, 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 C27.
PDC 3.	<u>Ongoing:</u> 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 C28 and C30.
PDC 4.	<u>Ongoing:</u> 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 C29.
PDC 5.	<u>Prior to Temporary Occupancy:</u> 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 C37.

PDC 6.	<p><u>Prior to Temporary Occupancy:</u> 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. • Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding C42.
PDC 7.	<p><u>Prior to Temporary Occupancy:</u> 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 C42.</p>
PDC 8.	<p><u>Prior to Non-Grading Building Permit Issuance:</u> 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 C45 through C53.</p>
PDC 9.	<p><u>Ongoing:</u> Lighting shall be reduced one hour after close, to 50% of the requirements set forth in the Oregon Energy Efficiency Specialty Code. See Finding C49.</p>

Request D: DB20-0022 Waivers

No conditions for this request

Request E: DB20-0023 Class III Sign Review

PDE 1.	<p><u>Ongoing:</u> 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.</p>
PDE 2.	<p><u>Prior to Sign Installation/Ongoing:</u> 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.</p>

PDE 3.	<u>Prior to Sign Installation/Ongoing:</u> The Applicant/Owner of the property shall apply for a Class I Sign Permit to determine final placement and size of the proposed monument sign. If the building is configured for a single tenant the monument sign shall not exceed 64 square feet in size. See Finding E11.
PDE 4.	<u>Prior to Sign Installation/Ongoing:</u> The Applicant/Owner of the property shall apply for Class I Sign Permits to determine compliance with the allowed building sign area and Site Design Review standards. See Finding E19.

Request F: DB20-0024 Type C Tree Removal Plan

PDF 1.	<u>General:</u> This approval for removal applies only to the 32 trees identified in the applicant’s submitted materials. All other trees on the property shall be maintained unless removal is approved through separate application.
PDF 2.	<u>Prior to Grading Permit Issuance:</u> 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.
PDF 3.	<u>Prior to Temporary Occupancy/Ongoing:</u> 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 F10.
PDF 4.	<u>Prior to Commencing Site Grading:</u> 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 F13.

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 Conditions:

PFA 1.	<u>Prior to Issuance of Public Works Permit:</u> Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1.
PFA 2.	<u>Prior to Issuance of Public Works Permit:</u> The applicant shall submit site plans showing street improvements along the development’s frontage on Clutter Rd. Improvements shall include street widening to accommodate two travel lanes, one center lane, and a bike lane on the south side of Clutter Rd per DKS’s recommendation in the Traffic Impacted Study (TIS) dated April 2020. Site plans must also show meeting access and drive aisle recommendations from the TIS.
PFA 3.	<u>Prior to Issuance of Public Works Permit:</u> The applicant shall submit a streetlight photometric analysis and recommendations demonstrating how the illumination meets the current Roadway Lighting Standards. The City has recently adopted a new streetlight policy where all new streetlights shall be under PGE Option B LED Schedule (City Owned – PGE Maintained). All lighting fixtures, conduits, junction boxes and other lighting components must comply with PGE Option B LED construction and maintenance requirements. Streetlights shall be under PGE Option B LED Schedule. The applicant shall provide a ‘stamped’ engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards.
PFA 4.	<u>Prior to Issuance of Public Works Permit:</u> The applicant shall submit site plans demonstrating how the site 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 Standards.
PFA 5.	<u>Prior to Issuance of Public Works Permit:</u> The applicant shall submit site plans showing public sanitary sewer, storm drainage, and water extensions along the development frontage on Clutter Rd. The sanitary sewer main shall be 15 inches minimum, storm drainage main shall be 12 inches minimum, and water main shall be 18 inches minimum.
PFA 6.	<u>Prior to Issuance of Public Works Permit:</u> The applicant shall submit a storm drainage report to Engineering for review and approval. The storm drainage report shall demonstrate the proposed development is in conformance with the Low Impact Development (LID) treatment and flow control requirements. The report shall also include calculations to demonstrate that the proposed storm drainage system is able to convey the 25-year storm event. The storm drainage conveyance system shall be sized appropriately to accommodate run-off from the undeveloped land north of the

	proposed project. Submit infiltration testing results that correspond with the locations of the proposed LID facilities.
PFA 7.	<u>Prior to commencing of site improvements:</u> The applicant shall obtain a 1200 C Permit from DEQ and a Local Erosion Control Permit with Wilsonville. All erosion control measures shall be in place prior to starting any construction work. Permits shall remain active until all construction work is completed and the site has been stabilized. . The Permits will be closed out when the construction is completed and the final certificate of occupancy has been issued.
PFA 8.	<u>Prior to Issuance of Final Building Certificate of Occupancy:</u> The applicant shall record a 23-foot wide right of way dedication along the site’s frontage on Clutter Rd.
PFA 9.	<u>Prior to issuance of Final Building Certificate of Occupancy:</u> The applicant shall construct a 8-foot wide public utility easement (PUE) along the site’s frontage on Clutter Rd.
PFA 10.	<u>Prior to Issuance of Final Building Certificate of Occupancy:</u> The applicant shall provide a sight distance certification by an Oregon Registered Professional Engineer for all driveway accesses on Clutter Rd per TIS.
PFA 11.	<u>Prior to Issuance of Final Building Certificate of Occupancy:</u> All public infrastructure improvements including but not limited to street, storm drainage, water quality and flow control, sanitary sewer, and water facilities shall be constructed and completed. The Applicant shall obtain conditional acceptance from the City, and provide a two-year maintenance assurance for said improvements.
PFA 12.	<u>Prior to Issuance of Final Building Certificate of Occupancy:</u> Public sanitary sewer, storm drainage, and water extensions along the development’s frontage on Clutter Rd shall be constructed and completed. Oversized sanitary sewer and water mains larger than 8 inches are eligible for System Development Charge (SDC) Credits. When eligible, SDC Credits will be issued in accordance with City Code Section 11.110.
PFA 13.	<u>Prior to Issuance of Final Building Certificate of Occupancy:</u> Onsite LID facilities must be constructed and completed. 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 and Access Easement Agreement with the City. The Agreement must be recorded at the County prior to Issuance of Building Certificate of Occupancy.
PFA 14.	<u>Prior to Issuance of Final Building Certificate of Occupancy:</u> Offsite LID facilities located in the right of way must be constructed and completed. 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 Agreement with the City. The Agreement must be recorded at the County prior to Issuance of Building Certificate of Occupancy.

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 DB20-0019 through DB20-0024 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)

Materials from Applicant

- B1. 00LTR – Response to Incompleteness Notice
00RPT – Narrative for Annexation, Zone Map Amendment, Stage I and Stage II Planned Development Review, Site Design Review, Waiver Requests, Type C Tree Plan, Class 3 Sign Permit Revised June 29, 2020
Attachment 01 Land Use Application
Attachment 02 Annexation Petition
Attachment 03 Property Owner Certification
Attachment 04 Zone Map Amendment Comprehensive Plan Amendment Maps
Attachment 05 Perspective Renderings
Attachment 06 Combined Plans (*under separate cover as Exhibit B2*)
Attachment 07 Arborist Report – Teragan & Associates, Inc.
Attachment 08 Storm Report
Attachment 09 Trash Hauler Letter
Attachment 10 Lighting Fixtures Data Sheets
Attachment 11 Wilsonville Coffee Creek Logistics Center Transportation Impact Study – DKS Associates
Attachment 12 Materials Board (Digital Copy)
- B2. Drawings and Plans: *Under Separate Cover*
G0.01 Title Sheet and Drawing Index
G0.02 Project General Notes, Symbols and Abbreviations
G1.1-0 Code Analysis
C0.00 Civil Cover Sheet
C0.01 Notes & Legends
C1.00 Existing Conditions and Demolition Plan
C1.20 Grading Plan
C1.21 Grading Enlargements and Cut Sections
C1.30 Storm Plan

C1.31 Sanitary Sewer and Water Plan
C1.32 Fire Response Plan
C5.10 Civil Details
C5.11 Civil Details
C5.12 Civil Details
C5.13 City Details
C8.10 Photometric Plan
EC1.0 Erosion Cover Sheet
EC2.0 Site Clearing and Demo Erosion and Sediment Control
EC3.0 Site Grading, Street, and Utility Construction Erosion
EC4.0 Erosion and Sediment Control Details
R0.00 Cover Sheet
R0.01 Site Notes
R0.02 Typical Section
R0.03 Road Section
R1.10 Frontage Improvements Plan
R1.20 Grading Plan
R1.30 Utility Plan and Profile
R1.40 Signing and Striping Plan
R1.41 Signing and Striping Plans
R1.50 Lighting and Illumination Plan
R1.51 Lighting and Illumination Details
L0.01 General Notes
L1.10 Planting Plan
L5.10 Details
S0.00 Structural General Notes
S0.10 Typical Details
S1.11 Foundation Plan
S1.13 Roof Framing Plan
S1.14 Roof Nailing Plan
S2.10 Elevations
S5.80 Tilt Details
S5.81 Tilt Details
S5.82 Tilt Details
S5.83 Tilt Details
A1.11 First Floor Plan
A1.13 Roof Plan
A2.10 Building Elevations
A2.12 Enlarged Elevations
A2.13 Enlarged Elevations
A3.10 Building Sections
A3.19 Wall Sections

- A3.20 Wall Sections
- A5.06 Exterior Details
- A5.07 Exterior Details
- A5.08 Exterior Details
- A5.09 Exterior Details
- A5.10 Exterior Details
- A5.11 Exterior Details
- A5.13 Exterior Details
- A5.20 Interior Details

B3. Response from Applicant September 4, 2020

Development Review Team Correspondence

C1. Public Works Plan Submittal Requirements and Other Engineering Requirements

Other Correspondence

None Received

Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The application was received on February 27, 2020. On March 26, 2020 staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete. On July 1, 2020 the City received a response to the Notice of Incomplete Application and a revised submittal package. The revised submittal package included a request from the applicant to deem the application complete per ORS 227,178 (2)(b). Based on this request the application was deemed complete on July 1, 2020. The City must render a final decision for the request, including any appeals, by October 29, 2020.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	FD-20	Rural Residential
East:	PDI	Industrial
South:	RI	Undeveloped
West:	FD-20	Contractors' Establishment

3. Previous Planning Approvals: None
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 of Fact:

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 been submitted on behalf of the property owners, Chris and Sonya Bickford, and is signed by an authorized representative.

Pre-Application Conference Subsection 4.010 (.02)

A Pre-application conference was held on September 26, 2019 (PA19-0019) in accordance with this subsection.

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

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

General Submission Requirements Subsection 4.035 (.04) A.

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

Zoning-Generally Section 4.110

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

Request A: DB20-0019 Stage I Preliminary Plan

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

Planned Development Regulations

Planned Development Purpose & Lot Qualifications

Subsections 4.140 (.01) and (.02)

- A1.** The property is of sufficient size to be developed in a manner consistent the purposes and objectives of Section 4.140. The subject property is greater than 2 acres, is designated for industrial development in the Comprehensive Plan. Concurrently with the request for a Stage I Preliminary Plan, the applicant proposes to rezone the property to PDI-RSIA (Planned Development Industrial – Regionally Significant Industrial Area). The property will be developed as a planned development in accordance with this subsection.

Ownership Requirements

Subsection 4.140 (.03)

- A2.** All the land subject to change under the proposal is under a single ownership.

Professional Design Team

Subsection 4.140 (.04)

- A3.** As can be found in the applicant’s submitted materials, appropriate professionals have been involved in the planning and permitting process. Lee Leighton, AICP with Mackenzie is the applicant’s representative.

Planned Development Permit Process

Subsection 4.140 (.05)

- A4.** The subject property is greater than 2 acres, is designated for industrial development in the Comprehensive Plan, and is proposed to be zoned Planned Development Industrial-Regionally Significant Industrial Area. The property will be developed as a planned development in accordance with this subsection.

Comprehensive Plan Consistency

Subsection 4.140 (.06)

- A5.** The proposed project, as found elsewhere in this report, complies with the Planned Development Industrial-Regionally Significant Industrial Area zoning designation, which implements the Comprehensive Plan proposed designation of “Industrial” for this property.

Application Requirements
Subsection 4.140 (.07)

- A6.** Review of the proposed revised Stage I Preliminary Plan has been scheduled for a public hearing before the Development Review Board, in accordance with this subsection, and the applicant has met all the applicable submission requirements as follows:
- The property affected by the revised Stage I Preliminary Plan is under the sole ownership of Chris & Sonya Bickford and the application has been signed by both property owners.
 - The application for a revised Stage I Preliminary Plan has been submitted on a form prescribed by the City.
 - The professional design team and coordinator have been identified. See Finding A3, B4.
 - The applicant has stated the various uses involved in the Preliminary Plan and their locations.
 - The boundary affected by the Stage I Preliminary Plan 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.
 - Any necessary performance bonds will be required.
 - Waiver information has been submitted.
 - Any necessary performance bonds will be required.

Planned Development Industrial-Regionally Significant Industrial Area (PDI-RSIA) Zone

Purpose of PDI-RSIA
Subsection 4.135.5 (.01)

- A7.** The uses proposed in the portion of the Stage I Preliminary Plan area within the PDI-RSIA zone are limited to industrial uses, supporting the purpose stated in this subsection.

Uses Typically Permitted
Subsection 4.135.5 (.03)

- A8.** The proposed development consists of a speculative industrial building where the intended uses are light industrial warehousing and manufacturing with accessory office space. These uses are consistent with the uses typically permitted and are therefore allowed uses.

Prohibited Uses
Subsection 4.135.5 (.04)

- A9.** No prohibited uses are proposed by the applicant. Performance standards will be required to be met as part of the Stage II Final Plan review.

Block and Access Standards

Subsections 4.135.5 (.05) and 4.131 (.03)

A10. The subject property is located within the Coffee Creek Design Overlay District and therefore subject to the Regulating Plan in Figure CC-1, which identifies Clutter Street as an “Existing / Planned Addressing Street”. No additional required supporting streets are identified abutting the subject property. Therefore, no additional streets are required at this location to satisfy the applicable block and access standards.

PDI-RSIA Performance Standards

Industrial Performance Standards

Subsections 4.135 (.06) A. through N.

A11. The Stage I Preliminary Plan enables conformance with the Industrial performance standards. Final compliance will be reviewed with the Stage II Final Plans. See Finding B26.

Other Standards for PDI-RSIA Zone

Lot Size

Subsections 4.135.5 (.07) A.

A12. Nothing in the Stage I Preliminary Plan would prevent lot size requirements from being met.

Setbacks

Subsections 4.135.5 (.07) C. through E.

A13. Nothing in the Stage I Preliminary Plan would prevent setback requirements from being met.

Coffee Creek Industrial Design Overlay District

Purpose of Coffee Creek Industrial Design Overlay District – High Quality Site Design

Subsection 4.134 (.01) A.

A14. The proposed development features a high-quality speculative industrial building and site designed to meet the needs of a warehousing / distribution and manufacturing tenant. The building has been flexibly designed to allow for up to two tenants. The proposed site plan responds to the existing site by orienting the building and circulation areas to preserve a strand of five large Douglas fir trees at the northwestern corner of the site.

The high quality landscaping proposed is consistent with the Coffee Creek Design Overlay District by providing a dense planted area along SW Clutter Street, along with a wayside area that has been designed to connect with the public sidewalk system and provide sightlines into the seating area for additional safety. The dense landscaping also obscures views of the truck maneuvering and loading berth area located toward the center of the proposed building.

Purpose of Coffee Creek Industrial Design Overlay District – Multi-Modal Transportation Network

Subsection 4.134 (.01) B.

A15. The applicant proposes street improvements consistent with the Clutter Road street cross-section as prescribed in the Wilsonville Light Industrial Pattern Book, including a sidewalk a buffered bike lane providing multi-modal access to the site.

Purpose of Coffee Creek Industrial Design Overlay District – Preservation of Natural Features

Subsection 4.134 (.01) C.

A16. The site presently contains multiple buildings for residential, agricultural, and equestrian use on the western portion of the property. The eastern portion of the property is open pasture. The northwestern corner of the site contains five (5) mature Douglas fir trees that are proposed for retention. The site plan has been organized around the preservation of these trees as the only prominent natural feature on the site.

Purpose of Coffee Creek Industrial Design Overlay District – Minimize Adverse Impacts

Subsection 4.134 (.01) D.

A17. The proposed development will meet the required buffering and screening requirements and industrial performance standards, thereby minimizing impacts on adjacent properties.

Purpose of Coffee Creek Industrial Design Overlay District – Minimize Visibility of Parking and Circulation Areas

Subsection 4.134 (.01) E.

A18. The applicant has minimized the visibility of parking, circulation, and loading areas to the greatest extent possible by including extensive plantings along SW Clutter Street to screen the loading berth area. Vehicular parking areas have been provided along the east and west sides of the property and are screened by landscaping from adjacent properties.

Purpose of Coffee Creek Industrial Design Overlay District – Pleasant and Functional Industrial District

Subsection 4.134 (.01) F.

A19. The proposed landscaping, wayside, pedestrian pathways, and parking screening will contribute toward the creation of a pleasant and functional industrial district for employees and visitors.

Purpose of Coffee Creek Industrial Design Overlay District – Timely and Predictable Process

Subsection 4.134 (.01) G.

A20. The proposed application is being reviewed consistent with the procedures identified in the Development Code and Coffee Creek Industrial Design Overlay District Pattern Book.

Applicability of Coffee Creek Industrial Design Overlay District
Subsection 4.134 (.02) A.-D.

A21. The proposal is for the construction of a new building, therefore the regulations of Section 4.134 apply.

Exceptions to Coffee Creek Industrial Design Overlay District
Subsection 4.134 (.03) A.-D.

A22. The proposed development does not include any activities subject to these exceptions.

Uses Typically Permitted
Subsection 4.134 (.04)

A23. The proposed use as a warehousing / distribution, manufacturing, with accessory office space are permitted uses per Section 4.135.5(.03). See finding A8.

Prohibited Uses
Subsection 4.134 (.05)

A24. The proposed use is not a prohibited use per Subsection 4.135.5(.03).

Request B: DB20-0020 Stage II Final Plan

Planned Development Regulations-Generally

Planned Development Purpose and Lot Qualifications
Subsections 4.140 (.01) and (.02)

B1. The proposed Stage II Final plan is consistent with the Planned Development Regulations and is of sufficient size to be developed in a manner consistent the purposes and objectives of Section 4.140. The subject property is greater than 2 acres, is designated for industrial development in the Comprehensive Plan. Concurrently with the request for a Stage II Final Plan, the applicant proposes to rezone the property to PDI-RSIA (Planned Development Industrial – Regionally Significant Industrial Area). The property will be developed as a planned development in accordance with this subsection.

Ownership Requirements
Subsection 4.140 (.03)

B2. The land included in the proposed Stage II Final Plan is under the single ownership of Chris & Sonya Bickford and the application has been signed by both property owners.

Professional Design Team
Subsection 4.140 (.04)

B3. As can be found in the applicant’s submitted materials, appropriate professionals have been involved in the planning and permitting process. Lee Leighton, AICP with Mackenzie has been designated the coordinator for the planning portion of the project.

Planned Development Permit Process
Subsection 4.140 (.05)

- B4.** The subject property is greater than 2 acres, is designated for industrial development in the Comprehensive Plan, and is intended to be zoned Planned Development Industrial-Regionally Significant Industrial Area. The property will be developed as a planned development in accordance with this subsection.

Stage II Final Plan Submission Requirements and Process

Timing of Submission
Subsection 4.140 (.09) A.

- B5.** The applicant is requesting approval of both Stage I and Stage II approval, together with Site Design Review, as part of this application. The final plan provides sufficient information regarding conformance with both the preliminary development plan and Site Design Review.

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

- B6.** The Development Review Board is considering all applicable permit criteria set forth in the Planning and Land Development Code and staff is recommending the Development Review Board approve the application with conditions of approval.

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

- B7.** The Stage II plan substantially conforms to the proposed Stage I Preliminary plan, which has been submitted concurrently. The applicant has provided the required drawings and other documents showing all the additional information required by this subsection.

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

- B8.** The applicant has provided sufficiently detailed information to indicate fully the ultimate operation and appearance of the development, including a detailed site plan, landscape plans, and elevation drawings.

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

- B9.** 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

- B10.** The Stage II Approval, along other associated applications, will expire two (2) years after approval, unless an extension is approved in accordance with these subsections. The applicant intends to construct the proposed building in one implementation phase promptly after land use approval, and well within the allotted time period.

Consistency with Plans

Subsection 4.140 (.09) J. 1.

- B11.** As documented in the applicant's materials, the proposed development for warehousing or light manufacturing tenants with accessory office space is consistent with the planned economic uses and activities and the form of development the City's planning work has been designed to foster and support. This project is the first project in the Coffee Creek Master Plan area that is being reviewed with the Coffee Creek Industrial Design Overlay District and Coffee Creek Industrial Design Overlay Pattern Book. The property is intended to be zoned Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA) consistent with the Industrial designation in the Comprehensive plan. To staff's knowledge, the location, design, size, and uses are consistent with other applicable plans, maps, and ordinances, or will be by specific conditions of approval.

Traffic Concurrency

Subsection 4.140 (.09) J. 2.

- B12.** As shown in Traffic Impact Study, included in Exhibit B1, the LOS D standard will continue to be met by existing street improvements at the studied intersections with existing, planned, and this proposed development as follows:
- Boones Ferry Rd. /95th Avenue. LOS C, Volume to Capacity: 0.72
 - 95th Ave / Ridder Road LOS C, Volume to Capacity 0.88

Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

- B13.** Water, sanitary sewer, and storm drainage services are included in the applicant's proposed construction plans for the SW Clutter Street frontage. With the extension of these public utilities the proposed development will be adequately served by facilities and services in accordance with this subsection.

Adherence to Approved Plans

Subsection 4.140 (.09) L.

- B14.** Condition of Approval PDB 1 ensures adherence to approved plans except for minor revisions by the Planning Director.

Standards Applying in All Planned Development Zones

Additional Height Guidelines

Subsection 4.118 (.01)

- B15.** Staff does not recommend the Development Review Board require a height less than the applicant proposes as the proposed height provides for fire protection access, does not abut a low density zone, and does not impact scenic views of Mt. Hood or the Willamette River.

Underground Utilities

Subsection 4.118 (.02)

- B16.** All utilities on the property are required to be underground.

Waivers

Subsection 4.118 (.03)

- B17.** The applicant is requesting five (5) waivers, see Request E.

Other Requirements or Restrictions

Subsection 4.118 (.03) E.

- B18.** No additional requirements or restrictions are recommended pursuant to this subsection. Performance standards and requirements of the PDI-RSIA Zone address potential impacts from noise, odor, glare, etc.

Impact on Development Cost

Subsection 4.118 (.04)

- B19.** In staff's professional opinion, the determination of compliance or attached conditions does not unnecessarily increase the cost of development, and no evidence has been submitted to the contrary.

Requiring Tract Dedications

Subsection 4.118 (.05)

- B20.** No additional tracts are being required for recreational facilities, or open space area. An 8-foot wide public utility easement (PUE) will be required along the site's frontage on Clutter Road. A 23-foot wide right-of-way dedication will be required along the site's frontage on Clutter Road.

Habitat Friendly Development Practices

Subsection 4.118 (.09)

- B21.** The 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 limiting adverse hydrological impacts on water resources, and no impacts on significant wildlife corridors or fish passages have been identified.

Planned Development Industrial-Regionally Significant Industrial Area (PDI-RSIA) Zone

Purpose of PDI-RSIA

Subsection 4.135.5 (.01)

B22. The proposed development is a speculative industrial building with the intended use of light industrial / warehouse or manufacturing containing accessory office space. This meets the purpose statement of the PDI-RSIA zone as it provides for a regionally significant industrial operation and employment opportunities in an underutilized industrial site.

Uses Typically Permitted

Subsection 4.135.5 (.03)

B23. The proposed development is a speculative industrial building with the intended use of light industrial / warehouse or manufacturing containing accessory office space. These uses are consistent with the permitted uses in the Planned Development Industrial – Regionally Significant Industrial Area zone.

Prohibited Uses

Subsection 4.135.5 (.04)

B24. The proposed development is a speculative industrial building with the intended use of light industrial / warehouse or manufacturing containing accessory office space. The applicant is not requesting approval for any prohibited use.

Block and Access Standards

Subsections 4.135.5 (.05) and 4.131 (.03)

B25. The subject property is in the Coffee Creek Design Overlay District and therefore subject to the Regulating Plan in Figure CC-1, which identifies SW Clutter Street as an existing / planned Addressing Street. The regulating plan also identifies future required supporting streets. The is not located near or adjacent to locations where such required supporting streets are identified

PDI-RSIA Performance Standards

Industrial Performance Standards

Subsections 4.135 (.06) 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 are completely enclosed within proposed building.
- **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), there are no open storage areas proposed.

- **Pursuant to Standard E** (operations and residential areas), no residential districts exist within 100 feet of the subject property.
- **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 properties.
- **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. Noises produced in violation of the Noise Ordinance would be 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), no outdoor storage is proposed on the development site.
- **Pursuant to Standard N** (unused area landscaping), the subject property will be completely developed with buildings, circulation areas, outdoor storage, and landscaping.

Other Standards for PDI-RSIA Zone

Lot Size

Subsections 4.135.5 (.07) A.

B27. The existing parcel is less than 50 acres. The applicant has not submitted a request for land division, therefore this subsection is not applicable.

Setbacks

Subsections 4.135.5 (.07) C. through E.

B28. The proposed building is setback in excess of 30 feet on all sides of the property. The property is not located on a corner lot and does not abut a planned future street right-of-way in the TSP or Coffee Creek Master Plan. See Finding B40 for additional information on setbacks within the Coffee Creek Industrial Design Overlay District.

Coffee Creek Design Overlay District Standards

Regulating Plan

Subsection 4.134 (.06) A.

B29. The proposed development fronts on SW Clutter Street, which is classified as an Addressing Street on the Regulating Plan.

Connectivity Standards

Subsection 4.134 (.06) B. 1.-2.

B30. The proposed development has primary frontage on SW Clutter Street, an Addressing Street. There are no required Supporting Streets or Through Connections shown on Figure CC-4 adjacent to the property.

Review Process

Subsection 4.134 (.07)

B31. The applicant has addressed provisions of Sections 4.197, 4.700, and 4.140, as applicable, for the proposed development.

Waivers

Subsection 4.134 (.08) A. 1.-3.

B32. The applicant requests five (5) waivers in accordance with this subsection. See request D.

Coffee Creek Design Overlay District Regulating Plan

Addressing Streets

Subsection 4.134 (.09) A. 1.

B33. The project abuts SW Clutter Street, which is designated as an Addressing Street on the Regulating Plan. The applicant is proposing improvements consistent with the designation of Addressing Street.

Overlay District

Subsection 4.134 (.09) A. 2.

B34. The subject property is located within the Coffee Creek Design Overlay District and is subject to the Connectivity Standards shown on Figures CC-4 and Table CC-1.

Connectivity Standards

Subsection 4.134 (.10) A.

B35. The subject property is not located within the area shown on Figure CC-1 – Regulating Plan.

Street Types

Subsection 4.134 (.10) A. 1.-2.

B36. The subject property abuts Addressing Street SW Clutter Street and no Supporting Streets or Through Connections are proposed or required. Frontage improvements will be constructed based on the Addressing Street requirements for the SW Clutter Street frontage.

Planned Pathways

Subsection 4.134 (.10) B.

B37. The subject property is not located near a location where a planned pathway is shown in the Transportation System Plan.

Maximum Connection Spacing

Subsection 4.134 (.10) C.

B38. No Supporting Streets or Through Connections are proposed, as the maximum connection spacing requirements are met as shown in Finding B40.

Connectivity Master Plan Requirement

Subsection 4.134 (.02) D.

B39. The applicant's site plan (Sheet C1.10) included in Exhibit B2 provides the information necessary to determine compliance with applicable connectivity requirements. As the first project within the Coffee Creek Design Overlay District, there are no existing driveways, walkways, waysides or other features located near the subject property.

Development Standards

Subsection 4.134 (.11)

B40. The proposed development is bound by an addressing street and is designated as a parcel subject to the Development Standards in Tables CC-1 through CC-4. Responses to the applicable criteria in Tables CC-1 through CC-4 are shown in the tables below.

Table CC-1 Street Design and Connectivity	
	Addressing Streets
General	Development Standards within this table are not adjustable.
Response: The applicant does not propose any adjustments to the standards within Table CC-1 Street Design and Connectivity.	
Connection Spacing	Not applicable, Addressing Streets exist or are planned

Table CC-1 Street Design and Connectivity	
Addressing Streets	
Response: The proposed development abuts an Addressing Street, SW Clutter Street, the connection spacing standards are not applicable.	
Connection Type	Addressing Streets are Day Road, Grahams Ferry Road, Cahalin Road, Garden Acres Road, Clutter Street, and "Future" Street.
Response: The proposed development abuts Addressing Street, SW Clutter Street. A Supporting Street is not required as the total site frontage is approximately 520 feet, less than the 600-foot maximum.	
Connection Hierarchy and Primary Frontage	<p>If one of the streets or connections bounding a parcel is an Addressing Street, the Addressing Street shall be the Primary Frontage.</p> <p>If none of the bounding streets or connections is an Addressing Street, a Supporting Street shall be the Primary Frontage.</p> <p>See Figure CC-5.</p>
Response: The proposed development abuts an Addressing Street, SW Clutter Street, which is the primary frontage. The building is designed to face SW Clutter Street.	

Table CC-2 District Wide Planning and Landscaping	
Addressing Streets	
General	<p>The following provisions apply:</p> <ul style="list-style-type: none"> • Section 4.176 for landscaping standards • Section 4.610.10 for tree removal, relocation or replacement. • Section 4.610.10 (.01) C. for consideration of development alternatives to preserve wooded areas & trees.
Response: The applicant has addressed the above provisions in responses to the applicable code criteria. The project's planting plan meets or exceeds the General Landscaping Standard along SW Clutter Street, and provides Low Screen landscaping along the east, west, and south sides of the property. See Request F for the Type C Tree Removal Plan.	

Table CC-3 Site Design	
Addressing Streets	
1. Parcel Access	
General	<p>Unless noted otherwise below, the following provisions apply:</p> <ul style="list-style-type: none"> • Section 4.177 (.02) for street design; • Section 4.177 (.03) to (.10) for sidewalks, bike facilities, pathways, transit improvements, access drives & intersection spacing. <p>The following Development Standards are adjustable:</p> <ul style="list-style-type: none"> • Parcel Driveway Spacing: 20% • Parcel Driveway Width: 10%
Response: The applicant does not propose adjustments to general standards for Parcel Access.	
Parcel Driveway Access	Not applicable
Response: The subject property is located on SW Clutter Street, an addressing street, therefore Parcel Driveway Access standards do not apply.	
Parcel Driveway Spacing	Not applicable
Response: The subject property is located on SW Clutter Street, an addressing street, therefore, the Parcel Driveway Spacing standard does not apply.	
Parcel Driveway Width	Not applicable
Response: The subject property is located on SW Clutter Street, an addressing street, therefore the Parcel Driveway Width standard does not apply.	
2. Parcel Pedestrian Access	
General	<p>Unless noted otherwise below, the following provisions apply:</p> <ul style="list-style-type: none"> • Section 4.154 (.01) for separated & direct pedestrian connections between parking, entrances, street right-of-way & open space • Section 4.167 (.01) for points of access

Table CC-3 Site Design	
Addressing Streets	
Response: General parcel pedestrian access standards are addressed in this staff report in Request D, Findings D51-60.	
Parcel Pedestrian Access Spacing	No restriction
Response: There is approximately 400 feet between parcel pedestrian access points. As there is no spacing restriction, this standard is met.	
Parcel Pedestrian Access Width	8 feet wide minimum
Response: The applicant provides 8 feet wide pathways connecting both entrances of the site to the public sidewalk.	
Parcel Pedestrian Access to Transit	Provide separated & direct pedestrian connections between transit stops and parking, entrances, street right-of-way & open space.
Response: Walkways between the public sidewalk and the main building entrances located at the northeast and northwest corners of the building are provided. Their routing avoids conflict with driveways and the truck maneuvering areas, and provides drive aisle crossings at locations near the entrances that have good visibility for safety.	
3. Parcel Frontage	
Parcel Frontage, Defined	Parcel Frontage shall be defined by the linear distance between centerlines of the perpendicular Supporting Streets and Through-Parcel Connections. Where Parcel Frontage occurs on a curved segment of a street, Parcel Frontage shall be defined as the linear dimension of the Chord.
Response: There are no proposed Supporting Streets or Through Connections; therefore the parcel frontage is equivalent to the lot frontage along SW Clutter Street of approximately 520 feet.	
Primary Frontage, Defined	The Primary Frontage is the Parcel Frontage on an Addressing Street. If the parcel is not bounded by Addressing Streets, it is the Parcel Frontage on a Supporting Street. See Figure CC-5.

Table CC-3 Site Design	
Addressing Streets	
Response: The parcel frontage is equivalent to the lot frontage along SW Clutter Street of approximately 520 feet.	
Parcel Frontage Occupied by a Building	<p>A minimum of 100 feet of the Primary Frontage shall be occupied by a building.</p> <p>The maximum Primary Frontage occupied by a building shall be limited only by required side yard setbacks.</p>
Response: The proposed building is sited with its long axis generally parallel to the addressing street, SW Clutter Street. The front (primary) façade exceeds 100 feet and is designed to create a strong visual relationship with SW Clutter Street. The proposed building extends the full width of the subject property, except to the extent side yard setbacks are needed to provide landscaping, emergency access, parking and circulation around the building.	
4. Parking Location and Design	
General	<p>Unless noted otherwise below, the following provisions apply:</p> <ul style="list-style-type: none"> • Section 4.155 (03) Minimum and Maximum Off-Street Parking Requirements • Section 4.155 (04) Bicycle Parking • Section 4.155 (06) Carpool and Vanpool Parking Requirements • Section 4.176 for Parking Perimeter Screening and Landscaping - permits the parking landscaping and screening standards as multiple options <p>The following Development Standards are adjustable:</p> <ul style="list-style-type: none"> • Parking Location and Extent: up to 20 spaces permitted on an Addressing Street
Response: A total of nine (9) stalls are proposed between the building and the Addressing Street, SW Clutter Street. Four (4) of the nine (9) spaces are ADA compliant parking spaces. The proposed number of spaces is less than the twenty (20) maximum spaces permitted, therefore this standard is met.	
Parking Location and Extent	Limited to one double-loaded bay of parking, 16 spaces, maximum, designated for short-term (1 hour or less), visitor, and disabled parking only between right-of-way of Addressing Street and building.

Table CC-3 Site Design	
Addressing Streets	
<p>Response: Although a total of nine (9) parking stalls is proposed between the building and addressing street, SW Clutter Street, the parking is configured as two separate parking bays each adjacent to one of the two office entrances rather than a single, double-loaded parking bay. A waiver request addresses this aspect of the proposal. See Request D.</p>	
Parking Setback	20 feet minimum from the right-of-way of an Addressing Street.
<p>Response: The proposed parking spaces are located in excess of 20 feet from the addressing street, SW Clutter Street.</p>	
Parking Lot Sidewalks	Where off-street parking areas are designed for motor vehicles to overhang beyond curbs, sidewalks adjacent to the curbs shall be increased to a minimum of seven (7) feet in depth.
<p>Response: The two parking bays adjacent to the two public entrances of the proposed building are the only locations shown where motor vehicles may overhang beyond the curb. The sidewalks shown adjacent to these parking spaces are in excess of the required seven-foot depth.</p>	
Parking Perimeter Screening and Landscaping	<p>Screen parking area from view from Addressing Streets and Supporting Streets by means of one or more of the following:</p> <ul style="list-style-type: none"> a. General Landscape Standard, Section 4.176 (.02) C. b. Low Berm Standard, Section 4.176 (.02) E., except within 50 feet of a perpendicular Supporting Street or Through Connection as measured from the centerline.
<p>Response: The proposed landscaping meets or exceeds City standards for General Landscaping. The criteria have been addressed under Findings B102-107 and C32-44.</p>	
Off-Street Loading Berth	<p>One loading berth is permitted on the front façade of a building facing an Addressing Street. The maximum dimensions for a loading are 16 feet wide and 18 feet tall. A clear space 35 feet, minimum is required in front of the loading berth.</p> <p>The floor level of the loading berth shall match the main floor level of the primary building. No elevated loading docks or recessed truck wells are permitted.</p>

Table CC-3 Site Design	
Addressing Streets	
	<p>Access to a Loading Berth facing an Addressing Street may cross over, but shall not interrupt or alter, a required pedestrian path or sidewalk. All transitions necessary to accommodate changes in grade between access aisles and the loading berth shall be integrated into adjacent site or landscape areas.</p> <p>Architectural design of a loading berth on an Addressing Street shall be visually integrated with the scale, materials, colors, and other design elements of the building.</p>
<p>Response: 22 loading berths are shown on the front façade of the building facing Addressing Street, SW Clutter Street. The applicant is requesting a waiver with respect to this standard. See Request D.</p>	
Carpool and Vanpool Parking	No limitation
<p>Response: No carpool or vanpool parking spaces are proposed.</p>	
5. Grading and Retaining Walls	
General	<p>The following Development Standards are adjustable:</p> <ul style="list-style-type: none"> Retaining Wall Design: 20%
<p>Response: There are no retaining walls proposed along the addressing street frontage.</p>	
Maximum height	<p>Where site topography requires adjustments to natural grades, landscape retaining walls shall be 48 inches tall maximum.</p> <p>Where the grade differential is greater than 30 inches, retaining walls may be stepped.</p>
<p>Response: There are no retaining walls proposed along the addressing street frontage.</p>	
Required Materials	<p>Materials for retaining walls shall be unpainted cast-in-place, exposed-aggregate, or board-formed concrete; brick masonry; stone masonry; or industrial-grade, weathering steel plate.</p>
<p>Response: Although the proposed retaining wall is not along the addressing street frontage, the applicant's plans and details for the stormwater facility demonstrate compliance with the required materials for retaining walls.</p>	

Table CC-3 Site Design	
Addressing Streets	
Retaining Wall Design	Retaining walls longer than 50 linear feet shall introduce a 5-foot, minimum horizontal offset to reduce their apparent mass.
Response: The proposed retaining wall is not visible from SW Clutter Street as it is located along the rear property line, therefore this standard does not apply.	
6. Planting	
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none"> Section 4.176 Landscaping and Screening Standards
Landscaping Standards Permitted	General Landscape Standard, Section 4.176 (.02) C. Low Berm Standard, Section 4.176 (.02) E., except within 50 feet of a perpendicular Supporting Street or Through Connection as measured from the centerline
Response: The applicant has prepared landscaping plans that comply with or exceed the General Landscape Standard along SW Clutter Street.	
7. Location and Screening of Utilities and Services	
General	Unless noted otherwise below, the following provisions apply: <ul style="list-style-type: none"> Sections 4.179 and 4.430. Mixed Solid Waste and Recyclables Storage in New Multi-Unit Residential and Non-Residential Buildings
Location and Visibility	Site and building service, equipment, and outdoor storage of garbage, recycling, or landscape maintenance tools and equipment is not permitted
Response: The solid waste and recycling area is located in the SW corner of the site not visible from SW Clutter Street. The proposed meets the design standards contained in Section 4.179 Mixed-Solid Waste and Recyclables Storage. See Findings B108 – B109 and C20 – C24.	
Required Screening	Not permitted
Response: The solid waste and recycling area is not located along the addressing street frontage consistent with this standard.	

Table CC-3 Site Design	
	Addressing Streets
Table CC-4 Building Design	
	Addressing Streets
1. Building Orientation	
Front Façade	<p>Buildings shall have one designated front façade and two designated side façades.</p> <p>If one of the streets or connections bounding a parcel is an Addressing Street, the front façade of the building shall face the Addressing Street.</p> <p>If two of the streets or connections bounding a parcel are Addressing Streets, the front façade of the building may face either Addressing Street, except when one of the Addressing Streets is Day Road. In that case, the front façade must face Day Road.</p> <p>If none of the bounding streets or connections is an Addressing Street, the front façade of the building shall face a Supporting Street.</p> <p>See Figure CC-5.</p>
Response: The front façade of the proposed building faces SW Clutter Street, the Addressing Street. The side facades are on the east and west sides of the building and do not face a street.	
Length of Front Façade	<p>A minimum of 100 feet of the Primary Frontage shall be occupied by a building.</p> <p>The maximum Primary Frontage occupied by a building shall be limited only by required side yard setbacks.</p>
Response: The building frontage that faces Addressing Street SW Clutter Street is approximately 445 feet long, well in excess of 100 feet.	
Articulation of Front Façade	<p>Applies to a Front Façade longer than 175 feet that has more than 5,250 square feet of street-facing façade area:</p> <p>At least 10% of the street-facing façade of a building facing an Addressing Street must be divided into façade planes that are offset by at least 2 feet from the rest of the façade. Façade area used to meet this standard may be recessed behind, or project out from, the primary façade plane.</p>
Response: The proposed building is divided by façade planes that are offset by 9' feet and 15' feet at both the east and west ends of the front façade. The overall front façade of the building	

Table CC-3 Site Design	
Addressing Streets	
<p>is roughly 19,668 square feet. These offset planes are approximately 4,596 feet in area, exceeding 10% of the street-facing façade. 10% of the façade would be approximately 1,966 square feet.</p>	
2. Primary Building Entrance	
General	<p>The following Development Standards are adjustable:</p> <ul style="list-style-type: none"> • Required Canopy: 10% • Transparency: 20%
<p>Response: No adjustments to these standards are proposed.</p>	
Accessible Entrance	<p>The Primary Building Entrance shall be visible from, and accessible to, an Addressing Street (or a Supporting Street if there is no Addressing Street frontage). A continuous pedestrian pathway shall connect from the sidewalk of an Addressing Street to the Primary Building Entrance with a safe, direct and convenient path of travel that is free from hazards and provides a reasonably smooth and consistent surface consistent with the requirements of Americans with Disabilities Act (ADA).</p> <p>The Primary Building Entrance shall be 15 feet wide, minimum and 15 feet tall, minimum.</p>
<p>Response: Pedestrian pathways extend from public sidewalks along SW Clutter Street to both of the office entrances on the front façade. The required canopies are designed to align with the canopies along the loading berths. In order to maintain a consistent height and appearance to the exterior design, the canopies do not meet the 15-foot height standard. A waiver has been required by the applicant in regard to this standard. See Request D.</p>	
Location	<p>150 feet, maximum from right-of-way of an Addressing Street, see Figure CC-7.</p>
<p>Response: The proposed building has two public entrances along the Addressing Street, SW Clutter Street. The eastern entrance is within 150 feet of the right-of-way. The western entrance is in excess of 150 feet from SW Clutter Street. As one of the two building entrances meets this standard, this standard is met.</p>	
Visibility	<p>Direct line of sight from an Addressing Street to the Primary Building Entrance.</p>

Table CC-3 Site Design	
Addressing Streets	
Response: Both proposed public entrances are visible from points along the SW Clutter Street frontage.	
Accessibility	Safe, direct, and convenient path from adjacent public sidewalk.
Response: Both proposed paths provide a direct connection from the sidewalk. The western path is designed to avoid impacting the existing Douglas-fir tree grove. Both path alignments then cross the circulation area for the parking lot with clearly marked crosswalks. These locations are removed from the loading bay area for additional safety.	
Required Canopy	Protect the Primary Building Entrance with a canopy with a minimum vertical clearance of 15 feet and an all-weather protection zone that is 8 feet deep, minimum and 15 feet wide, minimum.
Response: The proposed canopy above each building entrance meets the 8 foot depth and 15 foot width standard. The canopy does not meet the 15 foot height standard as the canopies at the entrances are aligned with the canopy over the loading berths which are also located on the front façade of the building. A waiver has been requested by the applicant for this standard. See Request D.	
Transparency	Walls and doors of the Primary Building Entrance shall be a minimum of 65% transparent.
Response: A condition of approval ensures the above standard will be met.	
Lighting	The interior and exterior of the Primary Building Entrance shall be illuminated to extend the visual connection between the sidewalk and the building interior from day to night. Pathway lighting connecting the Primary Building Entrance to the adjacent sidewalk on an Addressing Street shall be scaled to the needs of the pedestrian. Comply with Outdoor Lighting, Section 4.199
Response: The proposed lighting plan is designed to comply with the prescriptive approach, satisfying these requirements. See Findings C45 – C53.	
3. Overall Building Massing	
General	The following Development Standards are adjustable: <ul style="list-style-type: none"> • Required Minimum Height: 10%

Table CC-3 Site Design	
Addressing Streets	
	<ul style="list-style-type: none"> • Ground Floor Height: 10% • Base, Body, and Top Dimensions: 10% • Base Design: 10% • Top Design: 10%
Response: The proposed base, middle, and top massing standards vary from the above standards by more than 10%, the applicant has requested a waiver from this standard. See Request D.	
Front Setback	30 feet, minimum, except as provided below
Response: The proposed building is setback in excess of 30 feet.	
Allowance of Primary Building Entrance	<p>Where the Primary Building Entrance is located on an Addressing Street it may extend into the required front yard setback by 15 feet maximum provided that:</p> <ul style="list-style-type: none"> a. It has a two-story massing with a minimum height of 24 feet; b. The Parcel Frontage on the Addressing Street is limited to 100 feet; c. The building extension is 65% transparent, minimum; d. The entrance is protected with a weather-protecting canopy with a minimum vertical clearance of 15 feet; and <p>The standards for site design and accessibility are met.</p>
Response: This section is not applicable as the building does not extend into the front setback.	
Required Minimum Height	30 feet minimum.
Response: The proposed building height is 45 feet tall, exceeding the 30 foot height minimum.	
Ground Floor Height	The Ground Floor height shall measure 15 feet, minimum from finished floor to finished ceiling (or 17.5 feet from finished floor to any exposed structural member).
Response: The proposed building does not meet the ground floor height standard of 15 feet. Due to the canopy height above the entrances and loading berths designed to be consistent across the front façade of the building, the ground floor height matches the canopy height of 12 feet. The applicant is requesting a waiver with respect to this standard. See Request D.	

Table CC-3 Site Design	
Addressing Streets	
Base, Body, and Top Dimensions	<p>Buildings elevations shall be composed of a clearly demarcated base, body and top.</p> <ul style="list-style-type: none"> a. For Buildings 30 feet in height (unless lower by adjustment): <ul style="list-style-type: none"> i. The base shall be 30 inches, minimum. ii. The body shall be equal to or greater than 75% of the overall height of the building. iii. The top of the building shall be 18 inches, minimum. b. For Buildings between 30 feet and 5 stories in height: <ul style="list-style-type: none"> i. The base shall be 30 inches, minimum; 2 stories, maximum. ii. The body shall be equal to or greater than 75% of the overall height of the building. iii. The top of the building shall be 18 inches, minimum. c. For Buildings greater than 6 stories in height: <ul style="list-style-type: none"> i. The base shall be 1 story, minimum, 3 stories, maximum. ii. The body shall be equal to or greater than 75% of the overall height of the building. iii. The top of the building shall be 18 inches, minimum.
<p>Response: The proposed building height is 45' feet therefore section b above is applicable to the development. The base exceeds the minimum of 30 inches and does not exceed the 2-story maximum. The top of the building is in excess of 18 inches and complies with the above standard. The overall configuration does not allow the body of the building to be equal or greater than 75% of the overall height of the building. The applicant has requested a waiver from this standard. See Request D.</p>	
Base Design	<p>The design of the building Base shall:</p> <ul style="list-style-type: none"> a. Use a material with a distinctive appearance, easily distinguished from the building Body expressed by a change in material, a change in texture, a change in color or finish; b. Create a change in surface position where the Base projects beyond the Body of the building by 1 -1/2 inches, minimum; and/ or c. Low Berm Landscape Standard, Section 4.176 (.02) E.
<p>Response: The base of the building uses a combination of glass and a color change to a beige concrete which differs from the dark concrete and corrugated sheet metal used to express the</p>	

Table CC-3 Site Design	
Addressing Streets	
body. The building canopy, which is calculated as part of the base, projects beyond the Body of the building in excess of 1-1/2 inches as shown on Sheet A2.12 Enlarged Elevations.	
Top Design	<p>Building Tops define the skyline.</p> <p>The design of the Building Top shall:</p> <ul style="list-style-type: none"> a. Use a material with a distinctive appearance, easily distinguished from the building Body expressed by a change in material, a change in texture, a change in color or finish; and/ or b. Create a change in surface position where the Top projects beyond, or recesses behind, the Body of the building by 1 -1/2 inches, minimum.
Response: Sheet A2.12 Enlarged Elevations shows the parapet projecting 5 feet beyond roof height. The building top uses the same material as the rest of the structure as the proposed building is a concrete tilt-up warehouse. The parapet uses a color change from the body which is expressed in darker brown tones.	
Required Screening of Roof-mounted Equipment	Screen roof-mounted equipment with architectural enclosures using the materials and design of the building Body and/ or the building Top. No roof-mounted equipment shall be visible from an Addressing Street or Supporting Street.
Response: The applicant’s narrative states that the parapet height will screen rooftop mechanical equipment, Sheet A1.13 Roof Plan shows the roof of the building without any mechanical equipment proposed. Condition of Approval PDB2 ensures any rooftop mechanical equipment will be screened in compliance with this standard.	

Waysides

Waysides Purpose
 Subsection 4.134 (.12) A.

B41. The proposed Wayside complies with the purpose of Industrial Waysides by providing a passive recreation destination that is visually accessible from Addressing Street, SW Clutter Street. The design is inviting and provides attractive landscaping features, benches, and seating areas with well-placed lighting features. The materials proposed for the Wayside are durable and allow for easy maintenance.

Waysides Applicability
 Subsection 4.134 (.12) B.

B42. The site is located within the Coffee Creek Master Plan area, therefore this section applies to the proposed development.

Table CC-5: Waysides			
Parcel Area	Required Wayside Area	Number of Waysides	Enhanced Transit Plaza ‡
Greater than 5.0 acres, less than or equal to 8.0 acres	400 square feet, minimum	One	Not permitted
<p>Response: The site is 5.85 acres, therefore the provisions that apply to the site require a 400 square foot minimum wayside area. The proposed wayside is designed with a looping form path connected to the public sidewalk along the SW Clutter Street frontage, and also contains a plaza area with seating. The plaza area and paved surfaces contain approximately 600 square feet which exceeds the minimum 400 square foot requirement.</p>			

Development Standards Applying to Waysides
 Subsection 4.134 (.12) C. 1.-2.

B43. The proposed wayside is exclusive of the required landscape screening and has at least one minimum dimension of twenty (20) feet.

Waysides – Criteria

Perimeter Landscaping
 Subsection 4.134 (.12) D. 1.

B44. The proposed Wayside contains perimeter landscaping of at least 20 feet deep on the east, west, and southern portions of the wayside. The landscaping depth along the northern side of the Wayside faces the Addressing Street, SW Clutter Street and the reduced landscaping depth in this area allows for visual access into the Wayside for safety.

Visibility
 Subsection 4.134 (.12) D. 2.

B45. The proposed Wayside abuts Addressing Street SW Clutter Street and is visible from the frontage, therefore this criterion is met.

Accessible Pathway

Subsection 4.134 (.12) D. 3.

B46. The proposed Wayside contains a looping concrete path connecting to the public sidewalk along SW Clutter Street and exceeds the minimum width requirement of 5 feet.

Accessible Surface

Subsection 4.134 (.12) D. 4.

B47. The proposed Wayside includes an accessible surface of 100 square feet minimum. Sheet L1.10 shows the plaza area on the eastern portion of the Wayside which fits a 10' x 10' square (100 square feet) within the dimensions of the curved bench that lines the plaza area.

Required Amenities

Subsection 4.134 (.12) D. 5.

B48. The proposed Wayside contains all of the required amenities and can be seen on Sheets L1.10 and L5.11 included in Exhibit B2. The Wayside contains a large curved bench in the included plaza area. Lighting features are included along the pathway through the Wayside. The landscaping has been designed to meet the general landscaping standard; however, the design provides additional landscaping density to provide a visual buffer for the front facing loading berths. A recycling / waste receptacle is located along the accessible path adjacent to the bench.

Optional Amenities

Subsection 4.134 (.12) D. 6.

B49. The applicant's narrative does not address the above subsection; however, art features shown resembling ferns on weathered steel panels are included in the perspective renderings provided by the applicant. (See Exhibit B1 Attachment 05 – Perspective Renderings)

Signs

Signs – General Requirements

Subsection 4.134 (.13) B.

B50. The proposed development contains a monument sign and two locations where building signs are identified under the scenario that the building is occupied by two tenants. Signage is addressed in the staff report in Request E.

On-site Pedestrian Access and Circulation

Conformance with Standards

Section 4.154 (.01) B. 1.

B51. All of the on-site pedestrian access and circulation standards are being applied to the proposed development.

Continuous Pathway System

Section 4.154 (.01) B. 1.

B52. A pathway system is proposed connecting the public sidewalk to the two main entrances to the building. There are two pedestrian paths connecting the public sidewalk along SW Clutter to the proposed building, one on the western side of the site and another on the eastern side of the site.

Safe, Direct, and Convenient

Section 4.154 (.01) B. 2.

B53. The plans show the two pedestrian connections from SW Clutter Street to the east and west entrances of the building. Both paths are reasonably direct and convenient. Lighting is shown along the paths along with ADA accessible ramps ensuring safety for all users.

Free from Hazards/Smooth Surface

Section 4.154 (.01) B. 2. a.

B54. The proposed pathways are planned to be free from hazards and will be a smooth hard surface.

Reasonably Direct

Section 4.154 (.01) B. 2. b.

B55. The plans show the two pedestrian connections from SW Clutter Street to the east and west entrances of the building. The western path is designed to avoid impacting the grove of mature Douglas fir trees in this area of the site, still providing a reasonably direct connection to the western entrance.

Building Entrance Connectivity/Meets ADA

Section 4.154 (.01) B. 2. c.

B56. The closest parking is ADA-accessible and direct pathways are provided to the main building entrances.

Vehicle/Pathway Separation

Section 4.154 (.01) B. 3.

B57. All pedestrian facilities, besides crosswalks, are raised to provide vertical separation or horizontally separated by landscaping.

Crosswalks

Section 4.154 (.01) B. 4.

B58. Where pathways cross parking areas or drives contrasting paint is proposed to clearly mark the crosswalks.

Pathway Width and Surface

Section 4.154 (.01) B. 5.

B59. All proposed pathways are 5 feet or wider.

Pathway Signs

Section 4.154 (.01) B. 6.

B60. No pathways needing directional signage are proposed.

Parking Area Design Standards

Minimum and Maximum Parking

Subsection 4.155 (.03) G.

B61. The Coffee Creek Logistics Center project requires a minimum of 69 parking spaces and as a project containing one use without a parking maximum, there are no limits on maximum parking spaces. The applicant proposes 73 parking spaces. The 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
Manufacturing	27,592 sf	1.6 per 1,000 = 44.2	No limit	--	1.0 per 10,000 (min 6) = 6	--
Warehouse	82,774 sf	0.3 per 1,000 = 24.8	0.5 per 1,000 = 41.4	--	1.0 per 20,000 (min 2) = 5	--
Total	110,366 sf	69	No limit	73	11	8

Other Parking Area Design Standards

Subsections 4.155 (.02) and (.03)

B62. 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
I. Parking lot screen of at least 6 feet adjacent to residential district.	<input checked="" type="checkbox"/>	The parking is not adjacent to a residential district. The applicant has screened the proposed parking lot to meet the low screen standard.
J. Sturdy bumper guards or curbs of at least 6 inches to prevent parked vehicles crossing property line or	<input checked="" type="checkbox"/>	The parking lot is surrounded by a six-inch curb.

interfering with screening or sidewalks.		
K. Surfaced with asphalt, concrete or other approved material.	<input checked="" type="checkbox"/>	Surfaced with asphalt
Drainage meeting City standards	<input checked="" type="checkbox"/>	Drainage is professionally designed and being reviewed to meet City standards
L. Lighting will not shine into adjoining structures or into the eyes of passers-by.	<input checked="" type="checkbox"/>	Lighting is proposed to be fully shielded and subject to the City's Outdoor Lighting Ordinance.
N. No more than 40% of parking compact spaces.	<input checked="" type="checkbox"/>	All parking spaces are proposed to be standard spaces.
O. Where vehicles overhand curb, planting areas at least 7 feet in depth.	<input checked="" type="checkbox"/>	All parking area planting areas are greater than 7 feet in depth.
Subsection 4.155 (.03) General Standards		
A. Access and maneuvering areas adequate.	<input checked="" type="checkbox"/>	Access to the area is available to employees. Maneuvering area is plentiful.
A.1. Loading and delivery areas and circulation separate from customer/employee parking and pedestrian areas.	<input checked="" type="checkbox"/>	The applicant proposes the employee parking to the east and west sides of the building. ADA and short term parking is proposed along the front of the building away from the loading and delivery areas.
Circulation patterns clearly marked.	<input checked="" type="checkbox"/>	No markings needed to clarify circulation.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	<input checked="" type="checkbox"/>	Vehicle and pedestrian traffic are clearly delineated and separated except for crosswalks.
C. Safe and Convenient Access, meet ADA and ODOT Standards.	<input checked="" type="checkbox"/>	The proposed parking and access allow ADA and ODOT standards to be met.
For parking areas with more than 10 spaces, 1 ADA space for every 50 spaces.	<input checked="" type="checkbox"/>	The applicant proposes 4 ADA parking space and 69 standard spaces
D. Where possible, parking areas connect to adjacent sites.	<input checked="" type="checkbox"/>	The new parking area is part of a single development.
Efficient on-site parking and circulation	<input checked="" type="checkbox"/>	The proximity to the destination and pedestrian connections make the parking efficient. Adequate maneuvering area is provided making the circulation efficient.

Other Parking Standards and Policies and Procedures

Parking Variances and Waivers

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

B63. The applicant has not requested variances or waivers pursuant to this subsection.

Multiple Use Parking Calculations

Subsection 4.155 (.02) D.

B64. While the parking area may be shared with more than one future tenant located within the development that contain different uses, the review only considers the proposed use of manufacturing and warehousing for the purpose of parking calculations.

Shared Parking

Subsection 4.155 (.02) E.

B65. The review only considers the proposed new use and no shared parking as described by this subsection is proposed.

Off-Site Parking Allowance

Subsection 4.155 (.02) G.

B66. No off-site parking was used for calculating the parking spaces provided.

Non-Parking Use of Parking Areas

Subsection 4.155 (.02) H.

B67. All parking areas are expected to be maintained and kept clear for parking unless a temporary use permit is granted or the Stage II approval is revised. Particularly no container or other storage is permitted in the parking areas.

Parking for Uses Not Listed

Subsection 4.155 (.02) M.

B68. The parking calculation is based on the listed uses of warehousing and manufacturing.

On-Street Parking for Parking Calculations

Subsection 4.155 (.03) F.

B69. The parking calculations do not include any on-street parking.

Electrical Vehicle Charging Stations

Subsection 4.155 (.03) H.

B70. The applicant does not propose electrical charging stations.

Substituting Motorcycle Parking for Vehicle Parking

Subsection 4.155 (.03) I.

B71. The applicant does not propose motorcycle parking.

Parking Area Landscaping

Minimizing Visual Dominance of Parking

Subsection 4.155 (.03) B.

B72. The applicant is proposing landscaping to meet the low screen standard along the east and west of the site where parking is proposed. No parking is proposed along the southern portion of the site. The applicant is also proposing the required amount of parking lot trees. The visual appearance of the parking and circulation areas are sufficiently minimized by the landscaping proposed by the applicant.

10% Parking Area Landscape Requirement

Subsection 4.155 (.03) B. 1.

B73. The landscaping provided within the parking areas is 8,953 square feet, which is 19.7% of the 45,467 square feet of the site dedicated to parking area.

Landscape Screening of Parking

Subsection 4.155 (.03) B. 1.

B74. Proposed landscaping will substantially shield the parking area from view from the public right-of-way.

Tree Planting Area Dimensions

Subsection 4.155 (.03) B. 2.

B75. All tree planting areas meet or exceed the 8-foot minimum width and length. A condition of approval will ensure this criterion is met.

Parking Area Tree Requirement

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

B76. For a parking lot with a total of 73 parking spaces, one (1) tree per eight (8) parking spaces is required for a total of 9.125 (10 total trees). Twelve (12) trees are shown within the landscaped islands within the parking area, and an additional sixteen (16) trees have been provided along the perimeter of the parking lot area.

Parking Area Tree Clearance

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

B77. All trees planting in the parking area are varieties that could typically be maintained to provide a 7-foot clearance.

Bicycle Parking-General Provisions

Determining Minimum Bicycle Parking

Subsection 4.155 (.04) A. 1.

B78. As this is a speculative development the applicant assumes 75% of the structure will be warehousing and distribution uses while 25% of the structure will be utilized for manufacturing uses. Table 5 indicates that warehousing uses require one bicycle space per 20,000 square feet with a minimum of two spaces, while manufacturing uses require one bicycle space per 10,000 square feet with a minimum of six spaces required. Based on the proposed building size of 110,366 square feet and the anticipated mix of uses, the applicant proposes eight (8) bicycle parking spaces. There are four bicycle parking spaces shown on the site plan at each of the two public entrances facing SW Clutter Street.

Required bicycle parking is calculated as the sum of the requirements for the individual primary uses. Staff notes that the indicated bicycle parking minimums apply to all development, and the actual minimum required can be greater than the indicated minimum based on the square footage devoted to each use. Based on the calculations shown in Finding B61, a total of 11 bicycle parking spaces are required. A condition of approval will ensure this requirement is met.

Bicycle Parking for Multiple Uses

Subsection 4.155 (.04) A. 3.

B79. As noted in Finding B78, the required bicycle parking is the sum of the requirements for warehouse (five spaces) and manufacturing uses (six spaces) onsite. Based on this, a total of 11 spaces are required.

Bicycle Parking Waivers

Subsection 4.155 (.04) A. 4.

B80. The applicant proposes no waivers to bicycle parking.

Bicycle Parking Standards

Bicycle Parking Space Dimensions

Subsection 4.155 (.04) B. 1.

B81. A condition of approval ensures the objective spacing dimensions are met at the point of building permit issuance.

Access to Bicycle Parking Spaces

Subsection 4.155 (.04) B. 1.

B82. A condition of approval ensures the objective spacing dimensions are met at the point of building permit issuance.

Bicycle Maneuvering Area
Subsection 4.155 (.04) B. 2.

B83. A condition of approval ensures the objective spacing dimensions are met.

Spacing of Bicycle Racks
Subsection 4.155 (.04) B. 3.

B84. A condition of approval ensures the objective spacing dimensions are met.

Bicycle Racks and Lockers Anchoring
Subsection 4.155 (.04) B. 4.

B85. A condition of approval ensures the objective spacing dimensions are met.

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

B86. A condition of approval ensures the objective spacing dimensions are met.

Long-term Bicycle Parking

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

B87. No long-term bicycle parking is required.

Minimum Off-Street Loading Requirements

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

B88. The proposed development is an industrial development with over 100,000 square feet of floor area, therefore a minimum of three (3) loading berths are required. The applicant proposes 20 loading berths.

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

B89. As shown in the applicant's plan set, the loading berths, are a key component of the operations, meet the loading berth dimensional standards as follows: 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.

B90. 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.

B91. Off-street parking areas are not proposed to be used for loading and unloading operations.

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

B92. No loading area adjacent or within a street right-of-way is proposed.

Access, Ingress, and Egress

Access at Defined Points
Subsection 4.167 (.01)

B93. Access to SW Clutter Street (2 driveways) will be located at defined points approved by the City.

Health, Safety, and Welfare
Subsection 4.167 (.01)

B94. By virtue of meeting applicable standards of Chapter 4 as well as being required to meet Public Works Standards the access points will be consistent with the public's health, safety and general welfare.

Approval of Access Points
Subsection 4.167 (.01)

B95. The Engineering Division is reviewing and approving all points of access to public streets.

Other Development Standards

Double-Frontage Lots
Section 4.169

B96. The subject property is not a double frontage lot.

Natural Features and Other Resources
Section 4.171

B97. Trees have been considered as part of site planning and a number of trees are being retained which will help screen the proposed facility. No other hillsides, power line easements, etc. needing protection exist on the site.

Public Safety and Crime Prevention

Design for Public Safety Subsection 4.175 (.01)

B98. The proposed development shows significant screening along SW Clutter Street, however the screening and site layout have been designed to provide visibility to areas containing active uses from key points along the public right-of-way particularly at the two driveway entrances. This facilitates surveillance by law enforcement and also enables citizens passing by on the public street to observe activity within the site.

Addressing and Directional Signing Subsection 4.175 (.02)

B99. Addressing will be as required by Tualatin Valley Fire and Rescue.

Surveillance and Access Subsection 4.175 (.03)

B100. Loading docks are located along the front of the building which facilitates surveillance by law enforcement without entering and circulating throughout the site. Parking areas are located to the sides of the building which can be observed from the front of the site and accessed through the drive aisle surrounding the building.

Lighting to Discourage Crime Subsection 4.175 (.04)

B101. Lighting has been designed in accordance with the City's outdoor lighting standards, which will provide sufficient lighting to discourage crime.

Landscaping Standards

Landscaping Standards Purpose Subsection 4.176 (.01)

B102. In complying with the various landscape standards in Section 4.176 the applicant has demonstrated the Stage II Final Plan is in compliance with the landscape purpose statement.

Landscape Code Compliance Subsection 4.176 (.02) B.

B103. No waivers or variances to landscape standards have been requested. Thus all landscaping and screening must comply with standards of this section.

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

B104. Required materials will be provided as follows.

New Landscape Area

- **Area Description:** Along all sides of the subject property
- **Landscaping Standard:** General (North), Low Screen (West, South, East)
- **Comments on Intent:** Screens development from adjoining sites
- **Required Materials:** General Standard: Shrubs, trees every 30 feet or one tree per 800 square feet of area Low Screen: 3 foot hedge 95% opaque year round, trees every 30 feet or as required to provide canopy over landscape area.
- **Materials Provided:** Existing trees and supplemental tree and understory plantings. Predominant species include new and preserved Douglas firs, Maple, Dogwood, Cedar, Ash, and Black Gum trees. Shrubs and ground cover include a variety of species including: Snowberry, Birchleaf Spirea, Red Flowering Currant, Oregon grape, Dwarf Dogwood, and Pacific Wax Myrtle. A condition of approval ensures specific code requirements are met.

Landscape Area and Locations

Subsection 4.176 (.03)

B105. Landscaping is proposed in more than three distinct areas, in the preserved grove of Douglas fir trees, the Wayside area, and surrounding the parking lot and circulation areas. 16.1% of the area of the site will be landscaped.

Buffering and Screening

Subsection 4.176 (.04)

B106. The general landscaping standard is applied along the front of the property in conjunction with the Wayside requirements to produce a landscape buffer that screens the site beyond the requirements of the general landscaping standard. The low screen standard has been applied along the east, south and west sides of the property screening the parking lot areas from adjacent properties.

Landscape Plans

Subsection 4.176 (.09)

B107. Sufficient information has been provided regarding landscaping. The landscaping will primarily be existing treed areas with supplemental trees and understory planted as necessary to meet City standards. A condition of approval ensures final construction landscape plans meet the City's objective landscape standards.

Mixed Solid Waste and Recyclables Storage

DRB Review of Adequate Storage Area, Minimum Storage Area

Subsections 4.179 (.01)

B108. The proposed warehousing and manufacturing building requires provision of 10 square feet plus 6 square feet per 1000 square feet of floor area of mixed solid waste and recycling storage. At 110,366 square feet, the building requires 662 square feet of storage. The

applicant proposes an enclosure of 210 square feet, which is below the minimum. The applicant has provided correspondence from Republic Services supporting the reduced size area as the development has the potential for daily service for trash and recycling therefore this standard is met.

Review by Franchise Garbage Hauler
Subsection 4.179 (.07).

B109. The applicant's Exhibit B1 includes a letter from Republic Services indicating coordination with the franchised hauler, and that the proposed storage area and site plan meets Republic Services requirements.

Other Development Standards

Access Drives and Travel Lanes
Subsection 4.177 (.01) E.

B110. These criteria are satisfied or will be satisfied by Condition of Approval PDE 8.

- All access drives are designed to provide a clear travel lane, free from obstructions.
- All travel lanes will be asphalt. Condition of Approval PDE 8 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 the Fire District.

Outdoor Lighting
Sections 4.199.20 through 4.199.60

B111. The proposal is required to meet the Outdoor Lighting Standards. See Request C Findings C45 through C53..

Underground Installation
Sections 4.300-4.320

B112. Utilities will be installed underground.

Request C: DB20-0021 Site Design Review

Site Design Review

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

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

- **Excessive Uniformity:** The proposed development is unique to the particular development context and does not create excessive uniformity.
- **Inappropriate or Poor Design of the Exterior Appearance of Structures:** The proposed warehouse / distribution building is attractively designed with emphasis on the office endcaps and provides color and material changes to add interest to all

visible sides of the building.

- **Inappropriate or Poor Design of Signs:** Two building signs and one freestanding monument sign are proposed. The signs are designed to visually fit in with the building architecture and appropriately sized.
- **Lack of Proper Attention to Site Development:** The appropriate professional services have been used to design the site, demonstrating appropriate attention being given to site development.
- **Lack of Proper Attention to Landscaping:** Landscaping is provided exceeding the area requirements, has been professionally designed by a landscape architect, and includes or will include a variety of plant materials, all demonstrating appropriate attention being given to landscaping.

Objectives of Site Design Review

Proper Functioning of the Site

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

- C2.** The applicant does not propose any functional site changes effecting the function of the site as part of this application.

High Quality Visual Environment

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

- C3.** A professionally designed building, landscaping, and a professional, site-specific layout supports a high-quality visual environment.

Encourage Originality, Flexibility, and Innovation

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

- C4.** The applicant proposes a warehouse / distribution building that contains office endcaps on the east and west corner of the front façade. This adds significantly more glazing than a typical development of this type, thus providing an original and innovative design.

Discourage Inharmonious Development

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

- C5.** The project is the first development within the Coffee Creek Industrial area to be reviewed under the Coffee Creek Industrial Design Overlay District standards and Pattern Book. This project will set a positive design precedent in the area to encourage future harmonious industrial development.

Proper Relationships with Site and Surroundings

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

- C6.** The applicant has considered unique landscaping features to the site and given proper attention to the exterior appearance of the structure. The site design has been dictated by

the preservation of the only significant natural feature on site which is the existing stand of Douglas firs near the northwestern corner of the site.

Attention to Exterior Appearances

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

- C7.** The applicant used appropriate professional services to design the exterior of the building. See also finding B40 for Coffee Creek Standards relating to building design.

Protect and Enhance City's Appeal

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

- C8.** The proposal adds future jobs to the city and enhances the appeal of SW Clutter Street by providing multi-modal street improvements.

Stabilize Property Values/Prevent Blight

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

- C9.** The site is located along SW Clutter Street. Adding services and amenities with a quality design add value to SW Clutter Street and prevent blight on the property.

Adequate Public Facilities

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

- C10.** Adequate public facilities will be provided as part of development.

Pleasing Environments and Behavior

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

- C11.** The site is located on SW Clutter Street. Adding a new industrial development to the area with a quality design and wayside area will provide a pleasing environment in the area and much needed pedestrian amenities.

Civic Pride and Community Spirit

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

- C12.** Adding a new development with a high quality design and creating additional jobs in the community will enhance SW Clutter Street and contribute to civic pride and community spirit.

Favorable Environment for Residents

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

- C13.** Adding a new industrial development with a quality design will create jobs and improve the Coffee Creek Industrial Area and SW Clutter Street areas and provide a favorable environment to residents and potential employees.

Jurisdiction and Power of the DRB for Site Design Review

Development Must Follow DRB Approved Plans

Section 4.420

- C14.** Condition of Approval PDB 1 ensures construction, site development, and landscaping are carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents.

Design Standards

Harmony of Proposed Buildings to Environment

Subsection 4.421 (.01) B.

- C15.** The proposed site design integrates an existing tree grove and provides additional landscaping features, integrating the proposed development into the surrounding natural environment.

Advertising Features Do Not Detract

Subsection 4.421 (.01) F.

- C16.** All advertising features are sized and located appropriately to not detract from the design of the existing structure and surrounding properties. See also Request E.

Design Standards Apply to All Buildings, Structures, Signs, and Features

Subsection 4.421 (.02)

- C17.** The project does not include any accessory structures on site.

Conditions of Approval to Ensure Proper and Efficient Function

Subsection 4.421 (.05)

- C18.** Staff does not recommend any additional conditions of approval to ensure the proper and efficient functioning of the development.

Color or Materials Requirements

Subsection 4.421 (.06)

- C19.** The applicant is proposing a tilt-up concrete structure. The concrete components of the project are shown in three different colors: Regal White, Parchment, and Weathered Copper, all by AEP Span. The building will also contain smooth and corrugated sheet metal and glass. The colors and materials chosen are appropriate for the development. Staff does not recommend any additional requirements or conditions related to colors and materials.

Standards for Mixed Solid Waste and Recycling Areas

Mixed Solid Waste and Recycling Areas Colocation

Subsection 4.430 (.02) A.

C20. 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.

C21. 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.

C22. 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.

C23. 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.

C24. 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

C25. The applicant submitted a site plan drawn to scale and digital materials board illustrating proposed finishes and paint colors.

Time Limit on Site Design Review Approvals

Void after 2 Years

Section 4.442

C26. The Applicant plans to develop the proposed project within two years and understands that the approval will expire after two years unless the City grants an extension.

Installation of Landscaping

Landscape Installation or Bonding

Subsection 4.450 (.01)

C27. 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)

C28. 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)

C29. A Condition of Approval will ensure landscaping is continually maintained in accordance with this subsection.

Modifications of Landscaping

Subsection 4.450 (.04)

C30. 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

C31. The proposed design of the site 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

Landscape Standards Code Compliance

Subsection 4.176 (.02) B.

C32. No waivers or variances to landscape standards have been requested. Thus all landscaping and screening must comply with standards of this section.

Intent and Required Materials

Subsections 4.176 (.02) C. through I.

C33. 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 being reviewed 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)

C34. As indicated in the applicant's narrative and Sheet C1.10 of the plan set in Exhibit B2 the site contains 16.1% landscaped area exceeding the 15% requirement. Additionally, the parking lot area contains 19.7% of the overall area dedicated to landscaping, exceeding the 10% requirement.

Buffering and Screening

Subsection 4.176 (.04)

C35. Consistent with the proposed Stage II Final Plan, adequate screening is proposed.

Shrubs and Groundcover Materials

Subsection 4.176 (.06) A.

C36. All of the proposed shrubs on the applicant's Landscape Plans (Sheet L0.01 through L5.13, Exhibit B2) meet 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.

C37. 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.

C38. 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.

Types of Plant Species

Subsection 4.176 (.06) E.

C39. 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.

C40. While the preservation of the Douglas-fir trees on the northwest portion of the site is eligible for tree credit pursuant to this subsection, the proposed number of trees in the Landscape Plans exceeds the minimum landscaping requirements.

Exceeding Plant Standards

Subsection 4.176 (.06) G.

C41. The selected landscape materials do not violate any height or visions clearance requirements.

Landscape Installation and Maintenance

Subsection 4.176 (.07)

C42. 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 L5.11 provide for an irrigation system.

Landscape Plans

Subsection 4.176 (.09)

C43. The applicant's submitted plans provide the required information.

Completion of Landscaping
Subsection 4.176 (.10)

C44. The applicant has not requested to defer installation of plant materials.

Outdoor Lighting

Applicability
Sections 4.199.20 and 4.199.60

C45. 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

C46. The project site is within LZ 2 and the proposed outdoor lighting systems will be reviewed under the standards of this lighting zone.

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

C47. The applicant has elected to comply with the Prescriptive Option.

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

C48. Based on the applicant's submitted materials, all proposed lighting is below the maximum wattage. 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.

C49. The applicant is complying with the Oregon Energy Efficiency Specialty Code.

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

C50. All exterior mounted lighting on the building is less than 40 feet high as shown on sheet C8.10 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.

C51. The subject property is bordered by the same base zoning and the same lighting zone on all sides. Staff understands the three times mounting height setback to only apply where the property abuts a lower lighting district. 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.

C52. The applicant proposes an exemption due to operating regularly after curfew.

Standards and Submittal Requirements

Sections 4.199.40 and 4.199.50

C53. All required materials have been submitted.

Request D: DB20-0022 Waivers

Waiver: Loading Berth Locations

Waiver of Typical Development Standards

Subsections 4.134 (.08) and 4.118 (.03) A.

D1. The applicant is proposing one at-grade loading berth and nineteen (19) recessed loading berths along the front façade of the building. This requires a waiver from 4.134(.11) Table CC-3 4. Parking Location and Design / Off-Street Loading Berth / Addressing Streets. This standard allows for only one loading berth on the front façade of a building facing an addressing street. The applicant states the rationale for requesting this waiver as the following:

- a. The site plan allows for the preservation of the stand of mature Douglas fir trees at the northwestern corner of the site. As the only significant natural feature on the site, it is a priority that the trees are preserved and integrated into the landscape screening along SW Clutter Street.
- b. The site plan and building orientation provides for efficient use of the site in order to accommodate a variety of prospective industrial warehousing and distribution tenants.

- c. The applicant explored other configurations, but none of these would accommodate preserving the existing Douglas firs located on site.
- d. The design makes it clear this is an industrial building where the loading docks are visible yet screens the vast majority of the loading docks through dense landscaping provided by the Wayside.
- e. The loading docks are only visible from the two proposed driveways connecting the development to SW Clutter Street. These driveways punctuate a dense landscape screen and only allow views of the loading docks at two these two points.
- f. Locating the docks to the front elevation facilitates better destination identification by arriving trucks which can then maneuver more easily into the docking positions. If the docks were located at the rear, additional signage would be required at the street to identify turn in locations for drivers which would contribute to visual clutter. This also reduces potential conflicts between truck circulation and vehicular circulation by keeping the truck access and circulation area away from the vehicular circulation and parking areas which are predominantly located at the eastern and western edges of the site.
- g. The office corners which contain attractive colors and materials with large windows will draw attention away from the loading dock area. The colors and materials used minimize the loading dock area and reduce its visual significance.
- h. Locating the docks at the front of the building allows for views from the office areas to the loading dock area for better observation of operations. If the building were situated with the offices adjacent to the street and loading docks on a different side of the site, there would not be a visual relationship between the office area and loading operations.

Purpose and Objectives of Planned Development Regulations
Subsection 4.140 (.01) B.

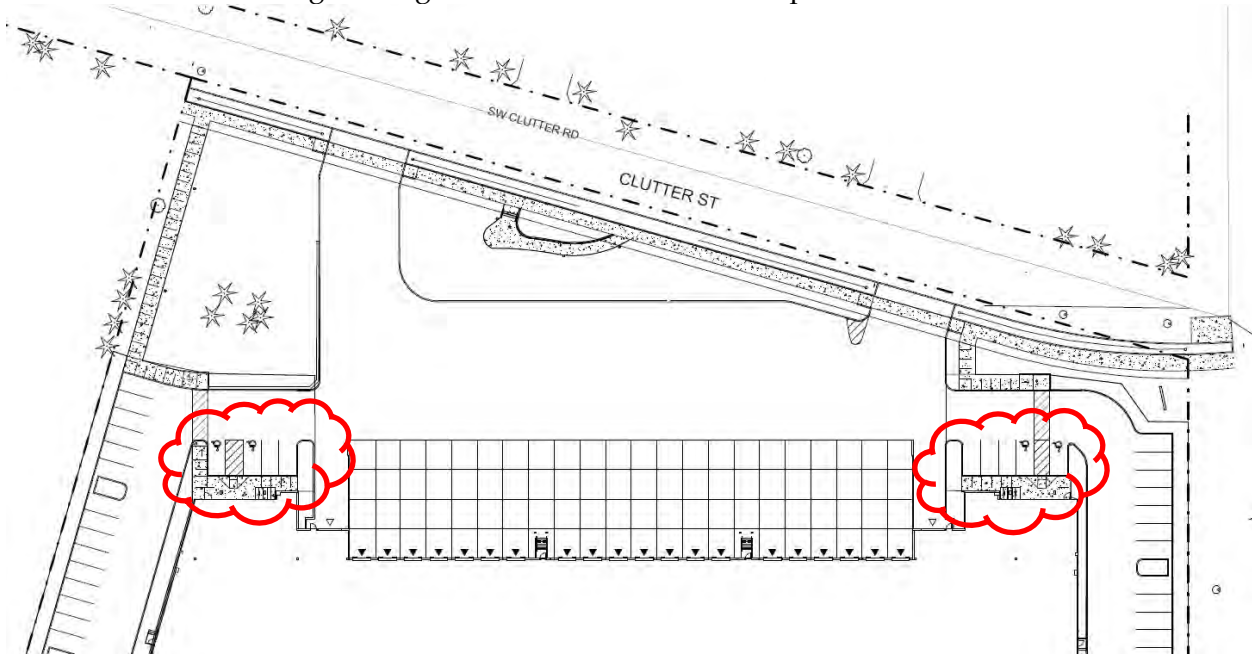
- D2.** Pursuant to Subsection 4.118 (.03) A. waivers must implement or better implement the purpose and objectives listed in this subsection. The applicant specifically requests the loading dock location waiver for flexibility in the design to respond to site-specific features and conditions at the project site.

Waiver: Vehicle Parking Areas

Waiver of Typical Development Standards
Subsections 4.134 (.08) and 4.118 (.03) A.

- D3.** The applicant requests to waive the vehicle parking area design standards from the Coffee Creek Design Overlay District. 4.134(.11) Table CC-4 4. Parking Location and Extent / Addressing Street limits parking to one double loaded bay of parking, 16 spaces maximum designated for short term, visitor, or disabled parking only between the right of way of the Addressing Street and the building. This standard is listed as one of three in Section 4.134(.08) Waivers that shall not be waived unless there is substantial evidence in the whole

record to support a finding that the intent and purpose of the standard will be met in alternative ways. The applicant has provided two separate primary entrances for the proposed building, in order to provide safe and convenient short term parking for the building it is not practical to consolidate the short term, visitor, and ADA accessible parking spaces into a single parking bay as the code prescribes. The proposed number of spaces is nine (9) which is less than the maximum of 16 or modification that allows for up to 20 in this location. This modification is necessary in order prevent the need for pedestrians and those using the ADA accessible parking spaces from crossing circulation areas and drive aisles and walking the large distance between the two public entrances.



Purpose and Objectives of Planned Development Regulations
Subsection 4.140 (.01) B.

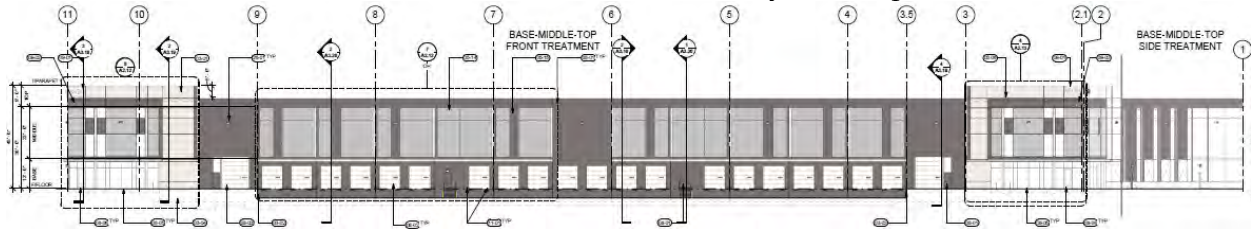
D4. Pursuant to Subsection 4.118 (.03) A. waivers must implement or better implement the purpose and objectives listed in this subsection. Subsection 4.134 (.08) requires substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways. The applicant requests the waiver from the parking location and extent standard for flexibility in design Staff supports this waiver as this configuration allows for greater safety for future users of the site, and proposes a small amount of parking between the Addressing Street and the building. Separating the nine (9) spaces into two separate parking bays allows for more flexibility and better use of the site.

Waiver: Building Base Body and Top Dimensions

Waiver of Typical Development Standards

Subsections 4.134 (.08) and 4.118 (.03) A.

- D5.** The proportion of the body of the front façade facing the addressing street is less than 75% of the overall building height. Therefore, applicant requests to waive the standard that requires buildings between 30 feet and 5 stories in height have a body equal or greater than 75% of the overall height of the building. The applicant refers to Sheet A2.10 Building Elevations that show the delineation of the Base, Body, and Top dimensions.



As seen in the image included above, the applicant has attempted to use horizontal structural and visual elements that break up the appearance of the wall surface, and draw the eye up and away from the loading dock area. The metal panels and paint color changes also focus the eye toward the office end caps further reducing the impact of the loading berth area. The applicant has calculated the building components as follows:

Total Wall Height: 40.0 feet
Less: Top (reveal) - 1.5 feet (18 inches)
Less: Base (ground floor height) -12.0 feet
Remainder = Body Height 26.5 feet (66.25%)

- The applicant states this configuration still is fundamentally consistent with the Base-Body-Top concept while adapting it to the particular site and building function context to maintain a consistent appearance across the building and further reduce the impact of the loading berths.

Purpose and Objectives of Planned Development Regulations

Subsection 4.140 (.01) B.

- D6.** Pursuant to Subsection 4.118 (.03) A. waivers must implement or better implement the purpose and objectives listed in this subsection. The applicant specifically requests the setback waiver for flexibility in the design.

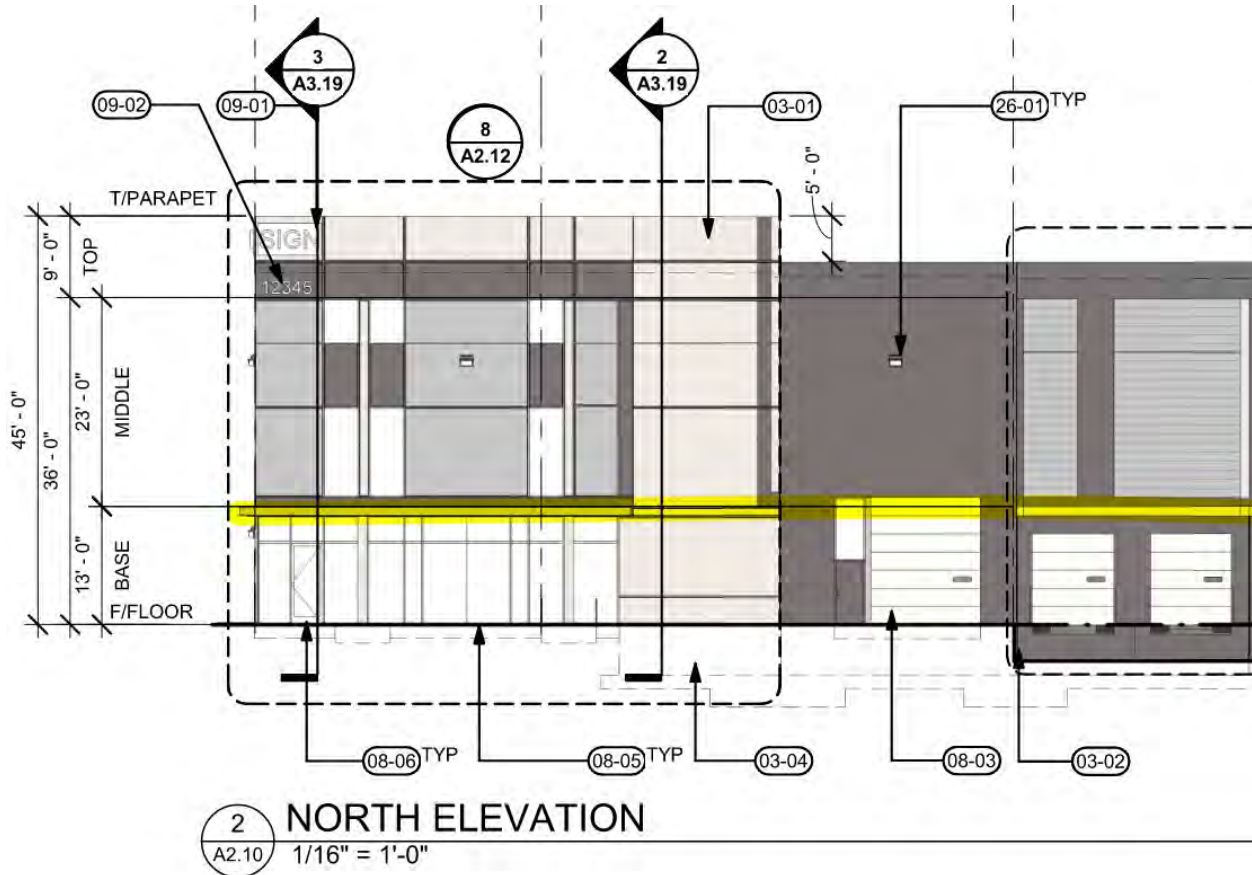
Waiver: Primary Building Entrance / Required Canopy

Waiver of Typical Development Standards

Subsections 4.134 (.08) and 4.118 (.03) A.

- D7.** The applicant requests to waive the 15 foot building entrance and canopy height required by Section 4.134.(11) Table CC-4 2. Primary Building Entrance / Accessible Entrance and

Table CC-4 2. Primary Building Entrance Required Canopy. The applicant is matching the height of the primary building entrance and canopy with the height of the canopy above the loading docks. This allows the canopy height of both areas to form a clear base height across the ground floor of the building. In the image below taken from the applicant's materials, the canopy and building entrance height at twelve feet aligning with the canopy provided above the adjacent loading docks which can also be seen in the image.



Purpose and Objectives of Planned Development Regulations
 Subsection 4.140 (.01) B.

D8. Pursuant to Subsection 4.118 (.03) A. waivers must implement or better implement the purpose and objectives listed in this subsection. The applicant specifically requests the setback waiver for flexibility in the design. The applicant states that the requested waiver will still meet the intent of the standard by focusing attention on the building's primary entrances and providing sufficient weather protection at entries. Relative to the required 15 foot high canopy / ground floor height, the 12 floor height offers greater weather protection on rainy days.

Waiver: Overall Building Massing / Ground Floor Height

Waiver of Typical Development Standards

Subsections 4.134 (.08) and 4.118 (.03) A.

- D9.** The applicant requests to waive the required 15 foot ground floor height requirement for the proposed building. The proposed building is a single story structure with prominent office end caps. The interior space will have a ceiling height that will match the canopy height so that there is not a different between the canopy and ground floor. If the ground floor height were to be 15 feet as required with the canopy remaining at 12 feet, there would be an arbitrary difference that causes the internal ceiling line to run through the visual glazing of the building.

Purpose and Objectives of Planned Development Regulations

Subsection 4.140 (.01) B.

- D10.** Pursuant to Subsection 4.118 (.03) A. waivers must implement or better implement the purpose and objectives listed in this subsection. The applicant specifically requests the setback waiver for flexibility in the design. The requested waiver is intended to match the exterior canopy height with the ceiling height to add to the overall coherent appearance of the proposed structure. Given the setback of the building and distance from the public street, the 12 foot ceiling height of the building interior will have no significant impact on the overall exterior appearance of the building.

Request E: DB20-0023 Class III Sign Permit

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

Sign Review and Submission

Class II Sign Permits Reviewed by DRB

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

- E1.** The application qualifies as a Class III Sign Permit subject to Development Review Board review.

What Requires Class III Sign Permit Review

Subsection 4.156.02 (.06)

- E2.** The request involves a single tenant or a possible two tenant scenario in a development subject to Site Design Review by the Development Review Board thus requiring a Class III Sign Permit.

Class III Sign Permit Submission Requirements

Subsection 4.156.02 (.06) A.

- E3. As indicated in the table below the applicant has satisfied the submission for Class III sign permits, which includes the submission requirements for Class II sign permits:

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

Class III Sign Permit and Waiver Review Criteria

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

- E4. As indicated in Findings below, the proposed sign will satisfy the sign regulations for the applicable zoning district and the relevant Site Design Review criteria.

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

- E5. The proposed sign is typical of, proportional to, and compatible with development in the PDI-RSIA zone. This includes an internally illuminated freestanding monument sign using a concrete base similar to signs found on many developments in the PDI-RSIA zone. There are two proposed locations for building signs at the east and west corners of the building along the parapet of the office endcaps. No evidence presented nor testimony received demonstrating the subject sign would detract from the visual appearance of the surrounding development.

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

- E6. There is no evidence, and no testimony has been received suggesting 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) F. 3.

- E7. The sign does not conflict with the design or placement of other site elements, landscaping, or building architecture has been reviewed as part of this application. The appropriate placement of the sign will be ensured by Condition of Approval PDE 3.

Sign Measurement

Measurement of Cabinet Signs
Subsection 4.156.03 (.01) A.

- E8. The sign measurement uses single rectangles, as allowed.

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

General Allowance
Subsection 4.156.08 (.01) A.

- E9. The subject site has frontage on SW Clutter Street of sufficient length to be sign eligible. A single freestanding sign is proposed along SW Clutter Street. A condition of approval ensures the sign will be placed in a code compliant location on site.

Allowed Height
Subsection 4.156.08 (.01) B.

- E10. The allowed height for the sign is 8 feet as it is located within the PDI-RSIA zone. The proposed 7-foot freestanding sign thus meets the requirements of this subsection.

Allowed Area
Subsection 4.156.08 (.01) C.

- E11. The proposed freestanding sign pertains to a single tenant or possibly two tenants within a 110,366 square foot building fronting along SW Clutter Street. As a result, the maximum allowed sign area is 32 square feet for a multi-tenant building, with 32 square feet for each additional tenant. This comes to a total of 96 square feet. As the proposed development is within a PDI zone, the limit for a free standing sign cannot exceed 80 square feet. The proposed sign is shown as 80 square feet, at the 80 square foot limit. Should the development be occupied by a single tenant, the code allows for 64 square feet of sign area. A condition of approval will ensure that the sign does not exceed 64 square feet in size if the building is configured for a single tenant.

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

E12. The applicant proposes constructing the freestanding sign and its foundation in a full vertical position.

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

E13. The subject freestanding sign will not extend into or above right-of-way, parking, and maneuvering areas.

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

E14. The proposed sign is coordinated with the design of the building design, as proposed.

Width Not Greater Than Height for Signs Over 8 Feet
Subsection 4.156.08 (.01) H.

E15. The proposed freestanding sign does not exceed 8 feet, therefore the requirements of this subsection do not apply.

Sign Setback
Subsection 4.156.08 (.01) J.

E16. The applicant's narrative refers to Sheet C1.10 for freestanding sign location which is 4' from the northern property line and 11' from the eastern property line. The sign is roughly 4' from the public sidewalk. Sheet C1.10 does not indicate the monument sign as stated in the narrative. The setback requirements intend for freestanding signs to be located no further than 15 feet from the property line and no closer than two feet from a sidewalk or other hard surface in the public right-of-way. A Condition of Approval ensures the sign setback requirements will be met. If an appropriate location cannot be found the sign shall not be installed.

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

E17. The site fronts SW Clutter Street. Sheet A5.06 Exterior Details in Exhibit B2 shows the address of the associated building thus meeting the requirements of the above subsection.

Building Signs in the PDC, PDI, and PF Zones

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

E18. The north, east and west facades are sign eligible while the south is not as follows:

Façade	Sign Eligible	Criteria making sign eligible
North	Yes	Public Entrance, Faces a lot line with frontage on a street
East	Yes	Primary parking area
South	No	
West	Yes	Primary parking area

Building Sign Area Allowed
Subsection 4.156.08 (.02) B.5.a

E19. There are two proposed locations for future building signs proposed by the applicant. The narrative provided by the applicant covers a variety of scenarios where the building would be occupied by two tenants, these calculations utilize the provision for a 50% increase in the size allowance up to 50 square feet when entrances are more than 50 feet apart on the same façade. Staff interprets this code provision to apply only in the case that there are two entrances for the same tenant space, therefore this increase in sign area would not apply under any of the two tenant scenarios for the proposed development. Condition of Approval PDE 4 ensures compliance with this requirement.

Building Sign Length Not to Exceed 75 Percent of Façade Length
Subsection 4.156.08 (.02) C.

E20. The proposed building signs do not exceed 75 percent of the length of the façade.

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

E21. The proposed building sign is within a definable architectural feature and has a definable space between the sign and the top and bottom of the architectural feature.

Building Sign Types Allowed
Subsection 4.156.08 (.02) E.

E22. The proposed building signs are shown as a flat wall sign which is an allowable type.

Site Design Review

Excessive Uniformity, Inappropriate Design
Subsection 4.400 (.01)

E23. With quality materials and design, the proposed signs will not result in excessive uniformity, inappropriateness or poor design, and the proper attention has been paid to site development.

Purpose and Objectives

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

E24. The signs are scaled and designed appropriately related to the subject site and the appropriate amount of attention has been given to visual appearance. The signs will provide local emergency responders and other individuals reference for the location of this development.

Design Standards

Subsection 4.421 (.01)

E25. There is no indication that the size, location, design, color, texture, lighting or material of the proposed signs would detract from the design of the surrounding properties.

Design Standards and Signs

Subsection 4.421 (.02)

E26. Design standards have been applied to the proposed sign, as applicable, see Findings E23 – E25 above.

Color or Materials Requirements

Subsection 4.421 (.06)

E27. The proposed coloring is appropriate for the sign and no additional requirements are necessary. The applicant is proposing backlit channel letters including potential tenant logos. No internally illuminated cabinet signs are proposed.

Site Design Review-Procedures and Submittal Requirements

Section 4.440

E28. The applicant has submitted a sign plan as required by this section.

Request F: DB20-0024 Type C Tree Removal Plan

Type C Tree Removal-General

Review Authority

Subsection 4.610.00 (.03) B.

F1. The requested removal is connected to site plan review by the Development Review Board for new development. The tree removal is thus being reviewed by the DRB.

Conditions of Approval

Subsection 4.610.00 (.06) A.

F2. No additional conditions are recommended pursuant to this subsection.

Completion of Operation

Subsection 4.610.00 (.06) B.

- F3. It is understood the tree removal will be completed by the time development of the proposed facility is completed, which is a reasonable time frame for tree removal.

Security for Permit Compliance

Subsection 4.610.00 (.06) C.

- F4. 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)

- F5. The standards of this subsection are met as follows:
- Standard for the Significant Resource Overlay Zone: The proposed tree removal is not within the Significant Resource Overlay Zone.
 - Preservation and Conservation: The applicant has taken tree preservation into consideration, and has limited tree removal to trees that are necessary to remove for development. The Douglas-fir tree grove at the northwest corner of the site will be preserved.
 - Development Alternatives: No significant wooded areas or trees would be preserved by practical design alternatives.
 - Land Clearing: Land clearing is not proposed, and will not be a result of this development application.
 - 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 tree preservation and protection ordinance.
 - Relocation or Replacement: The applicant proposes to plant 74 trees as replacement for the 32 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.
 - Tree Survey: A tree survey has been provided.

Review Process

Subsection 4.610.40 (.01)

- F6. The proposed Type C Tree Plan is being reviewed concurrently with the Stage II Final Plan.

Tree Maintenance and Protection Plan

Section 4.610.40 (.02)

- F7. The applicant has submitted the necessary copies of a Tree Maintenance and Protection Plan. See the applicant's notebook, Exhibit B1.

Replacement and Mitigation

Tree Replacement Requirement

Subsection 4.620.00 (.01)

- F8.** The Arborist Report (Exhibit B1) notes that of the trees to be removed, only 17 require mitigation as mitigation is not recommended for non-native tree species or for trees in very poor health or structural condition. Staff notes that mitigation is required for all trees 6 inches D.B.H. and greater, resulting in 32 trees that require mitigation. The applicant planting 74 trees, exceeding a one-to-one ratio and the requirements of this subsection.

Basis for Determining Replacement

Subsection 4.620.00 (.02)

- F9.** The applicant proposes removing 32 trees and planting 74 trees. The planting amounts far exceed the one to one replacement standard. Trees will meet the minimum caliper requirement or will be required to by Condition of Approval.

Replacement Tree Requirements

Subsection 4.620.00 (.03)

- F10.** A condition of approval will ensure the relevant requirements of this subsection are met.

Replacement Tree Stock Requirements

Subsection 4.620.00 (.04)

- F11.** A condition of approval will ensure the relevant requirements of this subsection are met.

Replacement Trees Locations

Subsection 4.620.00 (.05)

- F12.** The applicant is proposing much of the tree planting along the SW Clutter Road as part of screening and the Wayside area. There are also trees proposed along the perimeter within the screening for the site. The applicant is also planting trees in parking lot islands in accordance with the requirements of Section 4.155. The proposed tree locations are appropriate for the development.

Protection of Preserved Trees

Tree Protection During Construction

Section 4.620.10

- F13.** 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.

Staff comments noted during initial review of the submitted materials per July 30, 2020 letter (note that this is not a complete review of project compliance):

Review Comment	Response
<p>1. Mixed Solid Waste and Recycling: Section 4.179 – The reduction in storage area is not considered a waiver and may be permitted per Subsection 4.179 (.05).</p> <p>The Republic Services letter submitted with the application does not contain sufficient information to include support for the reduced size of the solid waste enclosure.</p>	<p>For the applicant, a different permitting theory that results in approval is equally satisfactory. If the City approves on that basis, please determine whether a partial refund of application fee is appropriate.</p> <p>We have added a follow-up letter from Republic Services, dated August 11, 2020, to Attachment 9 in the revised Report. It indicates that the frequency of collection service can be increased (from weekly to daily, or presumably increments in-between) if needed to provide sufficient service using on-site facilities of the proposed size.</p>
<p>2. Signs: Sections 4.156.01 through 4.156.11 –</p> <p>a. The 50% increase for building entrances more than 50 feet apart (Subsection 4.156.08 (.02) B. 3.) only applies to single tenants with multiple building entrances on a single facade.</p>	<p>Table III-1 has been revised accordingly in the Report.</p>
<p>b. Information on proposed sign materials, lighting methods, and sign placement is not included with the submitted materials.</p>	<p>This additional language has been added in the Report under Section 4.156.02(.01):</p> <p>The applicant’s intent is to have all future particular signs comply, through Class I or II review, with the City’s applicable regulations regarding sign sizes (dependent in part on the size of future tenants’ lease areas), locations, materials, illumination and other characteristics.</p> <p>For this Class III review, elevation drawings (Sheet A2.10) show approximate positions for potential future tenant signage on the north, east and west walls, near the northeast and northwest building corners. These are basically icons to represent conceptual signage locations, with future permit issuance to be based on demonstration that each sign as well as the proposed full set of signs complies with applicable area limitations.</p> <p>All wall signs will be made of discrete-element lettering and/or logo art with backlighting for night-time visibility. Internally-illuminated cabinet signs with single translucent face panels are not proposed.</p>

Review Comment	Response
<p>3. The submitted materials do not include a color board displaying specifications as to type, color, and texture of the exterior surfaces of the proposed structures.</p>	<p>Metal panel samples were shipped directly to City of Wilsonville to Philip Bradford's attention, with receipt confirmed by email.</p>
<p>4. Items shown on the site plan and perspective renderings should match, such as the art features showing a fern design, bench, and monument sign location.</p>	<p>The following drawing sheets have been revised in the full-size drawing sets and in Attachment 6 of the revised Report:</p> <ul style="list-style-type: none"> • A2.10 Architectural Elevations • C1.10 Civil Engineering Site Plan • L-Series Landscape Planting Plans <p>These sheets should be considered to supersede any conflicting details on other drawing sheets that may come to light (which are unintentional).</p> <p>Additionally, a replacement set of perspective renderings has been provided in Attachment 5, to supersede the initially submitted perspective drawings. The applicant has made a diligent effort to ensure that perspective drawings responsibly represent the features, locations, sizes and materials represented in the drawings listed above.</p>
<p>5. Errors noted in plan sheets as follows:</p> <p>a. Building Elevations (Sheet A2.10) – Proposed signs are not dimensioned, allowed sign area in the narrative would likely exceed the area proposed. Staff suggests centering the sign within the concrete grid lines to better align with the allowed sign area.</p>	<p>Signs noted on Sheet A2.10 are basically icons to represent conceptual potential signage locations, with future permit issuance to be based on demonstration that each sign as well as the proposed full set of signs complies with applicable area limitations.</p>
<p>b. Site Plan (Sheet C1.10) – Resolve questions and comments regarding planting strip width, Keynote 2, and monument sign location.</p>	<p>Planting strip width is based on direction from City Engineering staff – see response to item 5.d below.</p>
<p>c. Circulation Plan (Sheet C1.33) – Numerous parking spaces within the development do not measure to the required 18 feet. Plans should match the stated dimensions of 9' x 18' in the narrative.</p>	<p>Sheet C1.10 (Application Supplement 09/01/20) is the appropriate reference for parking space dimensions. We have checked and confirmed the dimension callouts (18' depth) provided on that sheet.</p>

Review Comment	Response
<p>d. Frontage Improvements Plan (Sheet R1.10) – Planting strip is shown as 7.50’ feet on this sheet. The narrative states the planting strip will be 7’ feet. Page 49 of the Wilsonville Light Industrial Pattern Book shows Clutter Road having an 8 feet planting strip width, this is also shown in the narrative on page 25.</p>	<p>Although the pattern book shows a 14’ planter/sidewalk width, Khoi Le of Wilsonville Engineering staff instructed Mackenzie to design Clutter Street improvements using Wilsonville Collector Roadway Detail RD-1025 with a 77’ R.O.W. That design section detail has a 13.5’ planter/sidewalk width, and the proposal includes a 6’ sidewalk and 7.5’ landscape planter. We understand from Engineering staff that the correct figure for overall right-of-way width in the segment of Clutter Street along the subject property frontage should be 77 feet; this figure appears in the revised Report dated September 4, 2020.</p>
<p>e. Planting Plan (Sheet L1.10) – The following trees proposed for removal should be removed from the plan sheet: 10724, 10752, 10751, 10794, 10795, 10800, 10804, 10991, 10995, 10971, 10717, 10718, 10730, 10713, 10712, 10714, 10846, 10949, 10979, 11000, 10486, 10508, 10507, 10508, 10520, 10776, 10778, 10786, 10787, 10792, 10793, 10560, 10566 along with any other trees not listed that will be removed.</p>	<p>See the revised L-Series sheets, including Sheet L1.10, in full-size plan sets and Attachment 6 of the revised report (09/04/2020).</p>
<p>f. Planting Plan (Sheet L1.10) – It is unclear what is being shown on the plans at the westernmost entrance to the proposed wayside.</p>	<p>See the revised L-Series sheets, including Sheet L1.10, in full-size plan sets and Attachment 6 of the revised report (09/04/2020).</p>
<p>6. The narrative states (Page 45) that the parapet wall will screen any rooftop mechanical equipment. Sheet A1.13 does not show any rooftop mechanical equipment, making it unclear whether rooftop mechanical equipment is proposed.</p>	<p>The narrative has been revised to say the structural design of the roof provides tenants with flexibility to install rooftop mechanical equipment at locations meeting their needs. Specific proposed locations and specifications for such equipment will be incorporated in tenant improvement plans. The height of the parapet wall is designed to effectively screen units from view, based on typical dimensions/sizes of equipment suitable for this type of industrial building.</p>
<p>7. Pages 83-84 of the narrative discuss the tree credits earned by preserving the existing Douglas fir trees in the northwestern portion of the site. It is unclear how the applicant intends to utilize the tree credits.</p>	<p>The applicant’s response to Section 4.620.00(.02) (basis for determining replacement of trees proposed for removal) and tree credit calculations have been amended in the revised narrative/findings report. To summarize, 23 Tree Credits earned per § 4.176(.06).F exceed the one-to-one replacement planting requirement that applies to 17 trees greater than 6” DBH proposed for removal. The basis for on-site tree plantings is primarily site aesthetics and compliance with specific standards, such as parking lot landscaping, rather than mitigation for tree removal. An “un-utilized” surplus Tree Credit results.</p>

Review Comment	Response
<p>8. Multiple references in the narrative call out a wider right of way width than proposed in the plans.</p> <p>9. Stormwater –</p> <ol style="list-style-type: none"> a. Prior to Public Works Permit issuance an infiltration test needs to be conducted and included in the stormwater report. The location and depth of the test shall correspond to the facility location and depth. b. The LID facilities should be sized based on the results of the infiltration test. c. Planting plan for the stormwater facility located to at the southern portion of the property needed prior to Public Works Permit issuance. 	<p>The revised narrative has been corrected to refer to an overall right-of-way width of 77 feet, per instructions Mackenzie received from West Linn Engineering staff. The correct overall right-of-way width for Clutter Street, 77 feet, is depicted in the R-series drawing sheets.</p> <p>The narrative has been amended to explain that the applicant’s storm report and on-site stormwater management facilities sizing calculations assume zero on-site infiltration. This assumption is based on the geotechnical engineering report’s recommendation that on-site infiltration should not be used as a design approach. As a result, the preliminary storm report demonstrates the feasibility of meeting stormwater management requirements with no reliance on on-site infiltration.</p> <p>These requirements are appropriate as conditions of approval or advisories to the applicant regarding Public Works Permit submittal requirements that must be satisfied following land use approval.</p>

Engineering Conditions and Requirements for Proposed Development

From: Khoi Le, PE Development Engineering Manager
To: Philip Bradford
Date: September 14, 2020
Proposal: Panattoni – Coffee Creek Logistic

Engineering Division Conditions:

Request: Type I Industrial

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 site plans showing street improvements along the development’s frontage on Clutter Rd. Improvements shall include street widening to accommodate two travel lanes, one center lane, and a bike lane on the south side of Clutter Rd per DKS’s recommendation in the Traffic Impacted Study (TIS) dated April 2020. Site plans must also show meeting access and drive aisle recommendations from the TIS.
PFA 3.	<p>Prior to Issuance of Public Works Permit, submit a streetlight photometric analysis and recommendations demonstrating how the illumination meets the current Roadway Lighting Standards.</p> <p>The City has recently adopted new streetlight policy where all new streetlights shall be under PGE Option B LED Schedule (City Owned – PGE Maintained). All lighting fixtures, conduits, junction boxes and other lighting components must comply with PGE Option B LED construction and maintenance requirements. Streetlights shall be under PGE Option B LED Schedule.</p> <p>The applicant shall provide a ‘stamped’ engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards.</p>
PFA 4.	Prior to Issuance of Public Works Permit, submit site plans demonstrating how the site 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 Standards.
PFA 5.	Prior to Issuance of Public Works Permit, submit site plans showing public sanitary sewer, storm drainage, and water extensions along the development frontage on Clutter Rd. Sanitary sewer main shall be 15 inches minimum. Storm drainage main shall be 12 inches minimum, and water main shall be 18 inches minimum.
PFA 6.	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. The report shall also include



	calculations to demonstrate that the proposed storm drainage system is able to convey the 25-year storm event. The storm drainage conveyance system shall be sized appropriately to accommodate run-off from the undeveloped land north of the proposed project. Submit infiltration testing results that correspond with the locations of the proposed LID facilities.
PFA 7.	Prior to commencing of site improvements, obtain a 1200 C Permit from DEQ and a Local Erosion Control Permit with Wilsonville. All erosion control measures shall be in place prior to starting any construction work. Permits shall remain active until all construction work is completed and the site has been stabilized. . The Permits will be closed out when the construction is completed and the final certificate of occupancy has been issued.
PFA 8.	Prior to Issuance of Final Building Certificate of Occupancy, record a 23-foot wide right of way dedication along the site's frontage on Clutter Rd.
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 Clutter Rd.
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 Clutter Rd per TIS.
PFA 11.	Prior to Issuance of Final Building Certificate of Occupancy, all public infrastructure improvements including but not limited to street, storm drainage, water quality and flow control, sanitary sewer, and water facilities shall be constructed and completed. The Applicant shall obtain conditional acceptance from the City, and provide a two-year maintenance assurance for said improvements.
PFA 12.	Prior to Issuance of Final Building Certificate of Occupancy, public sanitary sewer, storm drainage, and water extensions along the development's frontage on Clutter Rd shall be constructed and completed. Oversized sanitary sewer and water mains larger than 8 inches are eligible for System Development Charge (SDC) Credits. When eligible, SDC Credits will be issued in accordance with City Code Section 11.110.
PFA 13.	Onsite LID facilities must be constructed and completed 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 and Access Easement Agreement with the City. The Agreement must be recorded at the County prior to Issuance of Building Certificate of Occupancy.
PFA 14.	Offsite LID facilities located in the right of way must be constructed and completed 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 Agreement with the City. The Agreement must be recorded at the County prior to Issuance of Building Certificate of Occupancy.

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.

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, SEPTEMBER 28, 2020

6:30 PM

VII. Board Member Communications:

- A. Results of the August 31, 2020 DRB Panel A meeting

City of Wilsonville

Development Review Board Panel A Meeting Meeting Results

DATE:	AUGUST 31, 2020	
LOCATION:	29799 SW TOWN CENTER LOOP EAST, WILSONVILLE, OR	
TIME START:	6:31 P.M.	TIME END: 8:09 P.M.

ATTENDANCE LOG

BOARD MEMBERS	STAFF
Daniel McKay	Daniel Pauly
Angela Niggli	Barbara Jacobson
Katie Hamm	Kimberly Rybold
Jean Svadlenka	Khoi Le
Ken Pitta	Cindy Luxhoj
	Miranda Bateschell
	Shelley White

AGENDA RESULTS

AGENDA	ACTIONS
CITIZENS' INPUT	None.
CONSENT AGENDA	None.
PUBLIC HEARING	
<p>A. Resolution No. 380. Frog Pond Ridge Subdivision: Li Alligood, AICP, Otak – Representative for West Hills Land Development, LLC – Applicant. The applicant is requesting approval of an Annexation of approximately 17.6 acres and Zone Map Amendment from Rural Residential Farm Forest 5-Acre (RRFF-5) to Residential Neighborhood (RN) for approximately 15.9 acres of property located on the west side of Stafford Road south of SW Frog Pond Lane, and adopting findings and conditions approving a Stage I Preliminary Plan, Stage II Final Plan, Site Design Review of parks and open space, Tentative Subdivision Plat, Type C Tree Plan, Waiver to Minimum Front Setback, and Abbreviated SRIR Review for a 71-lot single-family subdivision. The subject site is located on Tax Lots 1500 and 1700, a portion of 1800, a portion of SW Frog Pond Lane, and a portion of Stafford Road right-of-way, Section 12D, and a portion of Tax Lot 400, Section 12DD, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Staff: Cindy Luxhoj</p> <p style="margin-left: 40px;">Case Files: DB20-0007 Annexation DB20-0008 Zone Map Amendment DB20-0009 Stage I Preliminary Plan DB20-0010 Stage II Final Plan DB20-0011 Site Design Review of Parks and Open Space</p>	<p>A. Resolution No. 380 was unanimously approved with the addition of Exhibit D1.</p>

<p>DB20-0012 Tentative Subdivision Plat DB20-0013 Type C Tree Plan DB20-0014 Waiver – Front Setback SI20-0001 Abbreviated SRIR Review</p> <p><i>The DRB action on the Annexation and Zone Map Amendment is a recommendation to the City Council.</i></p>	
<p>BOARD MEMBER COMUNICATIONS</p>	<p>None.</p>
<p>A. Recent City Council Action Minutes</p>	
<p>STAFF COMMUNICATIONS</p>	<p>None.</p>

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, SEPTEMBER 28, 2020

6:30 PM

VII. Board Member Communications:

B. Recent City Council Action Minutes

City Council Meeting Action Minutes
August 17, 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
Zoe Monahan, Assistant to the City Manager
Beth Wolf, Information Systems Analyst,
Eric Loomis, Transit Operations Manager
Dwight Brashear, Transit Director
Andy Stone, IT Director
Delora Kerber, Public Works Director
Zach Weigel, Civil Engineer

Staff present included:

Bryan Cosgrove, City Manager
Barbara Jacobson, City Attorney

AGENDA ITEM	ACTIONS
WORK SESSION	
<p>A. Charbonneau Shuttle Pilot Program Update</p> <p>B. Community Enhancement Allocation FY 20-21</p> <p>C. Willamette River Water Treatment Plant (WRWTP) Filtration Pilot Study</p>	<p>Staff discussed plans to discontinue the Charbonneau-area shuttle.</p> <p>Council was briefed on Resolution No. 2837, which allocates Community Enhancement funds for FY 2020/2021.</p> <p>Staff informed Council of Resolution No. 2840, which authorizes the City Manager to enter into an IGA with the Willamette Water Supply System Commission to fund the Willamette River Water Treatment Plant Filtration Pilot Study.</p>
REGULAR MEETING	
<p><u>Mayor's Business</u></p> <p>A. Placeholder for Planning Commission Appointment</p> <p>B. City of Aurora Request</p> <p>C. Upcoming Meetings</p>	<p><u>Planning Commission</u> Appointment of Breanne Tusinski to Planning Commission for a term beginning 8/17/2020 to 12/31/2022. Approved 5-0.</p> <p>City of Aurora Planning Commission Chair presented on behalf of the Aurora regarding a prospective appeal to LUBA on a Marion County land-use decision to re-zone EFU property near the Aurora State Airport to a rural industrial use.</p> <p>Upcoming meetings were announced by the Mayor as well as the regional meetings he attended on behalf of the City.</p>

<p><u>Communications</u></p> <p>A. Oregon Department of Transportation Presentation on Tolling</p>	<p>ODOT updated the Council on five tolling alternatives under consideration to improve I-205 traffic flow and fund future road improvements.</p>
<p><u>Consent Agenda</u></p> <p>A. <u>Resolution No. 2835</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Banzer Construction Company For Construction Of The I-5 Undercrossing Trail Improvement, Phase 2 (Capital Improvement Project #9146).</p> <p>B. <u>Resolution No. 2837</u> A Resolution To Allocate Community Enhancement Funds For Fiscal Year 2020/2021.</p> <p>C. <u>Resolution No. 2838</u> A Resolution Of The City Of Wilsonville Approving The City’s Membership In The Regional Water Providers Consortium (RWPC).</p> <p>D. <u>Resolution No. 2840</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Enter Into An Intergovernmental Agreement With Willamette Water Supply System Commission For The Willamette River Water Treatment Plant (WRWTP) Filtration Pilot Study.</p> <p>E. Minutes of May 20, 2019; June 3 & 17, 2019; July 1 & 15, 2019; August 5 & 19, 2019; October 7, 2019; November 18, 2019; December 2, 2019; January 6 & 23, 2020; February 3 & 18 2020; and August 3, 2020 Council Meetings.</p>	<p>The Consent Agenda was approved 5-0.</p>
<p><u>New Business</u></p> <p>A. Minutes of June 1, 2020 Council Meeting.</p>	<p>Minutes modified and approved 5-0.</p>
<p><u>Continuing Business</u></p> <p>A. None.</p>	
<p><u>Public Hearing</u></p> <p>A. None.</p>	
<p><u>City Manager’s Business</u></p>	<p>Shared the City would be hosting a shredding event on Saturday, September 26, 2020.</p>

	Informed a survey went out to staff regarding COVID-19 and any anxieties or concerns for the upcoming school year. Additionally, a focus group will be conducted to try to figure out how the City can assist employees with school age children.
<u>Legal Business</u>	No report.
ADJOURN	8:14 p.m.