



Exhibit A1
Staff Report
Wilsonville Planning Division
CIS Oregon Collaboration Center
Development Review Board Panel 'B'
Quasi-Judicial Public Hearing
Amended and Adopted March 25, 2024
Added language **bold italics underline**
Removed language ~~struck through~~

Hearing Date:	March 25, 2024
Date of Report:	March 18, 2024
Application No.:	DB23-0015 CIS Oregon Collaboration Center
Request/Summary:	The requests before the Development Review Board include a Stage 2 Final Plan Modification, Site Design Review, Type C Tree Plan, Class 3 Sign Permit, and Waiver Request.
Location:	30125 SW Kinsman Road, Tax Lot 00100, Section 23B, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon
Owner/Applicant:	CIS Trust (Patrick Priest)
Authorized Representative:	Sid Hariharan Godt (Mackenzie)
Comprehensive Plan Designation:	Industrial
Zone Map Classification:	PDI (Planned Development Industrial)
Staff Reviewers:	Georgia McAlister, Associate Planner Amy Pepper, Development Engineering Manager

Staff Recommendation: **Approve with conditions** the requested Stage 1 Master Plan, Stage 2 Final Plan, Site Design Review, Type C Tree Plan, and Tentative Partition Plat.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.001	Definitions
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.117	Standards Applying to Industrial Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.135	Planned Development Industrial (PDI) Zone
Section 4.140	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
Section 4.177	Street Improvement Standards
Section 4.179	Mixed Solid Waste and Recycling
Sections 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.200 through 4.290	Land Divisions
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
<u>Other Planning Documents:</u>	
Wilsonville Comprehensive Plan	
Previous Land Use Approvals	
Transportation System Plan	

Vicinity Map:



Background:

CityCounty Insurance Services (CIS) requests the approval of a 15,700 square foot office in a prominent location along Wilsonville road. The site of the proposed project is a part of a prior approval for an industrial office park approved in 2009 under Case Files DB09-47 through DB09-0053. The prior approval included two phases of development, the first of which is constructed. The second phase will move forward following the approval of this request. At the time of the first approval the tenant had yet to be determined. This proposal modifies the prior Stage 2 Final Plan approval to accommodate the design proposed by CIS for their needs. Among the proposed modifications is a one-story building opposed to the previously approved two-story building. The Stage 2 Final Plan Modification requires the site to be designed to current City standards.

Summary:

Stage 2 Final Plan Modification

The Stage 2 Final Plan Modification includes an approximately 15,700 square foot office and associated improvements. The proposed uses of the development are consistent with the Planned Development Industrial (PDI) Zone and underlying Stage 1 approval which allocated 21,700 square feet of office space on the development site. All services are available for the site or will be with conditions of approval. The site includes parking, circulation areas, pedestrian connection, and landscaping meeting or exceeding City standards.

Site Design Review

The applicant used appropriate professional services to design the proposed office headquarters building using quality materials and design. The proposed building will be highly visible as it is located along Wilsonville Road and has been designed with the prominent location in mind, with a modern design using interesting angles to contrast the grey pallet and including ample glazing on all facades. The configuration of the site will allow for efficient employee and visitor parking while also creating safe pedestrian access throughout the parking area. The close proximity to the Significant Resource Overlay zone provides the opportunity for a diverse and lush planting on the south portion of the site. In addition to the native mitigation planting, landscaping is incorporated throughout the site providing shade, stormwater mitigation and aesthetic value.

Type C Tree Removal Plan

The applicant proposes the removal of two (2) trees and the preservation of one (1) tree on the proposed development site. The tree species on site are a mix of native and non-native trees including Oregon white oak, ponderosa pine, red alder, Douglas fir, Western red cedar, red maple, Norway maple, and magnolia. The trees proposed for removal are ponderosa pines of good quality. However, removal is necessary for the development of the site. The applicant proposes replanting eleven (11) trees within the parking area, eleven (11) trees along the north property line and twenty-four (24) trees within the SROZ mitigation area on the subject property, which is in excess of the 1:1 mitigation ratio as required by the development code.

Class 3 Sign Permit

The original approval for Wilsonville Road Business Park included a Master Sign Plan. The Master Sign Plan provides guidance on location, size, materials, colors and finishes of the future signs in compliance with the Development Code. The applicant proposes changes to the Master Sign Plan including the eliminating the monument sign.

Waiver

The applicant requests to waive the 30 required setback along the north and east frontages. The setbacks were set in the code with more traditional industrial development in mind. The 2009 approval of the Wilsonville Road Business Park dedicated this site as office commercial in the Stage 1 and Stage 2 Final Plan approvals. The Planned Development Commercial Zone does not have setback requirements and therefore a 30-foot setback is significant for the proposed use. The triangular shape of the lot and unique right-of-way easement would result in challenges with the

placement of the building on the lot or a less than ideal design. The reduction in setback is greatest at the northeast corner where the proposed setback is 10 feet with the 30 feet setback either slightly reduced or met for much of the building with a 22 foot setback along the north frontage and a 28 foot setback at the southeast corner. The right-of-way also creates additional buffer between the building and the road. The requested setback reduction will allow for better use of the site, a more pleasing design and be more in line with other Commercial developments in the City.

Public Comments and Responses:

No public comments were received during the comment period for the project.

Discussion Points – Verifying Compliance with Standards:

This section provides a discussion of key clear and objective development standards that apply to the proposed applications. The Development Review Board will verify compliance of the proposed applications with these standards. The ability of the proposed applications to meet these standards may be impacted by the Development Review Board’s consideration of discretionary review items as noted in the next section of this report.

Office Use in the PDI Zone

A wide range of uses are permitted in the Planned Development Industrial (PDI) Zone. The Stage 1 Preliminary Plan approval confirms that proposed uses in a development are compatible with the zone in which they are proposed, approving the uses, their location, and the proportion of the development allocated to the use. The Stage 1 Preliminary Plan for this project was approved in 2009 as a part of DB09-47 through DB09-0053 and was vested when substantial development of Phase 1 on the other side of Kinsman Road occurred. The Wilsonville Road Business Park development includes the approval of industrial, office, and commercial use over two parcels to be constructed in two phases. The proposed use of the 15,700 square foot office is consistent with the original approval and Stage 1 Plan which includes the approval of 70,731 square feet of industrial use, 8,814 square feet of service/retail use and 31,990 square feet of office use. Phase 1 of the approval includes 10,290 square feet of the allocated office use with the subject Phase 2 allocated 21,700 square feet of office use totaling 28.7% of the total development, falling within the 30% allowance for office space in the PDI zone as is permitted according to Code Section 4.135(.03).

Modifications to Wilsonville Road Business Park Approval

Wilsonville Road Business Park, Phase 1 and 2, was approved in 2009 with Phase 1 including four buildings with a mix of industrial, commercial, and office use and Phase 2 including one 21,700 square foot two story office building. As with all Planned Developments within the City of Wilsonville, the Stage 2 Final Plan approval expires within two-years of the Development Review Board’s decision unless substantial development occurs or an extension is granted.

Construction of Phase 1 of the project occurred in 2010, thus substantial development occurred and the Stage 2 Final Plan is vested.

Since the original land use approval in 2009 there have been shifts in the development based on both the market and the needs of businesses. CityCounty Insurance Services has identified the project site as the location for their new office. The proposed use of the 15,700 square foot office is consistent with the original approval and Stage 1 Plan which includes the approval of 70,731 square feet of industrial use, 8814 square feet of service/retail use and 31,990 square feet of office use in accordance with Code Section 4.135(.03). Phase 1 of the approval includes 10,290 square feet of the allocated office use with Phase 2 allocated 21,700 square feet of office use. The placement of the office building approved in 2009 is the general location of the office building currently proposed for development. Additionally, the site design and parking area is similar to the original approval. However, it is not necessary or desired by the applicant for the office building to be a two-story development. Instead, a single story 15,700 square foot office building has been designed to meet the needs of CIS. Converting the two-story office to a single-story building results in the footprint of the building expanding. The expansion of the footprint impacts the parking lot design and therefore the site design general. These changes trigger a Stage 2 Final Plan Modification and Development Review Board review. The proposed modification is reviewed under current City standards such as changes to the storm water requirements. The modification results in a design meeting current City standards.

Natural Resources Impact and Mitigation

The western property line of the proposed development site is delineated by the Seely Ditch where Coffee Lake Creek runs. The ditch and creek is a wetland area protected by the City of Wilsonville's Significant Resource Overlay Zone (SROZ). The SROZ extends 50' on to the property. While no development is to occur within the SROZ a portion of the parking area will be constructed within the SROZ Impact Area. The impact on natural resources is carefully considered in the site design and the importance of the wetland area is acknowledged by the applicant. To mitigate any impacts on the natural resources and SROZ the applicant has worked with the City's Natural Resources team to develop a mitigation planting of a variety of native species. The native plantings are to be installed to the west of the parking area and will buffer the development to the east from the wetland to the west. The planting includes a diverse mix of native trees, shrubs, and ground cover for a complete and complex restoration area including vine maples, cascara, oceanspray, Indian plum, pacific ninebark, red flowering current, western spirea, salal, Oregon grape, western sword fern, and snowbell.

Traffic

The addition of a new 15,700 square foot office building along Wilsonville Road will impact traffic along Wilsonville Road and Kinsman Road. The Traffic Impact Analysis (See Exhibit B1) performed by the City's traffic consultant, DKS Associates, calculates that the proposed office building will generate 232 new daily trips in relation to the operation of the site including

employees and visitors with 36 trips at the PM peak hour. While these new daily trips will result in an increase in use of the surrounding roadways and intersections, the predicted increase in PM peak hour trips is less than the predicted 86 PM peak hour trips approved with the 2009 decision. Traffic operations at the two intersections studied as part of the traffic impact analysis, Wilsonville Road/Kinsman Road and Kinsman Road/ Ore Pac Ave, are shown to meet the minimum acceptable level of service, LOS D, with Wilsonville Road/Kinsman Road operating at LOS C and Kinsman Road/Ore Pac Ave operating at LOS A/B. No improvements to Wilsonville Road and Kinsman Road are required, other than the restoration of improvements impacted during construction, as the roads are improved to current standards and the level of service remains sufficient for operation.

Parking

Pursuant to Oregon Administrative Rules (OAR) 660-012-0440 parking mandates, or the minimum vehicle parking requirements in Table 5, are not applicable due to the site being within 1/2 mile of SMART Route 4, among the City's most frequent transit routes. With no minimum vehicle parking requirements, the number of total vehicle parking spaces is at the complete discretion of the applicant, so long as the total number of spaces does not exceed the maximum and other non-parking requirements are still met.

The applicant proposes 65 parking spaces. The maximum parking allowed in Table 5 for the site is 64 parking spaces. Condition of Approval PDA 2 requires the number of parking spaces to be reduced by one space to ensure no more than 64 parking spaces are constructed. The reduction of parking by one space is minimal and not anticipated to negatively impact the proposed use of function of the development.

Discussion Points – Discretionary Review:

This section provides a discussion of discretionary review requests that are included as part of the proposed applications. The Development Review Board may approve or deny items in this section based upon a review of evidence submitted by the applicant.

Setback Waiver

The applicant requests a waiver to the 30 foot setback required within the Planned Development Industrial zone. The review of this waiver request will be discretionary. Waiving the setbacks will allow for the best use of a triangular shaped parcel with portions of the property in the Significant Resource Overlay zone, allowing for a one story 15,700 square foot office building and parking area with supporting site improvements.

There are several unique factors of the development site that necessitate the setback reduction. The first factor being the existing property line along Wilsonville Road and at the intersection of Kinsman and Wilsonville Road are well behind the existing sidewalk. The right-of-way located at the intersection of Kinsman and Wilsonville Road provides approximately 30 feet of separation

from the edge of the curb to the parcels property line. To meet the PDI setback requirements the proposed building would need to be setback an additional 30 feet from the property line placing the building a full 60 feet away from the intersection. The requested setback reduction for the northeast corner of the building places the proposed building 40 feet from the intersection, a more appropriate distance for an active intersection. Along the north frontage there is an 18-foot right-of-way that includes the sidewalk and street trees. The requested setback reduction is for eight feet, placing the north façade of the building 22 feet from the property line and 40 feet from Wilsonville Road. A reasonable buffer between the street and the building is provided on all frontages, even with requested reductions mitigating the impact of the setback reduction.

Understanding the constraints of the northeast corner, it is also important to examine challenges posed by the western portion of the site. The west property line abuts a wetland area with the Significant Resource Overlay Zone extending 50 feet on to the property. With a large portion of the property in a protected area the portion of the site available for development is limited. To shift the building to the west in order to meet the 30-foot setback would result in either poor site design or an odd shaped building. The SROZ along the western property line provides a natural buffer between the proposed building and any future uses to the southwest. To the north and east are Wilsonville Road and Kinsman Road which are already buffered by the previously described right-of-ways which include street trees and pedestrian infrastructure.

Conclusion and Conditions of Approval:

Staff reviewed the Applicant's analysis of compliance with the applicable criteria. The Staff report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, Staff recommends that the Development Review Board approve the proposed application (DB23-0015) with the following conditions:

Planning Division Conditions:

Request A: Stage 2 Final Plan Modification (STG223-0008)

PDA 1.	General: The approved modified final plan shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. See Finding A13.
PDA 2.	Prior to Non-Grading Building Permit Issuance: One parking space is to be removed from the proposed parking area making the total parking spaces 64 to not exceed the maximum parking allowance. See Finding A30
PDA 3.	Prior to Final Occupancy: All exterior, roof and ground mounted, mechanical and utility equipment shall be screened from ground level off-site view from adjacent streets or properties.

Request B: Site Design Review (SDR23-0010)

PDB 1.	General: Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding B15.
PDB 2.	Prior to Temporary Occupancy: All landscaping required and approved by the Board shall be installed prior to issuance of any occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding B36.

PDB 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 Development Review Board, pursuant to the applicable sections of Wilsonville’s Development Code. See Finding B37.
PDB 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 Board, unless altered as allowed by Wilsonville’s Development Code. See Findings B38 and B39.
PDB 5.	<u>Prior to Temporary Occupancy:</u> The following requirements for planting of shrubs and ground cover shall be met: <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” 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" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum. • No bare root planting shall be permitted. • Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. • Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations. • Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding B40.
PDB 6.	<u>Prior to Temporary 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 B43.
PDB 7.	<u>Prior to Non-Grading Building Permit Issuance:</u> Mounting height of all lighting fixtures must be confirmed to be in compliance with Table 8. See Finding B51

Request C: Type C Tree Plan (TPLN23-0005)

PDC 1.	General: This approval for removal applies only to the 3 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.	Prior to Grading Permit Issuance: The Applicant shall submit an application for a Type 'C' Tree Removal Permit on the Planning Division's Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the applicant shall provide the City's Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff.
PDC 3.	Prior to Temporary Occupancy / Ongoing: The permit grantee or the grantee's successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees for two (2) years after the planting date. A "guaranteed" tree that dies or becomes diseased during the two (2) years after planting shall be replaced.
PDC 4.	Prior to Commencing Site Grading: Prior to site grading or other site work that could damage trees, the applicant/owner shall install 6-foot-tall chain-link fencing around the drip line of preserved trees. Removal of the fencing around the identified trees shall only occur if it is determined the trees are not feasible to retain. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. Protective fencing shall not be moved or access granted within the protected zone without arborist supervision and notice of the City of the purpose of proposed movement of fencing or access. See Finding C13.

Request D: Class 3 Sign Permit (SIGN23-0014)

PDD 1.	Ongoing: The approved sign shall be installed in a manner substantially similar to the plans approved by the DRB and stamped plans approved by the Planning Division.
PDD 2.	Ongoing: The Applicant/Owner of the property shall obtain all necessary building and electrical permits for the approved sign prior to its installation, and shall ensure that the sign is maintained in a commonly-accepted, professional manner.
PDD 3.	Ongoing: This action modifies original Site Design Approval approved by the DRB in Case File DB09-0047 et al. Unless expressly modified by this action all findings and conditions related to the sign from the previous approvals shall continue to apply.

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:

Request: DB23-0015 Stage 2 Final Plan Modification

PF 1.	Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1.
PF 2.	The Traffic Impact Study for the project (DKS, December 2023) found that all intersections impacted with the proposed development would operate above the City’s acceptable the level of service (LOS) D. The driveway aisle length is less than the required 100 feet, however, there are no on-site circulation or safety concerns with the proposed 60-foot driveway aisle length. <u>Prior to Issuance of Public Works Permit: The applicant shall provide a technical memo supporting a Public Works Standards Variance request for a driveway less than 100 feet. The technical memo shall provide evidence that the requested driveway length can accommodate the vehicle queuing length</u>
PF 3.	<u>Prior to the Issuance of the Public Works Permit:</u> Applicant shall apply for City of Wilsonville Erosion Control, Grading and Building Permits. Erosion control measures shall be installed, inspected and approved prior to any onsite work occurring.
PF 4.	<u>Prior to Issuance of the Public Works Permit:</u> Submit site plans to Engineering showing street improvements including pavement restoration, curb, planter strip, street tree along Wilsonville Road; and pavement, sidewalk and driveway restoration, curb, planter strip, and water service connections along SW Kinsman Road. All street improvements shall be constructed, inspected and approved by the City.
PF 5.	With the land use application, the stormwater report was reviewed for general conformance with the City standards. <u>Prior to the Issuance of Public Works Permit:</u> A final stormwater report shall be submitted for technical review and approval. The stormwater report shall include information and calculations to demonstrate how the proposed development meets the City’s stormwater requirements. <u>Prior to Final Approval of Issuance of Any Occupancy Permits:</u> Storm facilities shall be constructed, inspected and approved by the City. The applicant shall record Stormwater Maintenance and Access Easements all the storm facilities.
PF 6.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing the closure of the existing driveway onto SW Wilsonville Road. Restore concrete curb and gutter and install new street tree in planter strip. The development shall take access via an existing driveway approach on SW Kinsman Road.

PF 7.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing vehicle access to the existing water valves located in the northwest corner of property from the new parking lot. <u>Prior to the Issuance of Any Occupancy Permits:</u> Dedicate a new access easement, as necessary, over the parking lot drive aisle as necessary to provide that access.
PF 8.	<u>Prior to issuance of any occupancy Permits:</u> The applicant shall provide a site distance certification by an Oregon Registered Professional Engineer for the new driveway per the Traffic Impact Study.
PF 9.	<u>Prior to Issuance of Any Occupancy permits:</u> All public improvements shall be constructed, inspected, approved and accepted by the City.
PF 10.	<u>Prior to Final Approval of the Public Works Permit:</u> The applicant shall vacate all unused public easements.

Engineering Division Conditions:

Request: DB23-0015

NR 1.	Natural Resource Division Requirements and Advisories listed in Exhibit C2 apply to the proposed development.
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Master Exhibit List:

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case File DB23-0015. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

Planning Staff Materials

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

Materials from Applicant

- B1. Development Application Form
 - Land Use Narrative
 - Tax Map and Title Report
 - Arborist Report
 - Wetland Delineation Report
 - Geotechnical Report
 - Storm water Report
 - Waste and Recycle Hauler Letter
 - TVFR Service Provider Letter
- B2. Land Use Plans and Materials Perspective
- B3. Transportation Impact Study
- B4. Color Materials Boards

Development Review Team Correspondence

- C1. Engineering Division Conditions
- C2. Natural Resource Findings, Conditions, and Requirements for Proposed Development

Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application for Stage 2 Final Plan Modification, Site Design Review, Type C Tree Plan, Class 3 Sign Plan, and Waiver on December 7, 2023. Staff conducted a completeness review within the statutorily allowed 30-day review period and deemed the application complete on January 5, 2024. The City must render a final decision for the request, including any appeals, by May 4, 2024.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	PDI	ProGrass Home and Landscape Services
East:	PDI	Wilsonville Road Business Park
South:	FDAHI	Agriculture/Nursery Stock
West:	R	Agriculture/Residential

3. Previous Planning Approvals:

- 98CE12– Code Enforcement
- 99AR02 – Grading, Tree Removal and Replacement
- DB09-0047 – Zone Map Amendment
- DB09-0048 – Stage I Development Plan
- DB09-0049 – Stage II Final Development Plan
- DB09-0050 – Class 3 Site Design Review (Phase I)
- DB09-0051– Master Sign Plan
- DB09-0052 – Partition
- DB09-0053 – Class 3 Waiver to Setback Requirements
- DB10-0001– Class 3 Waiver to Sign Requirements

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

Findings:

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

General Information

Application Procedures-In General Section 4.008

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

Initiating Application Section 4.009

The application has the signature of Patrick Priest, an authorized signer for the property owner, County Insurance Services Trust .

Pre-Application Conference Subsection 4.010 (.02)

The City held a Pre-application conference on October 12, 2023 (PRE23-0014) in accordance with this subsection.

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

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

General Submission Requirements Subsection 4.035 (.04) A.

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

Zoning-Generally Section 4.110

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

Request A: Stage 2 Final Plan (STG223-0008)

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

Planned Development Regulations-Generally

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

- A1.** The proposed Stage 2 Final Plan Modification for development of the subject property is consistent with the Planned Development Regulations purpose statement.

Ownership Requirements
Subsection 4.140 (.03)

- A2.** All the land subject to change under the proposal is under a single ownership of CityCounty Insurance (CIS) Trust, and the application has been signed by Patrick Priest who is authorized to sign on behalf of CIS Trust.

Professional Design Team
Subsection 4.140 (.04)

- A3.** The applicant has utilized a professional design team from Mackenzie in accordance with this subsection. The project architect is Jeff Humphreys, AIA, the project landscape architect is Nicole Ferrieria, PLA, the project planners are Sid Hariharan Godt and Gabriela Frask, and the project civil engineer is Greg Mino, PE.

Stage 2 Final Plan Submission Requirements and Process

Submission Timing in Relation to Stage 1 Approval.
Subsection 4.140 (.09) A.

- A4.** With the Stage 1 Plan approved as a part of DB09-47 et al. vested, the applicant is requesting approval of a Stage 2 Final Modification 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.

- A5.** The Development Review Board review considers all applicable permit criteria set forth in the Planning and Land Development Code and staff recommends the Development Review Board approve the application with conditions of approval.

Stage 1 Conformance, Submission Requirements
Subsection 4.140 (.09) C.

A6. The Stage 2 plans conforms to the Stage 1 Master Plan which approved a 21,700 square foot office at the proposed development site as a part of the larger Wilsonville Road Business Park development, DB09-0047 et al. The proposed 15,700 square foot office building is allowed based on the allocations in the 2009 Stage 1 approval which includes the approval of 70,731 square feet of industrial use, 8814 square feet of service/retail use and 31,990 square feet of office use in accordance with Code Section 4.135(.03). The applicant's submitted drawings and other documents show all the additional information required by this subsection.

Stage 2 Final Plan Detail

Subsection 4.140 (.09) D.

A7. The applicant's submitted materials provide sufficiently detailed information to indicate fully the ultimate operation and appearance of the development, including a detailed site plan, landscape plans, and elevation drawings.

Submission of Legal Documents

Subsection 4.140 (.09) E.

A8. The Development Review Board does not require any additional legal documentation for dedication or reservation of public facilities.

Expiration of Approval

Subsection 4.140 (.09) I. and Section 4.023

A9. The Stage 2 Approval, along with other associated applications, will expire two (2) years after approval, absent the granting of an extension in accordance with these subsections.

Consistency with Plans

Subsection 4.140 (.09) J. 1.

A10. The site's zoning, Planned Development Industrial, is consistent with the Industrial designation in the Comprehensive Plan. The Wilsonville Rd and Kinsman Rd frontages are already improved and conform with the Transportation Systems Plan.

Traffic Concurrency

Subsection 4.140 (.09) J. 2.

A11. The City's traffic consultant, DKS Associates, calculates that the proposed 15,700 square foot office building will generate 232 new daily trips with 36 PM peak hour trips (6 in, 30 out). It will generate 5 new trips through the I-5/Wilsonville Road Interchange area, and 20 new trips through the I-5 Elligsen Road Interchange Area. The Stage 2 Final Plan, approved as a part of DB09-0047 et al, included a traffic analysis asserting that the proposed development will result in an increase of 86 PM peak hour trips. The predicted 36 PM peak hour trips calculated with the 15,700 square foot office proposal reduces the previously approved trips by 50. Thus, the proposed Stage 2 Final Plan modification will reduce anticipated traffic.

Traffic operations at the two intersections studied as part of the traffic impact analysis, Wilsonville Road/Kinsman Road and Kinsman Road/ Ore Pac Ave, are shown to operate well within the minimum acceptable level of service, LOS D, with Wilsonville Road/Kinsman Road operating at LOS C and Kinsman Road/Ore Pac Ave operating at LOS A/B. No improvements to Wilsonville Road and Kinsman Road are required, other what is necessary to restore improvements impacted curing construction, as the roads are improved to current standards and the level of service remains sufficient for operation.

Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

- A12.** Facilities and services, including utilities in SW Wilsonville Road and SW Kinsman Rd, are available and sufficient or will be with conditions of approval to serve the proposed development. A new water meter and backflow device is proposed along Kinsman Rd to serve the building.

The new development will have frontage along SW Wilsonville Road and SW Kinsman Road, taking access from SW Kinsman. Both streets are improved to urban standards in accordance with the City's Public Works Standards and Transportation System Plan and will be sufficient for the proposed development.

Adherence to Approved Plans

Subsection 4.140 (.10) A.

- A13.** Condition of Approval PDB 1 ensures adherence to approved plans except for minor revisions by the Planning Director.

Standards Applying in All Planned Development Zones

Underground Utilities

Subsection 4.118 (.02)

- A14.** The applicant's plans show all utilities underground.

Waivers

Subsection 4.118 (.03)

- A15.** The applicant requests the Board waives the 30-foot setbacks required in the PDI zone from the north and east property lines. Waiving the 30-foot setback will allow for better site design as well as keep the building foot print adequately separated from the SROZ. The applicant requests that the front and side setbacks be reduced for the placement of the proposed development with a minimum setback of 22 feet from the property line along Wilsonville Road, a minimum setback of 14 feet from the property line along Kinsman Road and 10 feet from the property line at the sites northeast corner. See Request E. for details regarding the waiver request.

Other Requirements or Restrictions

Subsection 4.118 (.03) E.

A16. Staff does not recommend any additional requirements or restrictions pursuant to this subsection.

Impact on Development Cost

Subsection 4.118 (.04)

A17. Implementation of standards and imposing conditions beyond minimum standards and requirements does not unnecessarily increase the cost of development.

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

Subsection 4.118 (.05)

A18. Staff does not recommend any additional tract dedication for recreational facilities, open space, or easements for orderly extension of public utilities consistent with this subsection.

Habitat Friendly Development Practices

Subsection 4.118 (.09)

A19. The applicant will implement habitat-friendly development practices to the extent practicable. Grading will be limited to that needed for the proposed improvements, native vegetation and trees are proposed to be retained where possible, the City's stormwater standards will be met, thus limiting adverse hydrological impacts on water resources, and no impacts on wildlife corridors or fish passages have been identified. Additional habitat friendly practices to be incorporated by the applicant during and after construction include locating native landscaping adjacent to the SROZ, use of multi-functional open drainage systems, and reduction of light spill-off into SROZ area.

Planned Development Industrial (PDI) Zone

Purpose of PDI Zone

Subsection 4.135 (.01)

A20. The stated purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses. The proposed development includes an office building approved as a part of the larger Wilsonville Road Business Park Development, DB09-47 et al, and is consistent with the purpose stated in this subsection.

Typically Permitted Uses

Subsection 4.135 (.03)

A21. Wilsonville Road Business Park, Phase 1 and 2, was approved in 2009 with Phase 1 including four buildings with a mix of industrial, commercial, and office use and Phase 2 including one 21,700 square foot two story office building found to be consistent with the PDI Zone. The uses proposed in the Stage 2 Final Plan are consistent with the Stage 1

Master Plan approved in 2009. The proposed development consists of a 15,700 square foot office building consistent with the Stage I approval.

Block and Access Standards

Subsections 4.135(.04) and 4.131 (.03)

A22. With both Wilsonville Road and Kinsman Road improved to urban standards, access standards are met including pedestrian connections, and bike paths along both streets adjacent to the future development.

Industrial Performance Standards

Industrial Performance Standards

Subsection 4.135 (.05)

A23. The proposed project meets the performance standards of this subsection as follows:

- Pursuant to standard A (enclosure of uses and activities), all non-parking activities and uses will be completely enclosed.
- Pursuant to standard B (vibrations), there is no indication that the proposed development will produce vibrations detectable off site without instruments.
- Pursuant to standard C (emissions), there is no indication the proposed use would produce the odorous gas or other odorous matter.
- Pursuant to standard D (open storage), outdoor storage of mixed solid waste and recycling is proposed and will be enclosed within a trash.
- Pursuant to standard E (night operations and residential areas), the proposed use is proposed further than 100 feet from any residential area.
- Pursuant to standard F (heat and glare), the applicant proposes no exterior operations creating heat and glare.
- Pursuant to standard G (dangerous substances), there are no prohibited dangerous substances expected on the development site.
- Pursuant to standard H (liquid and solid wastes), staff has no evidence that the operations would violated standards defined for liquid and solid waste.
- Pursuant to standard I (noise), staff has no evidence that noise generated from the proposed operations would violate the City's Noise Ordinance and noises produced in violation of the Noise Ordinance would be subject to the enforcement procedures established in WC Chapter 6 for such violations.
- Pursuant to standard J (electrical disturbances), staff has no evidence that the proposed use would have any prohibited electrical disturbances.
- Pursuant to standard K (discharge of air pollutants), staff has no evidence that the proposed use would produce any prohibited discharge.
- Pursuant to standard L (open burning), the applicant proposes no open burning.
- Pursuant to standard M (outdoor storage), the applicant does not propose outdoor storage beyond the outdoor trash enclosure located on the west side of the parking lot.

- Pursuant to standard N (unused area landscaping), no unused areas will be bare.

On-site Pedestrian Access and Circulation

Continuous Pathway System

Subsection 4.154 (.01) B. 1.

A24. As shown on the applicant's site plan in Exhibit B2 Sheet C1.10, the existing pedestrian pathway system (sidewalks) will provide pedestrian access to the new development along Wilsonville Road and Kinsman Road. Pathways extend from the sidewalk along Kinsman Road west connecting the sidewalk directly to the new building. Sidewalks are proposed on the west, south, and east sides of the building connecting to the parking area and existing sidewalks, providing safe access for employees and visitors.

Safe, Direct, Convenient Pathways

Subsection 4.154 (.01) B. 2.

A25. Proposed pedestrian pathways are flat, paved, ADA compliant sidewalks. The pathways provide direct access to the building from the parking area on all sides of the site. Pathways connect to all primary (and secondary) building entrances.

Vehicle/Pathway Separation-Vertical or Horizontal

Subsection 4.154 (.01) B. 3.

A26. The proposed design of pedestrian pathways provide for vertical separation from vehicle circulation areas.

Crosswalks Clearly Marked

Subsection 4.154 (.01) B. 4.

A27. No cross walks are proposed with this development.

Pathways Width and Surface-5 Foot Wide, Durable Surface

Subsection 4.154 (.01) B. 5.

A28. The applicant proposes concrete sidewalks along the east, south, and west sides of the building adjacent to the parking area with connections to the parking area and the existing sidewalks along Wilsonville Road and Kinsman Road. Review at time of building permit will confirm all pathways are a minimum of five feet wide.

Parking and Loading

Parking Design Standards

Section 4.155 (.02) and (.03)

A29. The applicable parking designs standards are met as follows:

Standard	Met	Explanation
Subsection 4.155 (.02) General Standards		
B. All spaces accessible and usable for Parking	<input checked="" type="checkbox"/>	The applicant proposes standard parking spaces that are at least 9' by 18' and compact spaces that are at least 7.5' by 15', and 24' wide drive aisles, meeting the Development Code's standards.
I. Sturdy bumper guards or curbs of at least 6 inches to prevent parked vehicles crossing property line or interfering with screening or sidewalks.	<input checked="" type="checkbox"/>	Curbs of at least 6 inches in width are provided where required to prevent interference with sidewalks, especially for the ADA spaces.
J. Surfaced with asphalt, concrete or other approved material.	<input checked="" type="checkbox"/>	Surfaced with asphalt.
Drainage meeting City standards	<input checked="" type="checkbox"/>	Drainage is professionally designed and being reviewed to meet City standards
K. Lighting won't shine into adjoining structures or into the eyes of passers-by.	<input checked="" type="checkbox"/>	Lighting is proposed to be fully shielded and meet the City's Outdoor Lighting Standard
N. No more than 40% of parking compact spaces.	<input checked="" type="checkbox"/>	24 of the 65 parking spaces are compact, well below the maximum of 40%.
O. Where vehicles overhang curb, planting areas at least 7 feet in depth.	<input checked="" type="checkbox"/>	The narrowest planting area adjacent to parking spaces exceeds the 7 foot depth requirement.
Subsection 4.155 (.03) General Standards		
A. Access and maneuvering areas adequate.	<input checked="" type="checkbox"/>	Access drive and drive aisle are 24 feet or more, providing an adequate 12 foot travel lane each direction.
A.1. Loading and delivery areas and circulation separate from customer/employee parking and pedestrian areas.	<input checked="" type="checkbox"/>	No loading area is proposed as regular deliveries are not anticipated with this development. Employee and visitor parking is located to the south of the building and separates pedestrian and vehicle traffic to the extent possible at the site.
Circulation patterns clearly marked.	<input checked="" type="checkbox"/>	The proposed design is a typical office parking lot design and intuitive to a driver familiar with typical industrial parking lots.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	<input checked="" type="checkbox"/>	The plans clearly delineate separate vehicle and pedestrian traffic areas and separate them to the extent possible.
C. Safe and Convenient Access, meet ADA and ODOT Standards.	<input checked="" type="checkbox"/>	The proposed parking and access enable the meeting of ADA and ODOT standards.

For parking areas with more than 10 spaces, 1 ADA space for every 50 spaces.	<input checked="" type="checkbox"/>	The proposal provides 3 ADA parking spaces for 65 parking spaces exceeding the required ADA spaces by 1.
D. Where possible, parking areas connect to adjacent sites.	<input checked="" type="checkbox"/>	The site is isolated in such a way connecting the parking to adjacent sites is not possible.
Efficient on-site parking and circulation	<input checked="" type="checkbox"/>	The careful and professional design of the parking provides for safety and efficiency and is a typical design with standard parking space and drive aisle size and orientation.

Minimum and Maximum Number of Parking Spaces
Subsections 4.155 (.03) G., Table 5

A30. Pursuant to Oregon Administrative Rules (OAR) 660-012-0440 parking mandates, or the minimum vehicle parking requirements in Table 5, are not applicable due to the site being within 1/2 mile of SMART Route 4, among the City’s most frequent transit routes. With no minimum vehicle parking requirements, the minimum number of total vehicle parking spaces is at the complete discretion of the applicant. However, a maximum parking standard does still apply.. In addition, for any vehicle parking spaces provided, the applicable design standards as well percentage and similar requirements for certain types of spaces still apply. The applicant proposes 65 parking spaces. The maximum parking allowed for the site is 64 parking spaces. Condition of Approval PDA 2 requires one parking space to be removed or parking to otherwise be adjusted to ensure no more than 64 parking spaces. Based on an evaluation of the site plan provided by the applicant the development meets the other off-street parking requirements of the above subsections. The calculation of parking spaces is as follows:

Use and Parking Standard	Square Feet	Maximum Off-street Spaces Allowed	Proposed Off-street Spaces	Minimum Bicycle Parking Spaces	Proposed Bicycle Parking Spaces
Office or flex space (except medical and dental)	15,700 sf	4.1 per 1,000 = 64 (rounded down from 64.37)	--	1.0 per 5,000 (min 2) = 4	--
Total	15,700 sf	64	65	4	4

Parking Area Landscaping

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

A31. The applicant proposes landscaping throughout the parking area helping to minimize the visual dominance of the paved parking area.

10% Parking Area Landscape Requirement

Subsection 4.155 (.03) B. 1.

A32. According to the applicant's narrative the parking area is 23,073 square feet. 5,213 square feet of the parking area is landscaped providing 22.6% of landscaped area. The landscape area provided is well in excess of the 10% requirement.

Landscape Screening of Parking

Subsection 4.155 (.03) B. 1.

A33. The proposed design screens the parking area from adjacent properties and adjacent rights-of-way by physical distance and proposed landscaping and vegetation. The low-screen standard is to be applied on the east and north edges of the parking area to screen parking from the adjacent right of ways.

Tree Planting Area Dimensions

Subsection 4.155 (.03) B. 2.

A34. The landscape plan shows 11 new trees planted in the parking lot areas. The proposed trees meet the dimensional requirements of the above section.

Parking Area Tree Requirement

Subsection 4.155 (.03) B. 2. and 3 a

A35. The proposed development will contain 64 surface parking spaces. One (1) tree is required for every ten (10) parking spaces. The tree planting requirement for the parking lot is 7 trees. The applicant proposes 11 new trees within the parking lot area, which exceeds the minimum requirement.

Parking Area Tree Clearance

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

A36. The applicant will maintain all trees listed for planting in the parking area and expected to overhang the parking areas to provide a 7-foot vertical clearance.

Parking Area Shading

Subsection 4.155 (.03) B. 3.b.

A37. The applicant's landscape plan and narrative confirm 40% of the parking area will be shaded by the proposed parking area trees.

Parking Area Internal Pedestrian Circulation

Subsection 4.155 (.03) B. 3.c.

A38. Internal pedestrian walkways are provided throughout the parking area at a minimum of 5ft in width with safe connections to the building meeting this standard.

Parking Area Low-Screening

Subsection 4.155 (.03) B. 3.e.

A39. The landscape plan shows landscape buffers of at least 12 feet in depth on the north and west perimeters of the parking area. These landscape buffers will be planted to meet the low screen standard to shield the parking from the adjacent right of way.

Bicycle Parking

Required Bicycle Parking

Section 4.155 (.04) A. 1.

A40. Office uses require one bicycle parking space per 5,000 square feet or a minimum of two (2) bicycle parking spaces. The minimum requirement for the proposed office use is four (4) bicycle parking spaces. The applicant has proposed to meet this standard by providing four (4) bicycle parking spaces.

Bicycle Parking Standards

Section 4.155 (.04) B.

A41. The applicant's plans show bicycle parking at the main entrance of the building and adjacent to the secondary entrance on the east side of the building. The applicant's narrative states that the bicycle parking spaces will comply with the 2' width and 6' length requirement with 5 feet of maneuvering space behind each space.

Other Parking Standards

Minimum Off-Street Loading Requirements

Subsection 4.155 (.05)

A42. For the purpose of the off-street loading standards the proposed use is considered an office building. As an office building of less than 30,000 square feet, no loading berth is required and none are proposed.

Other Development Standards

Access, Ingress, and Egress

Section 4.167

A43. Site access is proposed in one locations with an access point from the southeast off of Kinsman road.

Natural Features and Other Resources

Section 4.171

A44. The western property line of the proposed development site is delineated by the Seely Ditch where Coffee Lake Creek runs. The ditch and creek is a wetland area protected by the City of Wilsonville's Significant Resource Overlay Zone (SROZ). The SROZ extends 50 feet on to the property. While no development is to occur within the SROZ a portion of the parking

area will be constructed within the SROZ Impact Area. The impact on natural resources is carefully considered in the site design and the importance of the wetland area is acknowledged by the applicant. To mitigate any impacts on the natural resources and SROZ the applicant has worked with the City's Natural Resources team to develop a mitigation planting of a variety of native species. The native plantings are to be installed to the west of the parking area and will buffer the development to the east from the wetland to the west. The planting includes a diverse mix of native trees, shrubs, and ground cover for a complete and complex restoration area including vine maples, cascara, oceanspray, Indian plum, pacific ninebark, red flowering current, western spirea, salal, Oregon grape, western sword fern, and snowbell.

The site development plan will achieve a balance between the purposes of the site's Industrial Comprehensive Plan designation – notably, active industrial and commercial use for employment and economic development – and the site's natural topography and resource constraints. The applicant's proposed development plans include a Grading Plan (see Sheet C1.20 of in Exhibit B2) that provides on-site grading and slope conditions that comply with these requirements. As shown on Sheets C1.01 and C1.10 of Exhibit B2, minor grading is proposed within the eastern edge of the SROZ to accommodate a vegetated stormwater facility, following recommendations of the geotechnical report.

The development plan prioritizes limiting impacts on the identified significant resource within the SROZ by concentrating development in the areas outside of it to the maximum extent feasible, consistent with full utilization of the portions of the property that do not contain significant resource areas. Following land use approval, as the project proceeds to development permitting, the applicant will be required to submit a detailed Erosion and Sediment Control (ESC) Plan with construction management practices to satisfy the requirements of subparagraphs B and C.1, -2 and -3. This standard can be met by imposition if a condition of approval requiring submittal of an Erosion and Sediment Control (ESC) Plan prior to issuance of a building construction permit. As described above, the applicant will follow development practices that align with the protection of natural features.

Exemption for Restoration Work in the SROZ

Section 4.139.04(.13)

A45. The proposed work in the SROZ includes stormwater management and restoration work. Due to the current degraded nature of the riparian area, the placement and operation of a stormwater facility will provide a water quality and habitat benefit through the planting of stormwater facility vegetation and the installation of soil media and therefore is exempt.

Private or Public Utilities in the SROZ

Section 4.139.04(.18)

A46. A sanitary line connection is necessary for providing service to the proposed development. The only location for the connection is within the SROZ and therefore is exempt.

Abbreviated SRIR Requirements

Section 4.139.06(.01)A-I

A47. All requirements for SRIR review are met including a land use application including preliminary plans in conformance with the Planning and Land Development Ordinance, a description of Coffee Lake Creek and the results of a wetland delineation which identified a locally non-significant wetland, a tree inventory, plans showing the boundaries of the SROZ and Impact Area, a delineation of the Metro Title 3 Water Quality Resource Area boundary, site photographs, potential impacts of proposed development and the mitigation plan. A slope analysis was not required for the review.

Outdoor Lighting

Sections 4.199.20 through 4.199.60

A48. The outdoor lighting standards apply to the proposal is required to meet the Outdoor Lighting Standards. See Request B, Findings B46 through B51.

Underground Installation of Utilities

Sections 4.300-4.320

A49. All utilities are required to be underground.

Public Safety and Crime Prevention

Design for Public Safety, Surveillance and Access

Subsections 4.175 (.01) and (.03)

A50. The proposed development is designed to a reasonable extent to deter crime and ensure public safety. The proposed development includes lighting throughout the parking area. The site has been designed in such a way that visibility is clear throughout the site.

Addressing and Directional Signing

Subsection 4.175 (.02)

A51. Addressing will meet public safety standards. The building permit process will ensure conformance.

Lighting to Discourage Crime

Subsection 4.175 (.04)

A52. Lighting design is in accordance with the City's outdoor lighting standards, which will provide sufficient lighting to discourage crime.

Landscaping Standards

Landscaping Standards Purpose

Subsection 4.176 (.01)

A53. In complying with the various landscape standards in Section 4.176 the applicant has demonstrated the Stage 2 Final Plan is in compliance with the landscape purpose statement.

Landscape Code Compliance

Subsection 4.176 (.02) B.

A54. The applicant requests no waivers or variances to landscape standards. All landscaping and screening must comply with standards of this section.

Intent and Required Materials

Subsections 4.176 (.02) C. through I.

A55. The applicant's planting plan implements the landscaping standards and integrates general and low screen landscaping throughout the site, consistent with professional landscaping and design best practices. Plantings meeting the low screen standard will be utilized along the north and west perimeters of the parking areas.

Landscape Area and Locations

Subsection 4.176 (.03)

A56. The proposed development will exceed the 15% landscaping requirement. The subject property is 89,235 square feet and provides 19,962 square feet of landscaping which is 22.3% of the site. Of the 23,073 square feet of parking area, 22.6% or 5,213 square feet will be landscaped. 20.6% of the site's landscaping is within the parking area. The remaining 79.4% of landscaping is distributed throughout the site within stormwater swales, along all property lines, and to the west of the parking area as SROZ mitigation. Plantings are proposed along the entire frontage of SW Wilsonville Road to soften the appearance of the new building, as well as the parking areas of the site. The landscaping will include trees, shrubs, ground cover and grasses planted in parking areas, general landscape areas, and stormwater facilities.

Buffering and Screening

Subsection 4.176 (.04)

A57. The subject property is zoned PDI and borders PDI zoning to the north, east, and south with FDA-H to the west. Low-screen standards will be met on the perimeter of the parking areas on the north and east property lines to shield the parking area from public view and the right of way.

Landscape Plan Requirements

Subsection 4.176 (.09)

A58. The applicant's submitted landscape plans are drawn to scale and show the type, installation size, number and placement of materials. Plans include a plant material list identifying plants by both their scientific and common names. A note on the landscape plan indicates the irrigation method.

Street Improvement Standards

Development and Associated Improvement Standards
Subsection 4.177 (.01) and 4.262 (.01)

A59. Adjacent streets are fully developed to City standards and no additional street improvements are warranted.

Transit Improvements
Subsection 4.177 (.06)

A60. The proposed development will generate less than 36 pm peak hour trips and therefore no transit improvements are required or proposed.

Access Drives and Driveway Approaches
Subsection 4.177 (.08)

A61. The design of the access drives provides clear travel lanes, free from obstructions. The design shows all drive aisles as asphalt.

Mixed Solid Waste and Recyclables Storage

DRB Review of Adequate Storage Area, Minimum Storage Area
Subsections 4.179 (.01)

A62. The proposed development includes one combined solid waste and recyclable storage area within the building. The enclosure is shown on Sheets C1.30 and in Exhibit B2. The trash enclosure is 240 square feet. The minimum requirement for the site is 73 square feet based on the following calculations:

Building	Use	Size	Min. Storage
CIS Collaboration Center	Office	15,700 square feet	73 square feet

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

A63. The applicant's Exhibit B1 contains a letter from Republic Services indicating coordination with the franchised hauler, and that the proposed storage area and site plan meets Republic Services requirements.

Request B: Site Design Review (SDR23-0010)

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

Site Design Review

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

B1. Staff summarizes the compliance with this subsection as follows:

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

Inappropriate or Poor Design of the Exterior Appearance of Structures: The applicant used appropriate professional services to design structures on the site using quality materials and design. Significant attention has been paid to the design of the building with Variation in materials, color, and articulation applied along the all facades of the structure.

Inappropriate or Poor Design of Signs: Two building signs are proposed with the office building on the north and east elevations. The signs are clean and simple and include the company's logo and building address. The signs are visible from offsite and clearly indicate the business location to the public. Architectural features are taken into consideration with the placement of the signs.

Lack of Proper Attention to Site Development: The applicant employed the skills of the appropriate professional services to design the site, demonstrating appropriate attention to site development. The building placement and parking area respond adequately to the odd shape of the triangular lot and SROZ.

Lack of Proper Attention to Landscaping: The applicant proposes landscaping exceeding the area requirements professionally designed by a landscape architect, incorporating a variety of plant materials, demonstrating appropriate attention to landscaping. A mitigation planting area comprised of a variety of native species is proposed to the west of the parking area buffering the development from Coffee Lake Creek and the wetland area.

Objectives and Standards of Site Design Review

Proper Functioning of the Site

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

B2. The professionally designed site demonstrates significant thought to make the site functional and safe. A drive aisle wide enough for two-way traffic, standard size parking stalls, a complete pathway network, and access meeting City standards are among the site design features contributing to functionality and safety.

High Quality Visual Environment

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

B3. The project includes professionally designed building, landscaping and a professional, site specific, layout that supports a quality visual environment. The building is designed so each façade has unique points of interest drawing the eye without being overly distracting including glazing , a variety of colors and material, and variation in articulation. Ample landscaping is thoughtfully throughout the entire development site with trees and shrubbery heavily planted along the north and east frontages to both provide shade and enhance the visual environment. A mitigation planting is proposed along the west portion of the property abutting the SROZ. Strom water plantings are incorporated throughout.

Encourage Originality, Flexibility, and Innovation

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

- B4.** The applicant proposes buildings, landscaping, and other site elements professionally designed specifically for the site. Sufficient flexibility exists to fit the planned development within the site with the approval of the requested setback waivers. See Request E for details of the waiver request.

Discourage Inharmonious Development

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

- B5.** As indicated in Findings B1, B3, and B8 the professional and unique design of the proposed office building, landscaping and site improvements create a high quality visual environment and thus prevent monotonous, drab, unsightly, dreary. While the design of the building is modern it relates to the existing buildings surrounding the Wilsonville Road and Kinsman Rd intersection with the use of neutral tones and large windows incorporated throughout. Use of long lasting materials as well as landscaping will make the site more harmonious with adjacent and nearby development.

Proper Relationships with Site and Surroundings

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

- B6.** The applicant prepared a professional site-specific design that carefully considers the relationship of the building, landscaping, and other improvements with other improvements on and adjacent to the site, existing and planned.

Regard to Natural Aesthetics

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

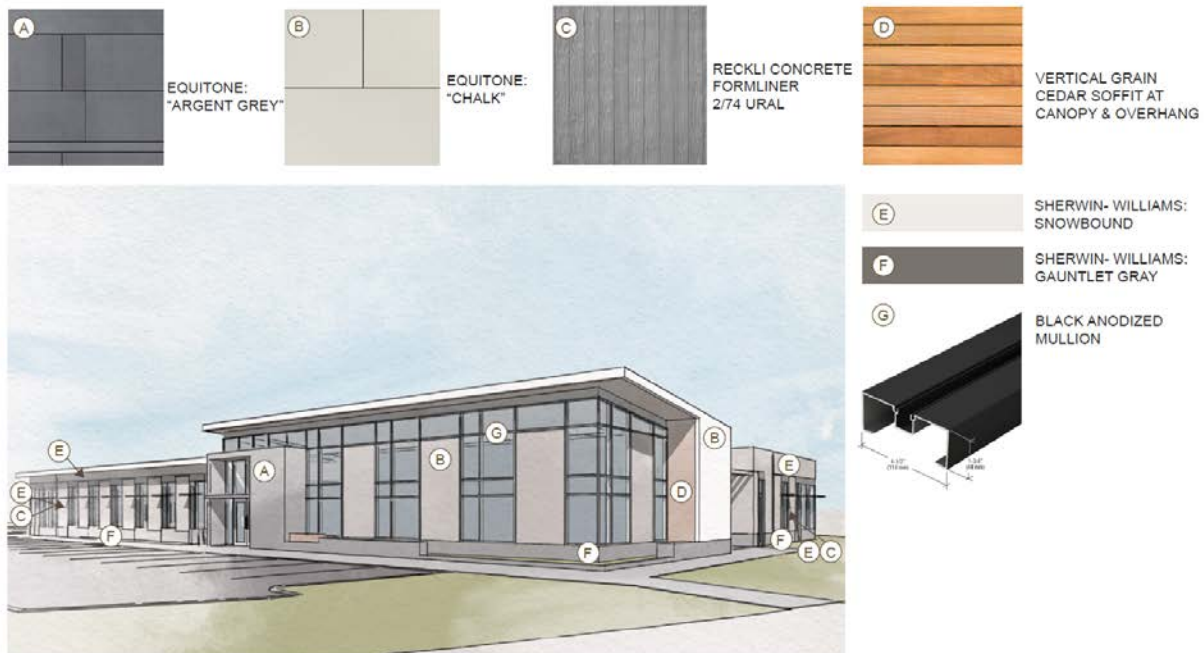
- B7.** The development site is currently in a semi-natural state with the SROZ on the western portion of the property undisturbed and the eastern portion of the property cleared of natural vegetation for the installation of the Willamette Water Supply pipeline that runs underneath the eastern portion of the property towards Wilsonville Road. The applicant proposes the retention of one high quality ponderosa tree within the SROZ as well as a comprehensive mitigation plan to amend any potential impact on the SROZ and natural resources in the area. The planting includes a diverse mix of native trees, shrubs, and ground cover for a complete and complex restoration area including vine maples, cascara, oceanspray, Indian plum, pacific ninebark, red flowering current, western spirea, salal, Oregon grape, western sword fern, and snowbell The enhanced natural features of the site show the applicants commitment to preserving the City's natural beauty and assets.

Attention to Exterior Appearances

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

B8. The applicant used appropriate professional services to design the exterior of the building. Section 4.421 (.03) authorizes the Development Review Board to apply the objectives outlined in the purpose statement of Section 4.400 as additional criteria and standards for site design review. Significant amounts of glazing are provided on all facades of the building giving a lightness to the large building. An angular roof provides variation in height and interest creating a unique presence. The prominence of the proposed building along Wilsonville Road is carefully considered in the design on the building with a variation of material, articulation and ample glazing along the façade facing Wilsonville Road. Variations of grey and white are used throughout the façade with accents of cedar wood and black.

CIS EXTERIOR MATERIAL BOARD



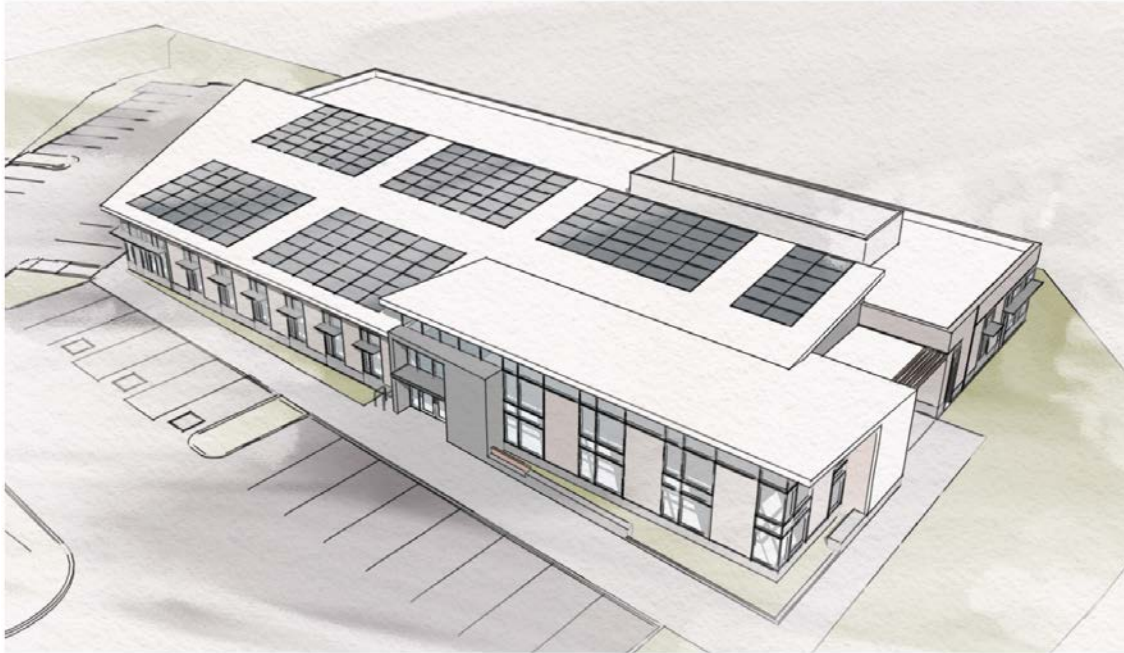
Material Board and Southeast Corner- Perspective A



Northeast Corner View – Perspective B



Northwest Corner View – Perspective C



Massing Study

Protect and Enhance City's Appeal

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

- B9.** The applicant is proposing a new office building. The proposed development will enhance the appeal of the city by creating job opportunities and utilizing available land within the City within a professionally design building.

Stabilize Property Values/Prevent Blight

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

- B10.** The applicant is developing an undeveloped site within the city, and thus prevents blight.

Adequate Public Facilities

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

- B11.** As found in the Stage 2 Final Plan Modification review, see Request A, adequate public facilities serve the site or will with conditions of approval.

Pleasing Environments and Behavior

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

- B12.** The proposed development provides a clearly defined layout and is designed in a configuration that meets defensible space guidelines such as the inclusion of clear sightlines that allow for surveillance and clearly identified structures.

Civic Pride and Community Spirit

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

- B13.** The proposed development will help foster civic pride and community spirit as it supports the City's long standing successful industrial areas that are central to the City's identity. The prominent building along Wilsonville Road will bring new employees and visitors to the City.

Favorable Environment for Residents

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

- B14.** Adding a new office development with a quality design will create jobs, improve the surrounding area, 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

- B15.** Condition of Approval PDB 1 ensures construction, site development, and landscaping are carried out in substantial accord with the Development Review Board approved plans,

drawings, sketches, and other documents. The City will not issue any building permits for portions of the improvements requiring DRB review prior to DRB approval.

Design Standards

Preservation of Landscaping

Subsection 4.421 (.01) A.

B16. The development will occupy the entirety of the site and thus natural features will not be retained. Due to the nature of the industrial building it is not practical to preserve the existing trees that will be in the path of the loading trucks. No substantial changes to the existing elevation are proposed.

Harmony of Proposed Buildings to Environment

Subsection 4.421 (.01) B.

B17. The applicant used appropriate professional services to design the exterior of the building to ensure harmony with the environment. The area surrounding the subject property is a mix of industrial, commercial and undeveloped land. The applicant has utilized materials that relate to the existing surrounding buildings with a modern perspective. The neutral color pallet and ample glazing relates to the adjacent commercial and industrial buildings. The applicant has utilized materials that are typically employed in both commercial and industrial development, as well as a variety of colors, materials, and textures to add interest and create harmony with the adjacent environment. Landscaping is included around all structures to both enhance the appearance of the site and provide a buffer from the busy intersection. The building is placed on the northeast portion of the site to protect the natural resources located in the SROZ on the west portion of the site.

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

Subsection 4.421 (.01) C.

B18. All new access points are existing and will be conditioned to meet City standards. No changes are proposed to existing access points.

Special Attention to Drives, Parking, and Circulation- Interior Circulation

Subsection 4.421 (.01) C.

B19. The interior circulation is at least 24 feet wide allowing for adequate space for pulling out of the individual spaces and for two-way traffic to pass. No loading area is proposed.

Special Attention to Drives, Parking, and Circulation- Pedestrian and Vehicle Separation

Subsection 4.421 (.01) C.

B20. The design separates pedestrian and vehicle circulation where possible. Pedestrian connections are provided from the parking area to the building for safe access.

Special Attention to Drives, Parking, and Circulation- Safe and Convenient Parking Areas

Subsection 4.421 (.01) C.

- B21.** The applicant has worked with a professional design team to ensure the new parking area is safe and convenient. The parking area is conveniently located for access to the building. The parking space size and drive aisle width is a typical design allowing adequate area for safe maneuvering.

Special Attention to Drives, Parking, and Circulation- Parking Detracting from Design

Subsection 4.421 (.01) C.

- B22.** The proposed development adequately separates vehicular and pedestrian traffic where possible. Drive aisles are clearly indicated. The proposed parking areas are convenient and designed to be screened from off-site view either through landscaping or by being located below grade.

Special Attention to Surface Water Drainage

Subsection 4.421 (.01) D.

- B23.** The proposed development provides two water quality features consistent with City standards with one located in the center of the parking area and the other adjacent to the west side of the parking area. These features will help improve water quality throughout the property. The proposed improvements will not adversely affect neighboring properties through the storm drainage system.

Indication of Sewage Disposal

Subsection 4.421 (.01) E.

- B24.** All sewage disposal will be via standard sewer connections to City sewer lines found to be adequate to serve the site as part of the Stage 2 Final Plan Modification.

Advertising Features Do Not Detract

Subsection 4.421 (.01) F.

- B25.** The two signs proposed with the development are appropriate and will not detract from the surrounding area.

Screening and Buffering of Special Features

Subsection 4.421 (.01) G.

- B26.** The applicant does not propose any special features requiring additional screening or buffering.

Design Standards Apply to All Buildings, Structures, Signs, and Features

Subsection 4.421 (.02)

B27. The two wall signs proposed with the development meet the design standards required. See Request D are proposed with this development.

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

B28. 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)

B29. The colors and materials proposed by the applicant are appropriate. See finding B8 for details regarding color and materials.

Standards for Mixed Solid Waste and Recycling Areas

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

B30. The proposal provides an exterior storage area for both solid waste and recyclables.

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

B31. The applicant proposes a single exterior location. Review of the Building Permit will ensure meeting of building and fire code.

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

B32. The applicant has included a letter from Republic Services in Exhibit B1 which 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.

B33. Pursuant to a letter from Republic Services in Exhibit B1, the dimensions are adequate to accommodate the planned containers.

Site Design Review Submission Requirements

Submission Requirements Section 4.440

B34. The applicant submitted a site plan drawn to scale and a detailed landscape plan.

Time Limit on Site Design Review Approvals

Void after 2 Years
Section 4.442

B35. 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)

B36. Condition of Approval PDB 2 will assure installation or appropriate security.

Approved Landscape Plan Binding
Subsection 4.450 (.02)

B37. Condition of Approval PDB 3 provides ongoing assurance approved landscaping is installed and maintained.

Landscape Maintenance and Watering
Subsection 4.450 (.03)

B38. Condition of Approval PDB 4 will ensure continual maintenance of landscaping in a substantially similar manner as originally approved by the Board.

Limitation to Modifications of Landscaping
Subsection 4.450 (.04)

B39. Condition of Approval PDB 4 provides ongoing assurance of conformance with this criterion by preventing modification or removal without the appropriate City review.

Landscaping Standards

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

B40. Condition of Approval PDB 5 requires meeting the detailed requirements of this subsection. Of particular note, the applicant's landscape plan, shows at least 2-gallon containers for shrubs and 1-gallon containers for groundcover.

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

B41. As stated on the applicant's landscape plans, the plant material requirements for trees will be met as follows:

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

A mix of trees selected to be planted throughout the site in appropriate locations includes green vase zelkova, October glory red maple, Sterling silver linden, Eddie's white wonder

dogwood, cascara and vine maple.

Plant Species Requirements

Subsection 4.176 (.06) E.

B42. The applicant's landscape plan provides sufficient information showing the proposed landscape design meets the standards of this subsection related to use of native vegetation and prohibited plant materials.

Landscape Installation and Maintenance Standards

Subsection 4.176 (.07)

B43. The installation and maintenance standards are met or will be met by Condition of Approval PDB 6 as follows:

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

Landscape Plan Requirements

Subsection 4.176 (.09)

B44. The applicant's landscape plan shows all existing and proposed landscape areas. The to-scale plans show the type, installation size, number and placement of materials. Plans include a plant material list. Plants identification is by both their scientific and common names.

Completion of Landscaping

Subsection 4.176 (.10)

B45. The applicant has not requested to defer installation and thus must install landscaping prior to occupancy.

Outdoor Lighting

Applicability of Outdoor Lighting Standards

Sections 4.199.20 and 4.199.60

B46. The proposed development will install new lighting throughout the parking area and site for safety and function thus the outdoor lighting standards apply.

Outdoor Lighting Zones

Section 4.199.30

B47. The subject property is within LZ2.

Optional Lighting Compliance Methods

Subsection 4.199.40 (.01) A.

B48. The applicant has the option of the performance or prescriptive method. The applicant has selected to comply with the prescriptive method.

Maximum Lamp Wattage and Shielding

Subsection 4.199.40 (.01) B. , Table 7

B49. The applicant has selected the prescriptive option for the project's outdoor lighting design. The applicant's narrative states that the proposed luminaires comply with the maximum wattage and shielding requirements within Table 7. The photometric diagram is included in Exhibit B2.

Maximum Mounting Height

Subsection 4.199.40 (.01) B and Table 8

B50. Nothing in the applicant's materials indicates the maximum mounting height will be surpassed. Mounting height in compliance with Table 8 will be confirmed at time of building plan review, see Condition of Approval PDB 7.

Lighting Curfew

Subsection 4.199.40 (.01) D.

B51. The applicant proposes the standard LZ 2 curfew of 10 PM.

Request C: Type C Tree Removal Plan (TPLN23-0005)

Type C Tree Removal-General

Tree Related Site Access

Subsection 4.600.50 (.03) A.

C1. It is understood the City has access to the property to verify information regarding trees.

Review Authority

Subsection 4.610.00 (.03) B.

C2. The requested removal is connected to site plan review by the Development Review Board for new development. The tree removal is thus being reviewed by the Development Review Board.

Conditions of Approval

Subsection 4.610.00 (.06) A.

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 building, which is a reasonable time frame for tree removal.

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: Two of the three trees proposed for removal are located in the SROZ. The applicant has proposed a planting with a mix of native species within the SROZ to mitigate the loss of the native vegetation.
- Preservation and Conservation. The arborist report inventoried forty-two (42) trees located on the subject property. Of the forty-two (42) trees inventoried, thirty (30) of the trees are less than 6 inches diameter at breast height and therefore are not regulated by the provisions in Section 4.600, Tree Preservation and Protection. Three (3) trees regulated under Section 4.600 are proposed for removal. One (1) ponderosa tree in the SROZ is proposed for retention. Twenty-two (22) trees on the perimeter of the property, some with DBH measurements below 6 inches, will be protected and retained during construction. The tree species on site are a mix of native and non-native trees including, Oregon white oak, ponderosa pine, red alder, Douglas fir, Western red cedar, red maple, Norway maple, and magnolia. The trees proposed for removal are ponderosa pines of good quality, however, removal is necessary for development. The applicant proposes replanting eleven (11) trees within the parking area, eleven (11) trees along the north property line, and twenty-four (24) within the SROZ mitigation area on the subject property for a total of forty-six (46) trees to be planted far exceeding the 1:1 mitigation ratio as required by the development code. Condition of approval PDD 4 will ensure that protective fencing is placed around the drip line of preserved trees prior to site grading or other site work that could damage the trees.
- Development Alternatives: The proposed tree removal has been minimized to the extent possible in order to redevelop the subject property.

- Land Clearing: Land clearing and grading is proposed and will be limited to areas necessary for construction of the proposed building, structures, and other site improvements.
- Compliance with Statutes and Ordinances: The necessary tree replacement and protection is planned according to the requirements of the tree preservation and protection ordinance.
- Limitation: Tree removal is limited to where it is necessary for construction (as discussed in Development Alternatives above) 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 2 Final Plan.

Tree Maintenance and Protection Plan

Section 4.610.40 (.02)

C8. The applicant has provided information on tree maintenance and protection in Exhibit B2 sheet L0.03. The tree protection fencing shown indicates fencing around the trees preserved throughout the site.

Replacement and Mitigation

Tree Replacement Requirement

Subsection 4.620.00 (.01)

C9. The applicant proposes removing 3 trees and replanting 46 trees as mitigation on the project site, exceeding a one-to-one ratio and the requirements of this subsection.

Basis for Determining Replacement and Replacement

Subsection 4.620.00 (.02) and (.03)

C10. Replacement trees will meet the minimum caliper and other replacement requirements. Tree species selected for replacement and landscape plantings include October glory red maple, Sterling silver linden, and Green vase zelkova. The tree species selected for the mitigation planting are all native species including dogwood, cascara, and vine maple. This mix of native and nonnative deciduous trees are compatible for the function of the site while maintaining a diversity of species.

Replacement Tree Stock Requirements

Subsection 4.620.00 (.04)

C11. The planting notes on the applicant's Sheet L0.01 in Exhibit B2 indicate the appropriate quality.

Replacement Trees Locations
 Subsection 4.620.00 (.05) A.

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. Condition of Approval PDC 4 ensures the applicable requirements of this section will be met.

Request D: Class 3 Sign Permit (SIGN23-0014)

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

Sign Review and Submission

Class 3 Sign Permit DRB Review
 Subsection 4.031 (.01) M. and Subsection 4.156.02 (.03)

D1. The proposed signs are associated with a new development and therefore requires a Class 3 Sign Permit subject to Development Review Board review.

Master Sign Plan Required
 Subsection 4.156.02 (.06)

D2. Class 3 Sign Permits are required for signs associated with new development. The proposed signs are to be mounted on the new CIS Collaboration center and therefore must be reviewed as a Class 3 Sign permit.

Class 3 Sign Permit Submission Requirements
 Subsection 4.156.02 (.06) A.

D3. As indicated in the table below the applicant has satisfied the submission for Master Sign Plan, which includes the submission requirements for Class 2 sign and Class 3 sign permits:

Requirement	Submitted	Waiver Granted	Condition of Approval	Not Applicable	Additional Findings/Notes

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

Class 3 Sign Permit Review Criteria

Class 3 Sign Permit Review Criteria: Generally and Site Design Review
 Subsection 4.156.02 (.05) F.

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

Class 3 Sign Permit Review Criteria: Compatibility with Zone
 Subsection 4.156.02 (.05) F. 1.

D5. The applicant is proposing two wall signs for the CIS Collaboration Center on the east and north elevations. The previously approved master sign plan allocated square footage of signage for Phase 1 and Phase 2, requires the signs are constructed of materials that are compatible with the buildings architectural character and materials, are placed in locations that fit with the buildings architectural features, and clearly represent the business of the tenant. The proposed signs fit within this criteria and are generally typical of, proportional to, and compatible with industrial development and industrial office buildings. No evidence has been presented nor testimony received demonstrating the subject signs would detract from the visual appearance of the surrounding area.

Class 3 Sign Permit Review Criteria: Nuisance and Impact on Surrounding Properties
 Subsection 4.156.02 (.05) F. 2.

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

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

D7. The proposed wall signage is to be installed in appropriate locations in relation to existing architectural elements of the building with the signs to be placed between the parapet and glazing.

Master Sign Plan Review Criteria: Consistent and Compatible Design
Subsection 4.156.02 (.07) C.

D8. The original approval, DB09-0047 ET AL, included a master sign plan for the overall development allocating square footage of signage to Phase 1 and Phase 2. This approval was under prior sign regulations. The applicant has elected to apply the current sign code through a Class III sign permit rather than comply with the prior Master Sign Plan.

Sign Measurement

Measurement of Cabinet Signs
Subsection 4.156.03 (.01) A.

D9. The sign measurements use 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.

D10. No ground mounted or freestanding signs are proposed.

Building Signs in the PDC, TC, PDI, and PF Zones

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

D11. Three of the four facades of the proposed building are sign eligible as follows:

Façade	Sign Eligible	Criteria making sign eligible
North	Yes	Frontage on a street
East	Yes	Frontage on a street, public entrance
South	Yes	Primary parking area, public entrance
West	No	N/A

Building Sign Area Allowed

Subsection 4.156.08 (.02) B.1

D12. The two sign are proposed on the north and east building façades of the proposed building. The north façade of the building is 151' allowing for 75.5' square feet of sign area. The east façade of the building is 96' allowing for 48 square feet of sign area. The signs proposed will not exceed the allowed square footage with the north wall sign to be 30 square feet and the east wall sign to be 28.25 square feet. Prior to installation, a Class 1 Sign Permit must be submitted for approval to verify conformance with the Class 3 Sign permit approval.

Building Sign Length Not to Exceed 75 Percent of Façade Length

Subsection 4.156.08 (.02) C.

D13. The proposed building signs do not exceed 75% of the length of the façade.

Building Sign Height Allowed

Subsection 4.156.08 (.02) D.

D14. The proposed building signs are within a definable architectural feature and have 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.

D15. The proposed wall signs are fall within the allowed sign types for building signs.

Site Design Review

Excessive Uniformity, Inappropriate Design

Subsection 4.400 (.01)

D16. 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)

D17. The sign allowances are scaled and designed appropriately related to the subject site and the appropriate amount of attention has been given to visual appearance. The signs include the building address and business logo providing local emergency responders and other individual's reference for the location of this development.

Design Standards

Subsection 4.421 (.01)

D18. The proposed location, design, materials, and size of the two proposed signs are provided in the applicant's materials and will not detract from the design of the surrounding properties.

Design Standards and Signs
Subsection 4.421 (.02)

D19. Design standards have been applied to the proposed signs, as applicable, see Findings D16-D18 above.

Color or Materials Requirements
Subsection 4.421 (.06)

D20. The proposed signs are to be backlit powder coated steel in black. The logo will be blue and white matching the companies branding. The proposed signs relate to the architectural character and materials of the building.

Site Design Review-Procedures and Submittal Requirements
Section 4.440

D21. The applicant has submitted a sign plan as required by this section.

Request E: Waivers (WAIV23-0006)

Waiver to Setback Standards

Waivers to Development Standards
Subsection 4.118 (.03) A.

E1. Pursuant to this subsection, the DRB may waive typical development standards in order to implement the purposes and objectives of Section 4.140, Planned Development Regulations. The applicant proposes a waiver to the required building setbacks in the Planned Development Industrial Zone for the front and side setback.

The applicant requests the Board waives the 30-foot setbacks required in the PDI zone from the north and east property lines with the front and side setbacks reduced for the placement of the proposed development with a minimum setback of 22 feet from the property line along Wilsonville Road, a minimum setback of 14 feet from the property line along Kinsman Road and 10 feet from the property line at the sites northeast corner. The reduction in setback is greatest at the northeast corner with the 30-foot setback either slightly reduced or met for much of the building. The applicant's materials demonstrate how waiving the 30-foot setbacks will allow the implementation of Planned Development Regulations.

Purpose and Objectives of Planned Development Regulations
Subsection 4.140 (.01) B.

- E2. Pursuant to Subsection 4.118 (.03) A., waivers must implement or better implement the purpose and objectives listed in this subsection. The applicant requests to waive the 30 required setback along the north and east frontages. The setbacks were set in the code with more traditional industrial development in mind. Waiving the setbacks allows for the intent of the Planned Development Regulations to be met specifically in regards to flexibility. The 2009 approval of the Wilsonville Road Business Park dedicated this site as office commercial in the Stage 1 and Stage 2 Final Plan approvals. The Planned Development Commercial Zone does not have setback requirements and therefore a 30ft setback is significant for the proposed use. The triangular shape of the lot, SROZ on the west portion of the lot, and large right-of-way would result in challenges with the placement of the building on the lot or a less than ideal design.

The existing right-of-way includes street trees, sidewalks, a traffic signal, street lights, and other essential infrastructure. The right-of-way located at the intersection of Kinsman and Wilsonville Road provides approximately 30 feet of separation from the edge of the curb to the parcels property line. To meet the PDI setback requirements the proposed building would need to be setback an additional 30 feet from the property line placing the building a full 60 feet away from the intersection. The requested setback reduction for the northeast corner of the building places the proposed building 41 feet from the intersection, a more appropriate distance for an active intersection. Along the north frontage there is an 18-foot right-of-way that includes the sidewalk and street trees. The requested setback reduction places the north façade of the building 22 feet from the property line and 42 feet from Wilsonville Road. A reasonable buffer between the street and the building is provided on all frontages, even with requested reeducations mitigating the impact of the setback reduction.

Understanding the constraints of the northeast corner, it is also important to examine challenges posed by the western portion of the site. The west property line abuts a wetland area with the Significant Resource Overlay Zone extending 50 feet on to the property. With a large portion of the property in a protected area the portion of the site available for development is limited. To shift the building to the west in order to meet the 30-foot setback would result in either poor site design or an odd shaped building. The SROZ along the western property line provides a natural buffer between the proposed building and any future uses to the southwest. To the north and east are Wilsonville Road and Kinsman Road which are already buffered by the previously described right-of-ways which include street trees and pedestrian infrastructure.

Waiving the 30-foot setback as described above allows for better site design as well as keep the building foot print adequately separated from the SROZ. The right-of-way also creates additional buffer between the building and the road. The requested setback reduction will allow for better use of the site, a more pleasing design and be more in line with other Commercial developments in the City. The applicant argues the reduced setbacks will

provide a high-quality architectural and urban character that meets the goals of the project and the City's Comprehensive Plan, while also meeting the purposes of the Planned Development Regulations and the Site Design Review.