

ORDINANCE NO. 618

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM RESIDENTIAL AGRICULTURAL - HOLDING (RA-H) TO PLANNED DEVELOPMENT INDUSTRIAL (PDI) ON APPROXIMATELY 25.21 ACRES LOCATED AT THE NORTHEAST CORNER OF KINSMAN ROAD AND BARBER STREET, ADOPTING ZONING ORDER DB06-0076 FOR PROPERTY ON TAX LOTS 600, 700, 790 AND THE SOUTHERLY PORTION OF TAX LOT 900, SECTION 14B, T3S, R1W, CLACKAMAS COUNTY, OREGON. TRI-MET AND SMART/CITY OF WILSONVILLE - APPLICANTS.

WHEREAS, Tri-Met and SMART/City of Wilsonville requested a Zone Map Amendment for property on Tax Lots 600, 700, 790 and the southerly portion of Tax Lot 900, Section 14B, T3S, R1W, Clackamas County, Oregon Clackamas County, Oregon, and

WHEREAS, on September 25, 2006, the DRB Panel B, after proper legal notification, conducted public hearings to review the requests, and after taking testimony, gave full consideration to the matter and adopted Resolution No. 78, recommending approval of the proposed Zone Map Amendment (File No. DB06-0076 –Request A), and having approved other applicable land use applications, including;

Application Numbers: DB06-0078 Stage I Preliminary Plan
 DB07-0079 Stage II Final Plan for Phase I
 DB06-0080 Master Sign Plan
 DB06-0083 Type ‘C’ Tree Plan
 DB06-0084 Site Design Plans
 SI06-0005 Significant Resource Impact Report, and

WHEREAS, after proper legal notification, on October 16, 2006, the City Council held a public hearing on the above-described matter, took testimony and evidence from interested parties, and upon consideration of the entire record herein, determines that the applications conditionally meet applicable approval criteria.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council adopts as findings and conclusions the foregoing recitals and the staff reports in this matter dated October 9, 2006, labeled as Exhibit A and the DRB Adopted Resolution 78 and Staff Report dated September 25, 2006, labeled Exhibit B, which Exhibits are attached hereto and incorporated herein as if fully set forth.

Section 2. Zoning Order. The official City of Wilsonville Zone Map is hereby amended in Zoning Order DB06-0076, attached hereto, from *Residential Agriculture-Holding (RA-H)* zone to *Planned Development Industrial (PDI)* zone on Tax Lots 600, 700, 790, and 900 in Section 14B, T3S, R1W, Clackamas County, Oregon.

Section 3. Order. The City Council hereby approves and orders the DB06-0076 Zone Map Amendment subject to those conditions specified in the attached staff reports and DRB resolutions, Exhibits A and B, and Exhibit C titled "Station Site Plan Pedestrian Crossings at Tracks", prepared by Tri-Met, and attached hereto.

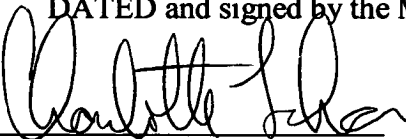
SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 16th day of October 2006, commencing at the hour of 7 P.M. at the Wilsonville City Hall and scheduled for second reading on November 6, 2006 at a regular meeting of council commencing at the hour of 7 P.M. at the Wilsonville City Hall.

ENACTED by the City Council on the 6th day of November, 2006, by the following votes:

Yes:-5- No:-0-


Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this 7th day of November, 2006.


CHARLOTTE LEHAN, MAYOR

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Knapp	Yes
Councilor Ripple	Yes
Councilor Kirk	Yes
Councilor Holt	Yes

Attachments:

Zoning Order DB06-0076
Exhibit A –Planning Division Staff Report to City Council, October 9, 2006
Exhibit B - DRB Panel B Adopted Resolution and Staff Report of September 25, 2006
Exhibit C – Station Site Plan Pedestrian Crossing at Tracks

**BEFORE THE CITY COUNCIL OF
CITY OF WILSONVILLE, OREGON**

In the Matter of the Application of
TriMet and SMART/City of Wilsonville
for a Rezoning of Land
and Amendment of the City of Wilsonville
Zoning Map incorporated in Section
4.102 Wilsonville Code.

ZONING ORDER DB06-0076

The above-entitled matter is before the Council to consider the joint application of TriMet and the SMART/City of Wilsonville for a Zone Map Amendment and an order amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code. The Zone Map Amendment is necessary for the development of a commuter rail station and maintenance facility that would be the southern terminus of the Washington County Commuter Rail Project. SMART/City of Wilsonville is also proposing to co-locate with the station a new transit center for their bus system and an approximately 400-space park & ride lot for shared use by commuter rail and bus passengers. The Stage I Preliminary Plan includes 29 acres located north of Barber Street, west of Boberg Road, and south of Boeckman Road. The site is divided by the Portland & Western Railroad tracks. The commuter rail maintenance facility will be constructed to the east side of the tracks. Passenger facilities will be developed to the west side of the rail tracks, including the commuter rail platform, park & ride lot, and transit center.

It appears to the Council that the properties, which is the subject of this application, is described as follows: Tax Lots 600, 700, 790 and the southerly portion of Tax Lot 900 in Section 14B, T3S, R1W, Clackamas County, Wilsonville, Oregon, and such property has heretofore appeared on the City of Wilsonville County Zoning Map as *Residential Agricultural-Holding (RA-H)*.

The Council having heard and considered all matters relevant to the application, including the Development Review Board record and recommendation, finds that the application should be approved, and it is therefore,

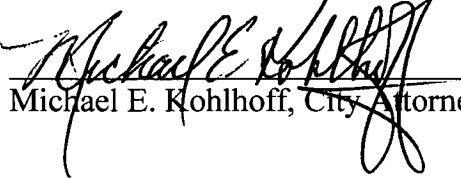
ORDERED that approximately 25.21 acres of Tax Lots 600, 700, 790 and the southerly portion of Tax Lot 900 in Section 14B, T3S-R1W, Wilsonville, Clackamas County, Oregon, more particularly shown in proposed zone map amendment map, Attachment 1 and described in Attachment 2 to this order, is hereby rezoned to *Planned Development Industrial (PDI)*, and such rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: November 7th, 2006.



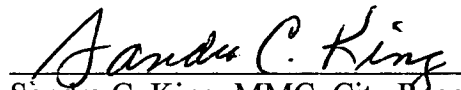
CHARLOTTE LEHAN, MAYOR

APPROVED AS TO FORM:



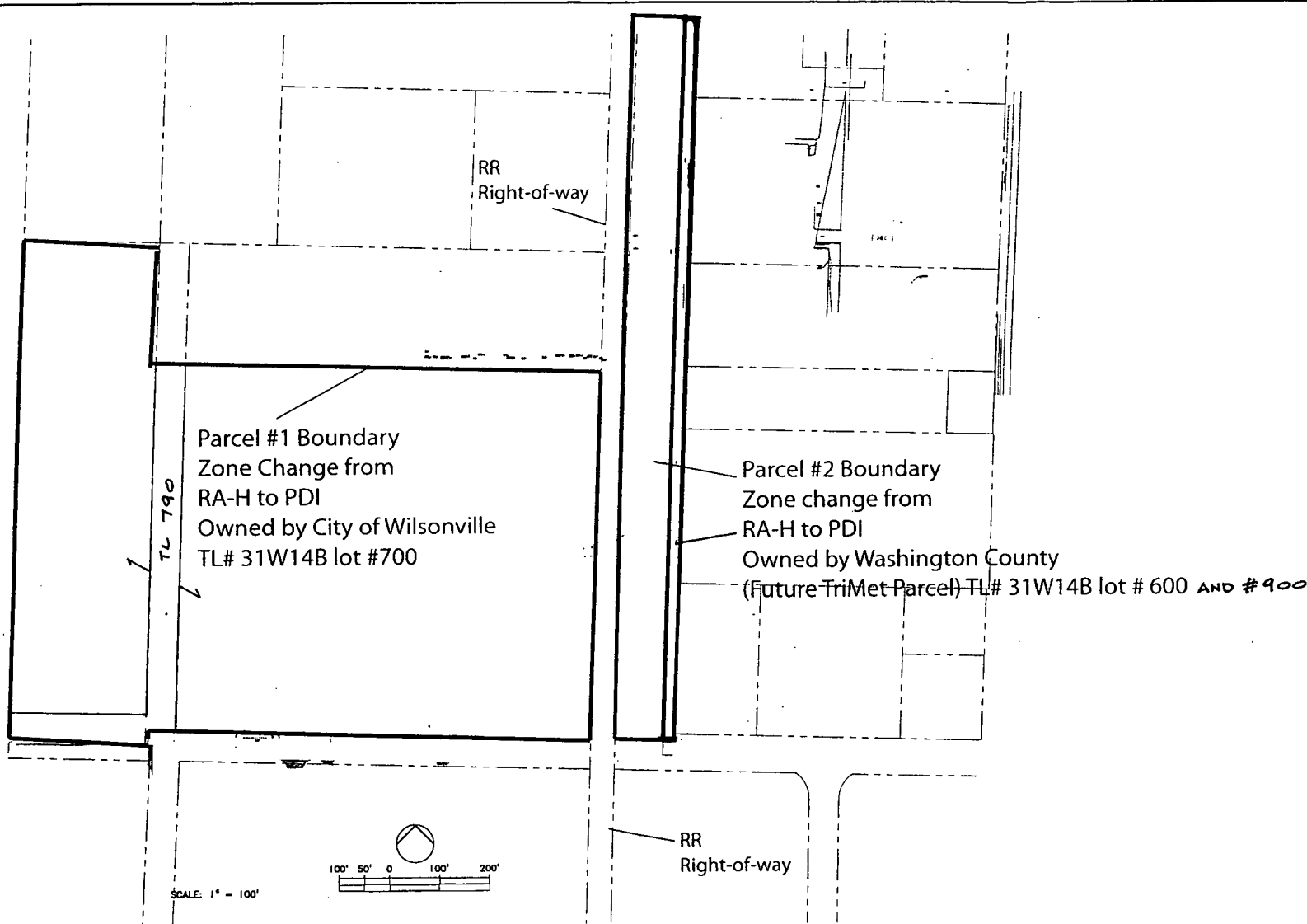
Michael E. Kohlhoff, City Attorney

ATTEST:



Sandra C. King, MMC, City Recorder


Attachment 1: Map depicting zone change
Attachment 2: Legal Description



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NO.	DATE	BY	APPD.	REVISIONS

DESIGNED	DATE
DRAWN	DATE
CHECKED	DATE
APPROVED	DATE


TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON
TRI MET
 CAPITAL PROJECTS AND FACILITIES DIVISION
 710 N.E. HOLLADAY STREET
 PORTLAND, OREGON 97232

WASHINGTON COUNTY COMMUTER RAIL
 Zone Change Boundary and Legal Description
 SCALE: 1" = 30'
 DRAWING NO.: WILS-SITE2

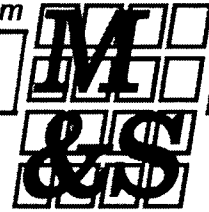
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CCS

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**ENGINEERS SURVEYORS
PLANNERS**

29020 SW Town Center Loop E., Ste. 106
Wilsonville, OR 97070 (503) 289-6726



LEGAL DESCRIPTION
SOUTHERLY PORTION OF TAX LOT 900 (3 1W 14B)
WILSONVILLE, OREGON

Real property being a portion of Parcel IV described in deed recorded under Fee Number 2002-060723, records of Clackamas County, Oregon, lying in the Northwest Quarter of Section 14, Township 3 South, Range 1 West, Willamette Meridian in the City of Wilsonville, Clackamas County, Oregon, more particularly described as follows:

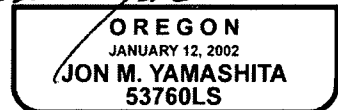
Commencing at the Northeast corner of the Northwest Quarter of said Section 14; thence along the East line of said Northwest Quarter and the East line of said Parcel IV South 01° 41' 41" West, 1,105.79 feet to a point which bears South 88° 18' 19" East, 20.00 feet from the Northeast corner of Parcel I described in said Fee Number 2002-060723, said point being the **Point of Beginning**; thence continuing along said East lines South 01° 41' 41" West, 1,497.32 feet to the Southeast corner of said Parcel IV and the North right of way line of Barber Street, being 30.00 feet from, when measured perpendicular to, the centerline of said Barber Street; thence parallel with said centerline North 88° 35' 40" West, 20.00 feet to the Southwest corner of said Parcel IV and the Southeast corner of said Parcel I; thence along the West line of said Parcel IV and the East line of said Parcel I North 01° 41' 41" East, 1,497.42 feet to the Northeast corner of said Parcel I; thence South 88° 18' 19" East, 20.00 feet to the **Point of Beginning**.

Containing 0.69 acres.

Subject to easements and restrictions of record.

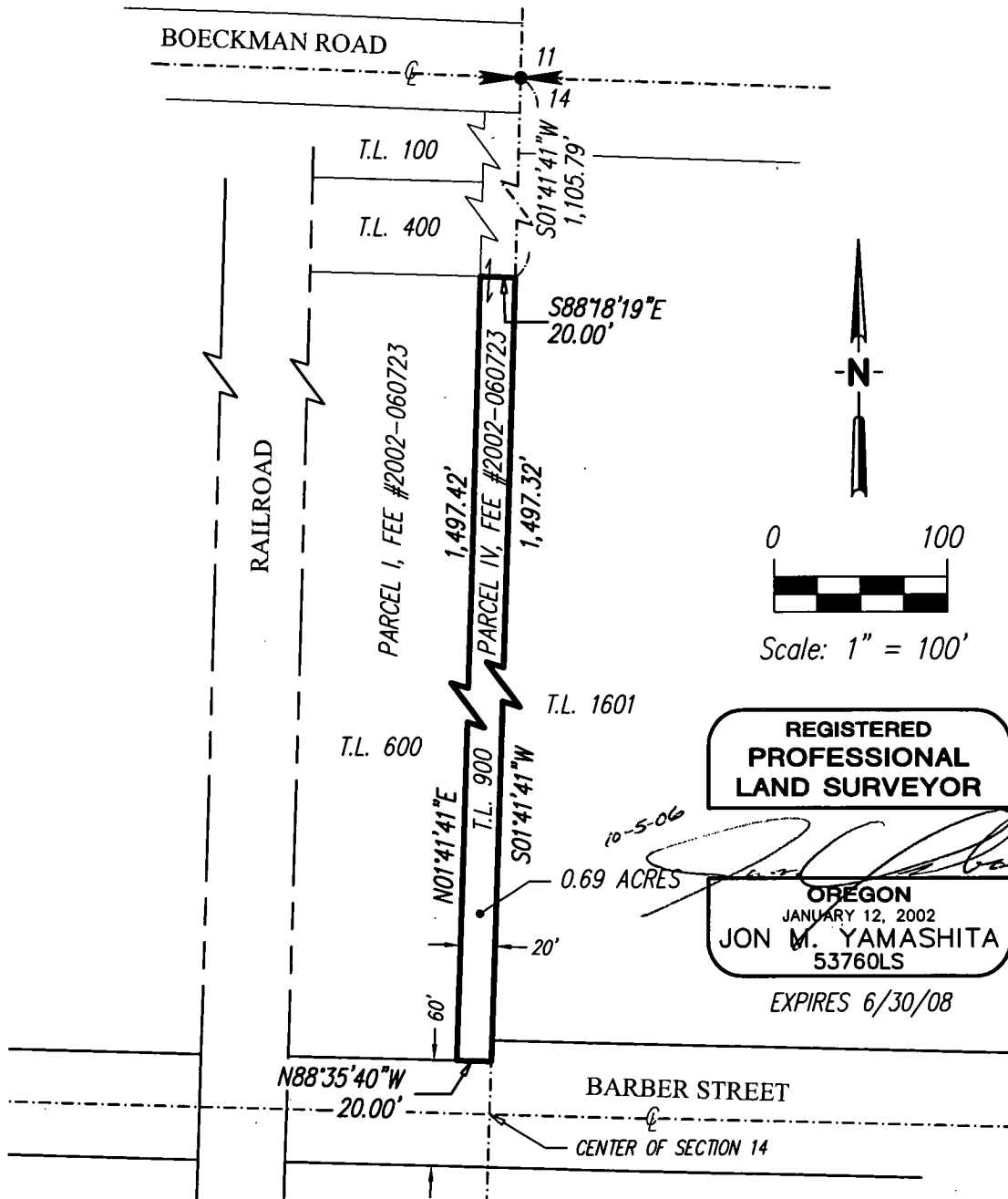


10-5-06
[Signature]



EXPIRES: 6-30-08

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
SOUTHERLY PORTION OF TAX LOT 900 (3 1W 14B)
NW 1/4 OF SEC. 14, T3S, R1W, WM. CLACKAMAS COUNTY, WILSONVILLE, OREGON
OCTOBER, 2006



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ENGINEERS SURVEYORS
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29020 SW Town Center Loop E., Ste. 106
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Zone Change Legal Descriptions

Parcel #1 – TL 31W14B lot # 700 City of Wilsonville – 21.13 acres

A tract of land situated in the northwest one-quarter of Section 14, Township 3 south, Range 1 West, Willamette Meridian and located in the city of Wilsonville, County of Clackamas and State of Oregon; said parcel of land described specifically as follows:

Commencing at the center of section 14, said point bears South 06 59' 42" West, 0.35 feet from a 5/8" iron rod with an illegible yellow plastic cap: thence along the South line of the northwest one-quarter of said section 14, South 89 46'47" West, 166.35 feet to a point on the West right-of-way line of the Oregon Electric Railroad; thence along said West Railroad right-of-way line North 00 04'04" West, 30.00 feet to the South line of a tract of land described in Deed Document No 2002-060721 and the North line of that certain tract of land dedicated to the city of Wilsonville in Document No. 83-12202, said point also being the True Point of Beginning; thence continuing along West right-of-way line North 00 04' 04" West, 732.32 feet to a point; thence leaving said West right-of-way line south 89 49' 00" West, 885.64 feet to a point: thence North 00 10'53" West, 238.00 feet to a point on the North line of said tract of land described in Deed Document No. 2002-060721; thence along said North line South 89 49' 00" West, 270.72 feet to a point on the West line of said tract described in Deed Document No. 2002-060721; thence leaving said North line along said west line South 00 05' 14" East, 1001.06 feet to a point on the South line of said tract described in Deed Document No. 2002-060721; thence along said South line North 89 46' 47" East, 276.97 feet to the Southwest corner of said tract of land dedicated to the City of Wilsonville in Document No 83-12202, thence along the West line of said Wilsonville tract North 00 13' 51" West, 30.00 feet to the Northwest corner of said Wilsonville Tract; thence along said North Line North 89 46' 47" East, 879.61 feet to the true point of beginning.

**Parcel #2 TL# 31W14B lot # 600 – Washington County (Future TriMet Parcel)
3.376 Acres**

A tract of land situated in the Northwest one-quarter of section 14, Township 3 South, Range 1 West, of the Willamette Meridian, in the City of Wilsonville, Clackamas County, Oregon, said parcel of land described specifically as follows:

Commencing at the center of section 14, said point bears South 06 59' 42" West, 0.35 feet from a 5/8" iron rod with an illegible yellow plastic cap: thence along the South line of the Northwest one-quarter of said section 14 South 89 46'47" West, 116.35 feet to a point on the East right-of-way line of the Oregon Electric Railroad; thence along said East right-of-way line to the Oregon Electric Railroad; thence along said East railroad right-of-way line North 00 04' 04" West, 30.00 feet to a point the Southwest corner of a tract of land described in Deed Document No 2002-060721, said point also being the True Point of Beginning; thence continuing along said East right-of-way line and the West line of said tract North 00 04' 04" West, 1497.43 feet to a point on the South line of that certain tract of land described in the Deed Document No 2001-054124; thence along said South line North 89 51'07" East, 99.99 feet to a point on the East line of a portion of that certain tract of land described in Deed Doc. No 98-07020; thence along said East line

South 00 04' 07" West 1497.32 feet to a point on the North line of that certain tract of land dedicated to the City of Wilsonville in Document No 83-12202; thence along said North line South 89 46' 47" West, 96.42 feet to the True Point of beginning.

Phase II Legal Descriptions

TL 31W14B lot # 700 City of Wilsonville – To be partitioned into 3 parcels (legal descriptions for 3 new parcels to be provided by City of Wilsonville)

A tract of land situated in the northwest one-quarter of Section 14, Township 3 south, Range 1 West, Willamette Meridian and located in the city of Wilsonville, County of Clackamas and State of Oregon; said parcel of land described specifically as follows:

Commencing at the center of section 14, said point bears South 06 59' 42" West, 0.35 feet from a 5/8" iron rod with an illegible yellow plastic cap: thence along the South line of the northwest one-quarter of said section 14, South 89 46' 47" West, 166.35 feet to a point on the West right-of-way line of the Oregon Electric Railroad; thence along said West Railroad right-of-way line North 00 04' 04" West, 30.00 feet to the South line of a tract of land described in Deed Document No 2002-060721 and the North line of that certain tract of land dedicated to the city of Wilsonville in Document No. 83-12202, said point also being the True Point of Beginning; thence continuing along West right-of-way line North 00 04' 04" West, 732.32 feet to a point; thence leaving said West right-of-way line south 89 49' 00" West, 885.64 feet to a point: thence North 00 10' 53" West, 238.00 feet to a point on the North line of said tract of land described in Deed Document No. 2002-060721; thence along said North line South 89 49' 00" West, 270.72 feet to a point on the West line of said tract described in Deed Document No. 2002-060721; thence leaving said North line along said west line South 00 05' 14" East, 1001.06 feet to a point on the South line of said tract described in Deed Document No. 2002-060721; thence along said South line North 89 46' 47" East, 276.97 feet to the Southwest corner of said tract of land dedicated to the City of Wilsonville in Document No 83-12202, thence along the West line of said Wilsonville tract North 00 13' 51" West, 30.00 feet to the Northwest corner of said Wilsonville Tract; thence along said North Line North 89 46' 47" East, 879.61 feet to the true point of beginning.

TL# 31W14b lot # 600 – Washington County (Future TriMet Parcel)

A tract of land situated in the Northwest one-quarter of section 14, Township 3 South, Range 1 West, of the Willamette Meridian, in the City of Wilsonville, County of Clackamas and State of Oregon, described specifically as follows:

Commencing at the center of section 14, said point bears South 06 59' 42" West, 0.35 feet from a 5/8" iron rod with an illegible yellow plastic cap: thence along the South line of the Northwest one-quarter of said section 14 South 89 46' 47" West, 116.35 feet to a point on the East right-of-way line of the Oregon Electric Railroad; thence along said East right-of-way line to the Oregon Electric Railroad; thence along said East railroad right-of-way line North 00 04' 04" West, 30.00 feet to a point the Southwest corner of a tract of land described in Deed Document No 2002-060721, said point also being the True Point of Beginning; thence continuing along said East right-of-way line and the West line of said tract North 00 04' 04" West, 1497.43 feet to a point on the South line of that certain tract of land described in the Deed Document No 2001-054124; thence along said South line North 89 51' 07" East, 99.99 feet to a point on the East line of a portion of that certain tract of land described in Deed Doc. No 98-07020; thence along said East line

South 00 04' 07" West 1497.32 feet to a point on the North line of that certain tract of land dedicated to the City of Wilsonville in Document No 83-12202; thence along said North line South 89 46' 47" West, 96.42 feet to the True Point of beginning.

New Future Parcel to be owned by TriMet (Maintenance Facility site)

A tract of land in the Northeast one-quarter of Section 14, Township 3 South, Range 1 West W.M. Clackamas County, Oregon, being a portion of that certain tract of land described as parcel V in that Statutory Warranty Deed to Washington County, Oregon, recorded June 28, 2002 as Document No 2002-060723 of the Official Records of Clackamas County, Oregon, to wit:

The westerly 187 feet of Parcel V

**PLANNING DIVISION
STAFF REPORT
Quasi-Judicial Public Hearing**

DATE: October 9, 2006
TO: Honorable Mayor and City Councilors
FROM: Blaise Edmonds, Manager of Current Planning
RE: Zone Map Amendment Ordinance. October 16, 2006 - first reading. TriMet and SMART/City of Wilsonville.

SUMMARY: The applicants are TriMet and the SMART/City of Wilsonville. The applicants are requesting the proposed Zone Map Amendment and an order amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code. The Zone Map Amendment is necessary for the development of a commuter rail station and maintenance facility that would be the southern terminus of the Washington County Commuter Rail Project. SMART/City of Wilsonville is also proposing to co-locate with the station a new transit center for their bus system and an approximately 400-space park & ride lot for shared use by commuter rail and bus passengers. The Stage I Preliminary Plan includes 29 acres located north of Barber Street, west of Boberg Road, and south of Boeckman Road. The site is divided by the Portland & Western Railroad tracks. The commuter rail maintenance facility will be constructed to the east side of the tracks. Passenger facilities will be developed to the west side of the rail tracks, including the commuter rail platform, park & ride lot, and transit center.

RECOMMENDATION:

The City Council act favorably on the Development Review Board recommendation to approve the Zone Map Amendment and the complement applications listed below:

Application Numbers:

DB07-0078 Stage I Preliminary Plan
DB07-0079 Stage II Final Plan for Phase I
DB06-0080 Master Sign Plan
DB06-0083 Type 'C' Tree Plan
DB06-0084 Site Design Plans
SI06-0005 Significant Resource Impact Report

Appropriate Council action would be adoption of proposed Zone Map Amendment Ordinance.

Exhibit A

DISCUSSION:

There are several key issues raised by the Development Review Board for the City Council to consider:

Issue: Screening outdoor storage. TriMet has correctly noted that the Development Code requires landscaping/screening of open storage areas and generally precludes chain link fencing with no site obscuring slats. The applicants cited concerns for safety and security plus federal mandates, which affect their fencing options. Staff stated that this position may create a conflict between standards WDC Section 4.176(.01)(I) and (J). The DRB was asked to examine the issue, determine the merits of the TriMet position and decide whether a waiver could be granted as provided under WDC Section 4.176(.02)(B).

Recommendation: The DRB waived the requirement for screening of open storage and amended condition PDC5 to read: *“The fenced signal storage area shall be enclosed with a 6-foot, green vinyl chain link fence.”*

Issue: Traffic impact at Barber and Boberg: Referring to Exhibit A.8 the DRB added the following language to finding C13: *“In a Memorandum dated September 13, 2006, DKS identified an error in Table 8. Under the heading “Existing + Stage II + Project” the ‘Delay’ and ‘LOS’ data for the Boberg Road/Boeckman Road and Boberg Road/Barber Street intersections were reversed. The result is that the intersection of Boberg Road/Barber Street develops an LOS F with the addition of the proposed project. Staff is recommending a condition of approval [per Transportation Systems Plan Implementation Measure 4.2.1.a, WDC 4.008 (I), and WDC .140(.09)(J)(2)], requiring the intersection of Boberg Road/Barber Street to be improved to at least LOS D within two (2) years of approval by the City Council of the Zone map amendment of the proposed site.”*

Recommendation: The DRB replaced condition PFC14 in its entirety with: *“The applicants (the City) shall improve the intersection of Barber and Boberg to at least LOS D within two (2) years of the date of the City Council approval of the zone map amendment on this site.”*

Issue: Exterior lighting levels. The DRB requested the applicants to consider higher foot-candle ratings for lighting or more coverage. Primarily the DRB is seeking to create better security.

Recommendation: The applicants propose 1.5 to 3 foot candles of lighting within the park and ride facility and the transit facilities. Lighting is designed to cut-off at the project boundaries to avoid spillage into open space or wetlands. This lighting level is slightly higher than typical parking lot lighting, which ranges from 1 to 2 foot candles. At the time of writing this memo staff did not receive the proposed revised lighting plan to review and to formally make a recommendation. However, the applicants are prepared to present to Council a revised lighting plan.

Issue: Traffic calming. The DRB expressed a concern about potential unsafe pedestrian connections between transit facilities and the park and ride facility requested that traffic calming be designed into the project to slow traffic at key pedestrian routes. Five locations were specified along the most southern and eastern drive lanes. The DRB requested the applicants to submit a traffic calming plan.

The DRB proposed revised condition PFC20b to read: *“In those areas marked by the DRB on page 3 of Exhibit A.10, the Park and Ride Site Plan, key pedestrian crossings within the multi-modal facility shall include traffic calming devices to be jointly specified with City Staff.”*

Recommendation: The applicants have supplemented the application with a traffic calming plan. The applicants indicate that all crosswalks will be constructed using concrete to highlight the crosswalk areas. In addition, yellow traffic domes will be placed in rows along each crosswalk. The proposed traffic calming plan also proposes a stop sign at the primary crosswalk from the park and ride lot to the rail station platform. The applicants are prepared to present the proposed traffic calming plan.

Issue: Utility Vault access. Utility Vault currently takes access on Tax Lot 900, which is a narrow 20' wide parcel supporting a private drive that extends through the center of the proposed TriMet maintenance building site. Thus, a new access route for Utility Vault must be created prior to site development of the maintenance facility.

Recommendation: The DRB revised condition PFC21 to read: *“Prior to the issuance of a PW permit, the new Utility Vault access must be approved by the City Engineer.”*

Issue: Type “C” Tree Plan. Finding E7 originally stated: *“As noted previously, since the arborist’s report was completed, the site design has been adjusted to save some a mature tree west of the park & ride access. Therefore, Staff is recommending a condition of approval removing those trees (#1768 #1360 and #1361) from the “More Analysis Needed” category and listing them in the “To Be Saved” category.”*

The DRB revised finding E6 as follows: *“Replacement language after “Staff is recommending a condition of approval...”: “Trees requiring “More Analysis” shall be coordinated with City Staff regarding the appropriate process for review and mitigation.”*

Recommendation: The DRB amended PDE4 to read: *“Trees requiring “More Analysis” shall be coordinated with City Staff regarding the appropriate process for review and mitigation.*

Furthermore, The DRB also amended condition PDE5 to read: *“Tree #1768, (40” DBH Oregon white oak) is to be re-categorized as a tree “to be saved.”*

Finally, the DRB amended condition PFC22 to read, *“Prior to the issuance of a PW permit, the design and construction adjacent to the rail ROW must be approved by the*

City Engineer. Provide detailed plans for tree removal, drainage improvements and erosion control measures.”

Issue: Vehicle parking adjacent to the proposed maintenance facility. Vehicle parking spaces adjacent to the maintenance facility are restricted to a minimum of six (6) and a maximum of nine (9), standard and one (1) ADA parking space and the bicycle accommodations to two (2), based on Development Code Section 4.155 (.02) (M).

The DRB added to existing finding F35 to read: *“However, staff recognizes that the proposed use is not specifically listed in Table 5. WDC 4.155(.02)(M) provides for the DRB to determine the parking requirements for types of uses and structures not specifically listed in the Code. Staff has conducted a limited search for other jurisdictions which might address the proposed use and found that the City of Yakima, Washington addresses Bus Terminals – Storage and Maintenance under Title 15 of the City Code (Urban Area Zoning Ordinance, Off-Street Parking Standards). Yakima has adopted a standard of one (1) space/500 square feet of gross floor area. For a 17,000 square foot facility, this would equal 34 parking spaces. Staff provides this standard as an example for consideration.”*

Recommendation: The DRB amended condition PDF4 to read: *“Vehicle parking spaces adjacent to the maintenance facility are restricted to a minimum of six (6) and a maximum of twenty-one (21), standard and one (1) ADA parking space and the bicycle accommodations to two (2), based on Development Code Section 4.155 (.02) (M).*

Issue: Recycling water from train washing at the train maintenance building.

The DRB requested the applicants to check into the possibility of recycling the train wash water. The applicants have indicated to staff that the frequency of washing trains would only occur once a month.

Recommendation: Recycling wash water is not necessary because of the few times trains would be washed. The wash water will be directed into the sanitary sewer through appropriate cleaning devices to remove oils, debris and similar contaminants.

Miscellaneous design issues:

SMART staff recommended, and the DRB replaced the language in PFC 13 on page 15 of 127 to read as follows:

The applicant shall include the following items in order to make the facility as transit friendly as possible. Measures shall be taken to enhance transit access to the site and pedestrian connections to transit.

- *One passenger shelter shall be installed at each bus bay on the transit center. The shelters shall be at a minimum of 48” x 93” and shall include a bench inside the shelter.*

- *The transit center shall accommodate the simultaneous passage of two 102" wide transit buses while transit buses are parked in the bus bays.*
- *Bus bays shall accommodate a 40' by 102" wide transit coach.*
- *The bus turn around shall accommodate the turning radius of a 40' transit coach.*
- *The bus area shall be engineered to accommodate the load demand of a 40,000 pound, two axle vehicle.*
- *There shall be signage in the plaza area that directs pedestrians to the various modes of travel available at the Multi-Modal Transit Center. Signage shall meet all ADA requirements for font size and contrast requirements.*
- *Lighting shall be provided in the bus transit center, park and ride lot, and rail platform. Lighting shall conform to City of Wilsonville lighting code requirements.*
- *Kiosks for schedule and route information shall be installed in the plaza area near both the rail platform and the bus transit center.*
- *Memorial signs shall be installed to identify the park and ride / transit center. These signs shall include a design that recognizes both SMART and TriMet as partners in this project.*
- *Signage for "Bus Only" and "Car Parking" entrances to the facility.*
- *Adequate trash receptacles shall be provided for the facility and shall be located in a manner that provides convenient access by both train and bus passengers. Receptacles shall be consistent with architectural design of the SMART Multi-Modal Transit Center.*
- *Designated Handicapped and Short-Term (Kiss and Ride) parking spaces shall be identified.*
- *Spaces reserved for carpools and vanpools shall be identified.*
- *An illuminated flag pole shall be installed in the center of the bus turn-around.*
- *An art pad shall be installed in the plaza for the City of Wilsonville's annual rotating art displays.*
- *Benches shall be installed in the plaza area and the rail platform. Benches shall be consistent with the architectural design of the SMART Multi-Modal Transit Center.*
- *Curb cuts shall be installed in convenient locations and in accordance with ADA requirements.*
- *Bicycle racks and bicycle lockers shall be installed in the plaza area in accordance with City of Wilsonville code requirements.*
- *Park and ride design shall allow convenient pedestrian access to both the rail platform and the bus transit center."*

October 5, 2006



29799 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-1011
(503) 682-1015 Fax Administration
(503) 682-7025 Fax Community Development

**DEVELOPMENT REVIEW BOARD PANEL B
NOTICE OF DECISION and RECOMMENDATION TO CITY COUNCIL**

Project Name: Wilsonville Commuter Rail Station & SMART improvements

Case File No(s): DB06-0076; DB06-0078; DB06-0079; DB06-0080; DB06-0083;
DB06-0084 and SI06-0005

Applicant: TriMet/SMART City of Wilsonville

Owner: TriMet ; SMART/City of Wilsonville; Washington County

Proposed Action: Approval of

1. DB06-0076: Zone Map Amendment from RA-H to PDI
2. DB06-0078: Stage 1 Preliminary Plan
3. DB06-0079: Stage 2 Final Plan, Phase 1,
4. DB06-0080: Master Sign Plan
5. DB06-0083: Type C Tree Removal Plan
6. DB06-0084: Site and Design Plans,
7. SI06-0005: Significant Resource Impact Report

for a commuter rail station, a new transit center for SMART bus system, a 400-space park & ride for shared use by commuter rail and bus passengers, and a commuter rail maintenance facility.

Property Description: Tax Lots 600, 700 and 900 Section 14B and portions of Tax Lots 1601 and 1701, Section 14A, T3S-R1W, Clackamas County, Wilsonville, Oregon

On September 25, 2006, at the meeting of the Development Review Board Panel B, the following action was granted on the above-referenced proposed development application:

- The DRB recommended that the City Council approve the Zone Map Amendment and Stage 1 Preliminary Plan
- The DRB approved with conditions the Stage 2 Final Plan, the Master Sign Plan, a Type C Tree Removal Plan, the Site and Design Plans and the SRIR. *The DRB's action is contingent upon Council's approval of the Zone Map Amendment and Stage 1 Preliminary Plan. A Council hearing date is set for October 16, 2006.*

Any appeals by anyone who has participated in this hearing, orally or in writing, must be filed with the City Recorder within fourteen (14) calendar days of the mailing of the Notice of Decision. *WC Sec. 4.022(.02).*

This decision has been finalized in written form and placed on file in the City records at the Wilsonville City Annex this 3rd day of October, 2006, and is available for public inspection. This decision shall become effective on the fifteenth (15th) calendar day after the postmarked date of the written Notice of Decision, unless appealed or called up for review by the Council in accordance with this Section. *WC Sec. 4.022(.09)*

Written decision is attached

This approval will expire on September 25, 2008. *See WC Section 4.163 for renewal.*

For further information, please contact the Wilsonville Planning Division at the Wilsonville City Hall, 29799 SW Town Center Loop E., Wilsonville Oregon 97070 or phone 503-682-4960

Attachments: DRB Resolution No 78, including adopted staff(s) reports with conditions of approval.

Exhibit B



"Serving The Community With Pride"

DEVELOPMENT REVIEW BOARD PANEL B
RESOLUTION NO. 78

A RESOLUTION ADOPTING FINDINGS APPROVING:

- DB06-0076:** Recommending a Zone Map Amendment from Residential Agricultural - Holding Zone (RA-H) to Planned Development Industrial (PDI) for the proposed Tri-Met/Tri-County.
- DB06-0078:** Recommending approval of a Stage I Preliminary Plan.
- DB06-0079:** Stage II Final Plans for a Tri-Met/Tri-County Metropolitan parking lot, commuter rail station and SMART bus center.
- DB06-0080:** Master Sign Plan for the project.
- DB06-0083:** Type 'C' tree removal and preservation plan for the project.
- DB06-0084:** Site Design Plans the proposed Tri-Met/Tri-County Metropolitan parking lot, commuter rail station and SMART bus center and for a train maintenance building.
- SI06-0005:** Significant Resource Impact Report for proposed development within the Significant Resource Overlay Zone.

The Development Review Board's action on Case Files DB06-0079, DB06-0080, DB06-0083, DB06-0084 and SI06-0005, will be contingent upon City Council's action on Case Files DB06-0076 and DB06-0078.

THE PROPERTY SITE IS LOCATED AT THE NORTH SIDE OF BARBER STREET AND EAST OF KINSMAN ROAD AND WEST OF BOBERG ROAD, WHICH IS MORE SPECIFICALLY DESCRIBED AS TAX LOTS 600, 700 and 900, IN SECTION 14B; AND PORTION OF TAX LOTS 1601 AND 1701 IN SECTION 14A, TOWNSHIP 3S, RANGE 1W; CLACKAMAS COUNTY; WILSONVILLE, OREGON. TRI-MET AND SMART/CITY OF WILSONVILLE, APPLICANTS.

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

WHEREAS, the Planning Staff has prepared reports on the above-captioned applications dated September 15, 2006, and

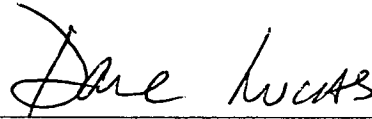
WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board at a regularly scheduled meeting conducted on September 25, 2006, at which time exhibits, together with findings and public testimony were entered into the public record, and

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

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

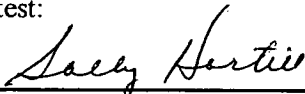
NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report attached hereto as Exhibit A with findings and recommendations contained therein, with amendments as read into the record, and approves DB06-0079, DB06-0080, DB06-0083, DB06-0084 and SI06-0005, consistent with said recommendation and recommends that the City Council approve DB06-0076 and DB06-0078. Approvals under this Resolution are subject to City Council approval of a Zone Map Amendment and the Stage I Preliminary Plan (DB06-0076 and DB06-0078).

ADOPTED by Panel B of the Development Review Board of the City of Wilsonville at a regular meeting thereof this 25th day of September, 2006, and filed with the Planning Administrative Assistant on 10/5/2006. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision unless appealed or called up for review by the Council in accordance with WC Sec 4.022(.09).



Dave Lucas, Acting chair Panel B
Wilsonville Development Review Board

Attest:



Sally Hartill, Planning Project Coordinator

-Exhibit A.1
WILSONVILLE PLANNING DIVISION
STAFF REPORT
Wilsonville Commuter Rail Station & SMART Improvements
Quasi Judicial Hearing
(Amended and Adopted by the DRB on September 25, 2006)

Bold/italic = New words

~~Strikethrough~~ = Deleted words

Public Hearing Date: September 25, 2006
Date of ~~Report~~ Report: September 18, 2006

Application Numbers:

Request A:	DB06-0076 Zone Map Amendment
Request B:	DB06-0078 Stage I Master Plan
Request C:	DB06-0079 Stage II Final Plan
Request D:	DB06-0080 Master Sign Plan
Request E:	DB06-0083 Type 'C' Tree Plan
Request F:	DB06-0084 Site Design Review
Request G:	DBS/06-0005 SRIR Review

Property Owners: City of Wilsonville, Washington County
Co-Applicants: TriMet and SMART/City of Wilsonville
Co-Applicants' Representative: Mary Dorman, Angelo Planning Group, Inc.

REQUEST: TriMet is proposing to develop a commuter rail station and maintenance facility that would be the southern terminus of the Washington County Commuter Rail Project. SMART is proposing to co-locate with the station a new transit center for their bus system and an approximately 400-space park & ride lot for shared use by commuter rail and bus passengers. The applicants have submitted a Master Plan for 29 acres located in Area of Special Concern – E, north of Barber Street, west of Boberg Road, and south of Boeckman Road. The site is divided by the Portland & Western Railroad tracks. The commuter rail maintenance facility will be constructed to the east side of the tracks. Passenger facilities will be developed to the west side of the rail tracks, including the commuter rail platform, park & ride lot, and transit center. The applicants are requesting to develop phase I of the Master Plan on approximately 14 acres on three tax lots and portions of two others.

The following requests apply to the subject property, as defined in the applicants' submittal documents: Approvals of a Zone Map Amendment from Residential Agricultural – Holding Zone (RA-H) to Planned Development Industrial Zone (PDI), Stage I Master Plan, Stage II Final Plan, Master Sign Plan, Type 'C' Tree Removal Plan, and Site Design Review. The applicants are also requesting approval of a Significant Resource Impact Report for non-exempt development that is located within the Significant Resource Overlay Zone and its associated 25-foot Impact Area. Proposed development that is exempt from SROZ regulations based on provisions of the Wilsonville Development Code (WDC) are: 1) improvements to the railroad tracks to access the new maintenance facility; and 2) ~~Aa~~ flow spreader to maximize the dispersion of treated stormwater runoff in the adjacent wetland area.

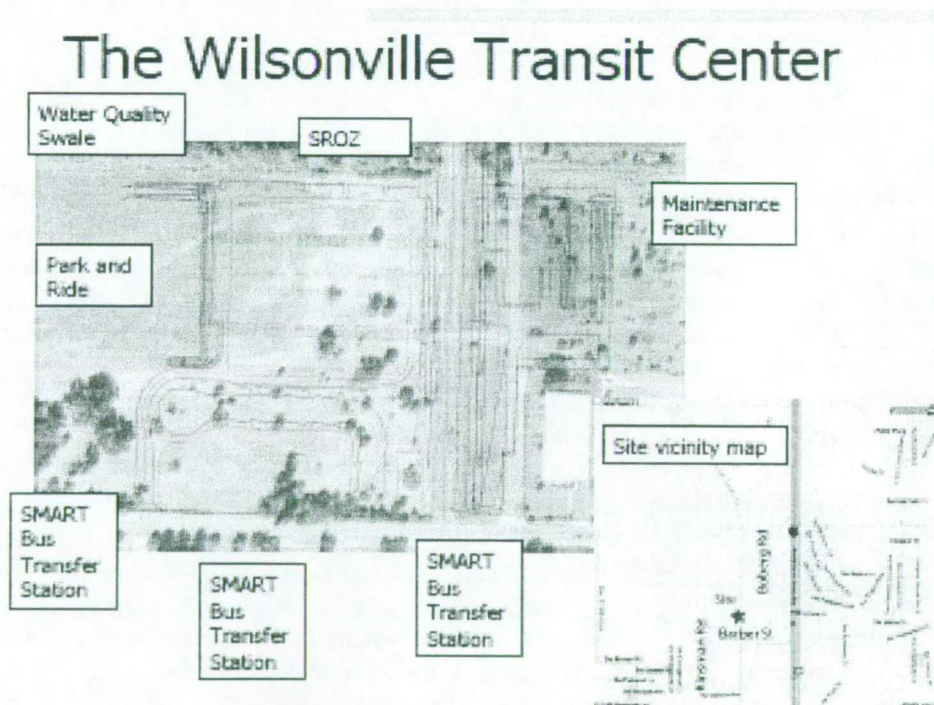
Comprehensive Plan Designation: Industrial; Areas of Special Concern – Area E
Zone Map Designation: Planned Development Industrial (PDI) and Residential Agricultural-Holding Zone (RA-H)
Note: Included is the request for a Zone Map Amendment of the RA-H parcels to PDI.
Significant Resource Overlay Zone (SROZ)

STAFF RECOMMENDATION/DRB ACTION: *The Development Review Board* Approved Requests B through G with conditions of approval, **and** recommends to the City Council approval of Request A.

Staff Reviewers: Blaise Edmonds, Manager of Current Planning, Barbara Coles, Steve Adams, Chris Neamtzu, Kerry Rappold, Kristin Retherford, Jadene Stensland, and Don Walters.

Project Location: Approximately 14 acres within the 29-acre Master Planned site, located generally north of Barber St., west of Boberg Rd., on either side of the Portland and Western Railroad tracks. The entire site is located within the Wilsonville City Limits.

Legal Description: TL #31W14B00700
TL #31W14B00600
TL #31W14B00900
TL #31W14A- portion of 1601 and 1701



APPLICABLE REVIEW CRITERIA:

Wilsonville Comprehensive Plan

Areas of Special Concern – Area E

Wilsonville Transportation System Plan

Wilsonville Planning & Development Ordinance

Sections 4.008 through 4.015: Administration

Section 4.029 Zoning to be Consistent with Comprehensive Plan

Section 4.110 Zoning - Zones

Section 4.135 Purpose and Permitted Uses in the PDI Zone

Section 4.197 Zone Change Procedures and Approval Criteria

Section 4.140 Planned Development Regulations

Section 4.118 Standards Applying to All Planned Development Zones

Section 4.117 Standards Applying to Industrial Developments in Any Zone

Section 4.135 Planned Development Industrial Zone (PDI)

Section 4.400 Site Design Review Purpose

Section 4.421 Site Design Review Standards

Section 4.440 Site Design Review Procedure

Section 4.155 General Regulations-Parking, Loading and Bicycle Parking

Section 4.156 Sign Regulations

Section 4.167 Access, Ingress and Egress

Section 4.171 Protection of Natural Features and other Resources

Section 4.175 Public Safety and Crime Prevention

Section 4.176 Landscaping, Screening, Buffering

Section 4.177 Street Improvement Standards

Section 4.178 Sidewalk & Pathway Standards

Section 4.179 Mixed Solid Waste and Recyclables Storage in Multi-Unit Residential and Non-Residential Buildings.

Section 4.600 Tree Preservation and Protection - Purpose and Declaration

Section 4.610 Application Review Procedures

Section 4.610.10 Standards for Tree Removal, Relocation, or Replacement

Section 4.610.40 Type C Tree Plan Approval Criteria

Section 4.620.00 Mitigation, Maintenance, and Protection

Section 4.620.10 Tree Protection During Construction

Sections 4.139.01 through 4.139.04 SROZ Purpose and Applicability

Section 4.139.05 SRIR Review Criteria

Section 4.139.06 Mitigation in the SROZ Overlay Zone

SUMMARY AND ISSUES

Wilsonville Development Code requirements are shown in **bold** type. Excerpts from the application are shown in *italics*.

The applicants are requesting approval of a Master Plan, Site Development Plan, Site Design Review, Master Sign Plan, Class C Tree Removal Plan, and SRIR Review in order to construct a TriMet commuter rail station and maintenance facility, and a SMART transit center and park & ride lot. In addition, Wilsonville's Code requires a zone change in conformance with the Comprehensive Plan prior to partitioning or subdividing properties for development in the RA-H zone. The City plans to partition property and TriMet is proposing lot line adjustments affecting parcels currently designated Industrial in the Comprehensive Plan but zoned RA-H. Therefore, the applicants are requesting a recommendation from the DRB to City Council for a zone change to PDI for those parcels.

The proposed development will be on multiple contiguous parcels located west of I-5 and Boberg Rd. and north of Barber St. The subject site is split north to south by the Portland and Western Railroad. The application states that, "*The Wilsonville station will be the southern terminus of the commuter rail corridor [Washington County Commuter Rail Project]. Passenger facilities will be developed to the west side of the rail tracks, including the commuter rail platform, a new transit center for the South Metro Area Rapid Transit (SMART) bus system and approximately 400-space park & ride spaces for shared use by commuter rail and bus passengers. A commuter rail maintenance facility will be constructed to the east side of the rail tracks. The Wilsonville commuter rail facilities will support a 'jobs rich' employment area to the west side of I-5 and will also be located in proximity to rapidly growing residential neighborhoods, including the approximately 2,500 home Villebois development that is under construction.*"

Application

The applicants have submitted a consolidated application (Exhibit B1) organized into six sections:

- Section 1) General Information
- Section 2) Zone Change
- Section 3) Stage I Master Plan and II Planned Development
- Section 4) Site Design Review and Master Sign Plan
- Section 5) Type C Tree Permit
- Section 6) SROZ Application.

Sections 2 through 6 each provides a general description of the applicable request, a report demonstrating compliance with the applicable review criteria, and attached plan sheets and other exhibits (Exhibits B2 and B3). Section 3 addresses the Stage I Master Plan with a request for a Stage II Development Plan for Phase I (commuter rail maintenance facility, commuter rail station, transit center, and park & ride lot).

The following report addresses the applicable Comprehensive Plan and Development Code provisions related to each of the proposed land use actions. It is formatted with the applicable policy, criterion or standard set out in **bold** type followed by a narrative response presenting findings and conclusions relative to how this proposed development complies with that policy, criterion, or standard.

Request -A Zone Map Amendment

As demonstrated in Findings A1 through A20, the applicants' proposed Zone Map Amendment meets all applicable requirements, and the proposed project can be made to meet all applicable Code standards and criteria through required conditions of approval. DRB approval is a recommendation to the City Council.

Request B – Stage I Master Plan

The applicants are requesting approval of a Master Plan for an area consisting of approximately 29 acres shown on Section 3, Attachment A of the consolidated application. The Master Plan anticipates phased development, over time, principally supporting the southern terminus of the Washington County Commuter Rail Project, plus co-located South Metro Area Rapid Transit center facilities. This request is being submitted concurrently with applications for a Zone Map amendment, Stage II Development Plan, Master Sign Plan, Site Design Review, Type C Tree Removal Plan, and a Significant Resource Impact Report (SRIR).

Land Uses

Attachment [3]A to this narrative [Section 3] outlines the boundaries and conceptual elements for the STAGE I Planned Development. Key components are described below:

- *Stage I boundary includes the entire City property west of the rail tracks.*
- *The Stage I Plan shows future phases of development, including the Kinsman Road extension, westerly expansion of the park & ride lot, the City's future development parcel on Barber Street, and the proposed location of the public restrooms and driver station near the plaza. A separate site design review approval will be required prior to construction of this building.*
- *East of the rail tracks, the Stage I boundary includes the portions of the County Property that will be transferred to TriMet for the maintenance facility and track improvements.*
- *The narrow band (20 feet) that extends from Barber Street on the south to Boeckman Road on the north is included in the Stage I boundary because it is a single lot.*

Significant Resource Overlay Zone

The City of Wilsonville has mapped a Significant Resource Overlay Zone that generally extends in an east-west direction along the northern boundary of the city-owned parcel located west of the railroad corridor and the maintenance facility parcel located east of the railroad corridor. Additionally, the SROZ extends into portions of the city-owned parcel that lies west of the Phase I park & ride and transit center improvements that are addressed in the concurrent Site Design Review application (see Section 4 of consolidated land use application).

Staff has review the applicants' proposed Stage I Master Plan and has determined that it is consistent with the Comprehensive Plan Map designation of Industrial.

The application includes conceptual and quantitatively accurate representations of the entire development sufficient to judge the scope, size, and impact of the development on the community.

As demonstrated in Findings B1 through B31, the application meets all applicable requirements. ~~The recommendation to~~ ~~the DRB is for~~ **approved Request B and the recommended condition of approval.**

Request C - Stage II Final Plan

The applicants are requesting Stage II approval for development of Phase I of the Wilsonville Commuter Rail Station and the SMART Transit Center and Park & Ride Lot. The Phase I area includes approximately 14 acres located within the proposed Master Plan area as shown on Section 3 - Attachment A. This request is being submitted concurrently with applications for a Zone Map amendment, Stage I Master Plan, Master Sign Plan, Site Design Review, Type C Tree Removal Plan, and a Significant Resource Impact Report (SRIR) in support of the proposed uses listed below. This development plan is consistent with the proposed Master Plan.

Land Uses

Attachment [3]A also outlines the smaller boundary and more detail on the components of the Stage II Development Plan. The Stage II boundary matches the Site Design Review boundary....Key components are described below:

- *Access to the park & ride, transit center and maintenance facility*
- *TriMet commuter rail station and maintenance facility*
- *SMART transit center, including 12 bus bays and plaza*
- *Park & ride lot, including 8 kiss & ride spaces*
- *SROZ enhancement area and water quality swale*

Significant Resource Overlay Zone

Site grading will result in a very narrow impact to the SROZ [BUFFER] along the northerly edge of the park & ride lot. As shown on Attachment [6]A, the impact area totals 2,465 feet. This impact to the SROZ is associated with the placement of fill, and no pavement or structures will be located with the SROZ....Two other very minor areas of impact are exempt from the SROZ regulations....As discussed with City of Wilsonville staff, the improvements to the railroad tracks to access the maintenance facility are within the SROZ but are exempt from regulations under Section 4.139.04(.09)...However, even though the railroad improvements are exempt from local land use review, state and federal permits (DSL/COE) are still required.

Project Overview

The consolidated land use application(s) for the Wilsonville terminus includes the following improvements:

- Construct 17,000 square foot commuter rail maintenance facility building on a two-acre site to the east of the rail corridor. In addition to the building, the maintenance facility site improvements include parking, landscaping, lighting and fencing.
- Construct commuter rail station to the west side of the rail corridor. The commuter rail station amenities include a metal platform shelter and benches in the station plaza area, guardrail, pedestrian-scale lighting, ticket vending machines, schedule kiosk, trash cans, etc.
- Construct 12-bay transit center for SMART on a portion of a 1.5-acre site to the west of the rail corridor. The transit center site improvements include a new bus access to Barber Street and associated transit amenities, such as bus shelters, plaza, pedestrian-scale lighting, benches, bike lockers, trees in grates, schedule kiosks, a concrete pad/pedestal for public art, etc.
- Construct a shared use park & ride lot on approximately 4.75 acres to the west of the commuter rail station and north of the transit center. The park & ride site improvements include a separate access point to Barber Street, a total of 399 parking spaces (all types), lighting, parking lot landscaping, and pedestrian connections to the commuter rail station and transit center.

Project Schedule

A timeline of other related events important to the overall Commuter Rail Project follows:

Schedule	Activity
July 2006	Contractors begin to mobilize work crews and prepare to open staging areas
July 2006	Contractors open staging area for ballast and other materials on the future maintenance facility site in Wilsonville
July – August 2006	TriMet submits land use applications for all five stations and park & rides
August 2006	Issuance of wetland, water quality and erosion control permits for the Project from Corps of Engineers, Division of State Lands and Department of Environmental Quality
August 2006	Stacy & Witbeck, Inc. begins bridge construction work
October 2006	Replacement of rail track from Wilsonville to Beaverton. The specialized P811 machine will allow this work to be completed in 15 days
October 2006	Expected receipt of Federal Full Funding Grant Agreement (FFGA). Initiation of land exchange between Washington County and City of Wilsonville
December 2006	Anticipated land use approvals from Beaverton, Tigard, Tualatin and Wilsonville
January 2007	Construction begins on Tigard and Wilsonville commuter rail facilities
April 2007	Construction begins on Beaverton commuter rail facilities
July 2007	Construction begins on Tualatin commuter rail facilities
September 2008	Commuter rail service begins

The location, design, size and industrial/public facilities uses of the proposed project, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.

The uses of the proposed project, separately and as a whole, constitute essential government services and are exempt from meeting the level of service D criteria standard.

The revised Table 8 (Exhibit A.8) of the DKS Associates Transportation Impact Study now indicates the proposed development will not create an aggregate level of traffic at LOS "F" at the intersection of Boberg Road and Barber Street. Condition of approval PFC14 requires that intersection to be improved to at least LOS D within two (2) years of approval by the City Council of the zone map amendment for the proposed site.

The location, design, size and uses of the proposed project are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.

The final plans are of sufficient detail to indicate fully the ultimate operation and appearance of the first phase of the Master Plan.

As demonstrated in Findings C1 through C36, the proposed Stage II Final Plan can be made to meet all applicable Code requirements through required conditions of approval. ~~The recommendation to the DRB is for approved~~ **Request C with conditions of approval.**

Request D - Master Sign Plan

The applicants are requesting approval of a Master Sign Plan for monument signs at the entrances to the park & ride lot, the transit center, and the maintenance facility.

The remaining signs to be installed on the subject property are exempt from meeting the sign criteria standard because they relate to traffic control and directional signage. Other signs are permitted because they are associated with City property and improvements (transit center and park & ride); these signs and their placement must meet all other applicable standards and criteria. However, all monument signs had been submitted for DRB review and approval.

As demonstrated in Findings D1 through D8, the proposed Master Sign Plan ~~can be made to~~ meets all applicable Code requirements ~~through required conditions of approval~~ and the ~~recommendation to the DRB is for approved~~ **Request D with no conditions of approval.**

~~**Issue - Finalizing Sign Text and Graphics:** The applicants have submitted information on sign materials, color schemes, proportions, and location of the monument signs. TriMet and SMART are coordinating to finalize details on sign text and graphics, which will need to be reviewed.~~

Request E - Type 'C' Tree Removal Plan

The applicants are requesting approval of a Type C Tree Removal Plan. The arborist report and findings address the improvements that will be made on the west side of the existing railroad right-of-way. The site improvements include a park & ride, SMART transit facilities, plaza, and commuter rail station platform. Of the 171 trees found on this site, the design requires the definite removal of 60 trees for which a Type C permit is sought. The maintenance facility site does not encompass trees larger than 6" and is, therefore, not subject to tree plan requirements. There are 135 trees proposed to be planted west of the railroad tracks and 33 trees will be added east of the tracks.

As demonstrated in Findings E1 through E32, the proposed Type 'C' Tree Plan is in substantial compliance with the applicable provisions of WDC 4.610.40 and WDC 4.6-620.00, subject to compliance with the recommended conditions of approval. Recommendation to the Development Review Board is for approved Request E with conditions of approval.

~~**Issue - Trees Needing Further Analysis:** The application has identified a category of trees that will require additional arborist analysis (the "More Analysis Needed" category) once the tall blackberry brush has been cleared from the site allowing for better access and evaluation. The trees in the "More Analysis Needed" category are not part of the project area, but are part of the future development of the surplus property. Staff is recommending a condition of approval requiring that these trees not be removed until such time as there is a development proposal for the surplus property. There are trees that will be removed as part of the Barber Street widening. If there are additional trees in this category that need to be removed to accommodate the road project, the applicant/arborist shall coordinate with the City regarding the appropriate process for review and mitigation consistent with the Tree Preservation and Protection section of the Code.~~

Request F - Site Design Review

The applicants are seeking approval of Site Design Plans consistent with the Stage I Master Plan and Stage II Final Development Plan. One new building and multiple site improvements are proposed, including a 17,000 square-foot commuter rail maintenance facility building and public facilities consisting of a commuter rail station (platform), a 12-bay transit center, and an approximately 400-space park & ride lot. The public facilities are connected by a plaza with benches, an art pad and landscaped with trees and bedding plants.

The applicable Design Objectives of Area of Special Concern E are met by the proposed project.

As demonstrated in Findings F1 through F7481, the proposed Site Design Review can be made to meet all applicable Code requirements through required conditions of approval. ~~The recommendation to the DRB is for approved~~ *Request F with conditions of approval.*

Request G - Significant Resource Impact Report

The applicant is requesting approval of a Significant Resource Impact Report (SRIR) for non-exempt development that is located within the Significant Resource Overlay Zone and its associated 25 foot Impact Area. The proposed non-exempt development will encroach into the Significant Resource Overlay Zone and its associated 25 foot Impact Area. All non-exempt development will occur within the 50-foot Title 3 wetland vegetated corridor for the creek and its associated 25 foot Impact Area. The impacted area totals 2,465 square feet and is situated along the northerly edge of the park and ride lot. The impact to the SROZ is necessary to accommodate a landscaped embankment, which is 425 feet long and approximately six (6) feet wide.

Proposed exempt development in the SROZ and its associated 25 foot Impact Area includes the following:

- 1) Improvements to the railroad tracks to access the new maintenance facility; and
- 2) A flow spreader to maximize the dispersion of treated stormwater runoff in the adjacent wetland area.

~~As demonstrated in~~ *Based on* Findings G1 through G34, with conditions of approval referenced therein, the proposed Significant Resource Impact Report ~~should be~~ *was approved by the DRB.*

ADOPTED CONDITIONS OF APPROVAL
Development Review Board September 25, 2006

<p>PD = Planning Division conditions BD – Building Division Conditions PF = Engineering Conditions. NR = Natural Resources Conditions TR = SMART/Transit Conditions FD = Tualatin Valley Fire and Rescue Conditions</p>	<p>Request A: DB06-0076 Zone Map Amendment Request B: DB06-0078 Stage I Master Plan Request C: DB06-0079 Stage II Final Plan Request D: DB06-0080 Master Sign Plan Request E: DB06-0083 Type ‘C’ Tree Plan Request F: DB06-0084 Site Design Review Request G: SI06-0005 SRØZIR Review</p>
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Request A: DB06-0076 Zone Map Amendment

Planning Division Conditions:

On the basis of *applicants’ findings, findings of fact, analysis and* conclusionary findings A1 through A20, ~~staff recommends that the Development Review Board forward a recommendations to~~ **approveal of** the **Zone Map Amendment** to City Council, ~~along with any DRB recommended conditions.~~ *with no conditions of approval.*

Request B: DB06-0078 Stage I Master Plan

On the basis of *applicants’ findings, findings of fact, analysis and* conclusionary findings B1 through B31, ~~staff recommends that the Development Review Board~~ **approved** the **Stage I Master Sign Plan** along with the recommended conditions ~~necessary to fully comply with the requirements of the Code of approval.~~

Planning Division Conditions:

PDB 1. The Applicants/Owners shall provide the general contractor for the proposed project with a copy of the approved plans and conditions of approval adopted by the City.

~~**PDB 2.** Applicants shall provide a demonstration of certification for boundary surveys or boundary descriptions representing all parcels within the master plan area. See finding B24.~~

Request C: DB06-0079 Stage II Final Plan

On the basis of *applicants'* findings, *findings of fact, analysis and* conclusionary findings C1 through C36, ~~staff recommends that~~ the Development Review Board **approved** the **Stage II Final Plan** along with the recommended conditions necessary to fully comply with the requirements of the Code.

Planning Division Conditions:

PDC 1. This action approves Phase I for the Stage II Final Plan (Plan Sheet 25) submitted with this application, approved by the Development Review Board, and stamped "Approved Planning Division".

PDC 2. The general contractor for the proposed project shall be provided with a copy of the approved plans and conditions of approval adopted by the City.

~~**PDC 3.** The Applicant shall verify the location of the outdoor storage area and describe the nature of surfacing. See finding C33.~~

PDC 4. The Applicants/Owners shall identify unused property or property designated for expansion and any proposed landscaping. See finding C34.

~~**PDC 5.** Issue: Landscaping of open storage areas. TriMet has correctly noted that the Development Code requires landscape screening of open storage areas and generally precludes chain link fencing with no site obscuring slats. They have cited concerns for safety and security plus federal mandates which affect their fencing options. This position may create a conflict between standards WDC Section 4.176(.01)(I) and (J). The DRB is being asked to examine the issue, determine the merits of the TriMet position, and decide whether a waiver shall be granted as provided for under WDC Section 4.176(.02)(B). Please refer to Findings F58, F59, and F60. *The fenced signal storage area shall be enclosed with a 6-foot, green vinyl chain link fence.*~~

Engineering Division Conditions:

Based on the review of the materials submitted, Staff has prepared the following Conditions of Approval. These conditions are applicable to the subject application; any subsequent modifications may require amendments and/or additions.

A Transportation Impact Analysis was prepared to address traffic related issues associated with the application.

General

PFC 1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards – 2006.

PFC 2. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.

PFC 3. Staff reserves the right to require revisions/modifications to the public improvement construction plans and completed street improvements, if additional modifications or

expansion of the sight distance onto adjacent streets is required.

PFC 4. All public utility/improvement plans submitted for review shall be based upon a 22" x 34" format and shall be prepared in accordance with the City of Wilsonville Public Works Standards.

PFC 5. Plans submitted for review shall meet the following criteria:

- a. Provide composite as well as detailed public/private utility improvements and grading plan.
- b. Public/private utility improvements that are not contained within any public street shall be provided a maintenance access acceptable to the City. The public/private utility improvements shall be centered in a 15 ft wide public easement and shall be conveyed to the City on its dedication forms.
- c. Design of any public/private utility improvement shall be approved at the time of the issuance of a Public Works Permit.
- d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
- e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.
- f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
- g. All new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground.
- h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.
- i. Erosion Control Plan that conforms to the City of Wilsonville Ordinance No. 482.
- j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
- k. All engineering plans, specifications, calculations, etc. shall be stamped by a Professional Engineer registered in the State of Oregon.
- l. At the completion of the installation of any required public improvements, and before a punch list inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of record drawings which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised set shall be submitted. The set shall consist of drawings on 3 mil. Mylar and an electronic copy in AutoCAD version 2000.

PFC 6. Submit plans in the following format and order:

- a. Cover Sheet
- b. General note sheet
- c. Existing condition plans
- d. Erosion control and tree protection plan
- e. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and

	<p>sidewalk and road connections to adjoining properties.</p> <ul style="list-style-type: none"> f. Grading plan, with 1-foot contours. g. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes. h. Detailed plans; show plan view and either profile view or provide I.E.'s at all utility crossings; include laterals in profile view or provide table with I.E.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'. i. Street: Both plan and profile views j. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference k. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference. l. Detailed plan for storm water detention facility (both plan and profile views), including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. m. Composite franchise utility plan. n. City of Wilsonville detail drawings o. Illumination plan p. Striping and signage plan q. Landscape and irrigation plan.
PFC 7.	The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Wilsonville Ordinance No. 482 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.
PFC 8.	To lessen the impact the impact of the proposed project on the downstream storm drain system, and adjacent properties, project run-off from the site shall be detained and limited to the difference between a developed 25-year storm and an undeveloped 25-year storm. The detention and outfall facilities shall be designed and constructed in conformance with the Public Works Standards – 2006.
PFC 9.	A storm water analysis prepared by a Registered Professional Engineer shall be submitted for review and approval by the City to address appropriate pipe and detention facility sizing.
PFC 10.	The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards – 2006.
PFC 11.	The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards and provide a copy of the Well Log to the City.
PFC 12.	All survey monuments on the subject site or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey

monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.

PFC 13. The applicant shall ~~contact SMART regarding~~ **include the following items in order to making the site/facility as transit friendly as possible.** ~~This project has potential for transit ridership and m-~~ Measures shall be taken to enhance transit access to the site and pedestrian connections to transit.

- ***One passenger shelter shall be installed at each bus bay on the transit center. The shelters shall be at a minimum of 48" x 93" and shall include a bench inside the shelter.***
- ***The transit center shall accommodate the simultaneous passage of two 102" wide transit buses while transit buses are parked in the bus bays.***
- ***Bus bays shall accommodate a 40' by 102" wide transit coach.***
- ***The bus turn around shall accommodate the turning radius of a 40' transit coach.***
- ***The bus area shall be engineered to accommodate the load demand of a 40,000 pound, two axle vehicle.***
- ***There shall be signage in the plaza area that directs pedestrians to the various modes of travel available at the Multi-Modal Transit Center. Signage shall meet all ADA requirements for font size and contrast requirements.***
- ***Lighting shall be provided in the bus transit center, park and ride lot, and rail platform. Lighting shall conform to City of Wilsonville lighting code requirements.***
- ***Kiosks for schedule and route information shall be installed in the plaza area near both the rail platform and the bus transit center.***
- ***Memorial signs shall be installed to identify the park and ride / transit center. These signs shall include a design that recognizes both SMART and TriMet as partners in this project.***
- ***Signage for "Bus Only" and "Car Parking" entrances to the facility.***
- ***Adequate trash receptacles shall be provided for the facility and shall be located in a manner that provides convenient access by both train and bus passengers. Receptacles shall be consistent with architectural design of the SMART Multi-Modal Transit Center.***
- ***Designated Handicapped and Short-Term (Kiss and Ride) parking spaces shall be identified.***
- ***Spaces reserved for carpools and vanpools shall be identified.***
- ***An illuminated flag pole shall be installed in the center of the bus turn-around.***
- ***An art pad shall be installed in the plaza for the City of Wilsonville's annual rotating art displays.***
- ***Benches shall be installed in the plaza area and the rail platform. Benches shall be consistent with the architectural design of the SMART Multi-Modal Transit Center.***
- ***Curb cuts shall be installed in convenient locations and in accordance with ADA requirements.***
- ***Bicycle racks and bicycle lockers shall be installed in the plaza area in accordance with City of Wilsonville code requirements.***
- ***Park and ride design shall allow convenient pedestrian access to both the rail platform and the bus transit center."***

PFC 14. The applicant shall ~~implement a transportation management program, to reduce the number of car trips to and from the site.~~ Applicant shall sign an agreement detailing the program requirements, which will run with the property.

~~This property shall contain the following basic elements:~~

- ~~• Designation of a transportation coordinator by each tenant; a transportation coordinator is an employee who is responsible for providing information on transportation options to other employees.~~
- ~~• Maintain a bulletin board (minimum size of 24" x 36") in a central location at each work site. Bulletin board must be used exclusively for transit and ridesharing information (provided by SMART).~~
- ~~• Annual commuting survey of employees (provided by SMART).~~
- ~~• Ensure that company cars are available for business travel.~~

~~In addition, applicant and/or tenants shall implement any combination of the following strategies to achieve a 10% reduction in automobile trips, based on DEQ's ECO checklist and subject to approval by SMART:~~

- ~~• Compressed work week option (such as four 10-hour days)~~
- ~~• A *Guaranteed Ride Home* program for employees who use alternatives transportation modes~~
- ~~• Incentive program for employees who use alternative transportation~~
- ~~• Charge for parking (or parking cash-out program)~~
- ~~• Company subsidized vanpool~~
- ~~• Showers/lockers for bicyelists/walkers~~
- ~~• On-site services (such as cafeteria or ATM)~~
- ~~• On-site rideshare matching (example: provide a dedicated computer with internet access and instructions on signing up for carpool matching on the free regional carpool database)~~
- ~~• Subsidy of TriMet passes for employees commuting from Portland~~
- ~~• A telework program~~
- ~~• Reserved carpool parking spaces~~

~~The applicant/owner shall implement TDM program acceptable to City staff. Said program will need to be found acceptable by staff prior to the issuance of a certificate of occupancy for the project. **improve the intersection of Barber and Boberg to at least LOS D within two (2) years of the date of the City Council approval of the zone map amendment on this site. (See Finding C13.)**~~

~~**(The applicant shall improve the intersection of Barber and Boberg to at least LOS D within two (2) years of the date of the City Council approval of the zone map amendment on this site.)**~~

PFC 15. All plans, specifications, calculations, etc. prepared in association with proposed public/private utility improvements shall be stamped by a Registered Professional Engineer of the State of Oregon.

PFC 16. The project shall relocate any existing overhead utility lines underground as determined feasible by the City. The applicant shall be responsible for and make all necessary arrangements with the serving utility to provide underground service. Overhead utilities located along Barber Street will be moved underground during construction of the street improvements at a later date.

PFC 17. The applicant shall obtain written approval from the appropriate source to construct any

	utilities or improvements within the easement areas.
PFC 18.	If required, the project shall install a manhole at each connection point to the public storm system (with City approved energy dissipaters and pollution control devices) and the sanitary sewer system.
PFC 19.	All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
PFC 20.	<p>A. The project shall provide American with Disabilities Act (ADA) compliant pedestrian linkages from the front doors of the maintenance facility buildings, bus transit center and rail station to the public sidewalks.</p> <p>B. <i>In those areas marked by the DRB on page 3 of Exhibit A.10, the Park and Ride Site Plan, key pedestrian crossings, within the project multi-modal facility, should be raised to clearly identify crossings of vehicle aisles shall include traffic calming devices to be jointly specified with City Staff.</i></p>
Specific	
PFC 21.	Prior to the issuance of a PW permit, the new Utility Vault access must be approved by the City Engineer. Provide detailed plans for the relocation of the access to meet federal railroad spacing and safety requirements for the private rail crossing.
PFC 22.	Prior to the issuance of a PW permit, the design and construction along adjacent to the Rail ROW must be approved by the City Engineer. Provide detailed plans for the Basalt Creek bridge removal, tree removal, drainage improvements and erosion control measures etc.
PFC 23.	From the materials submitted, it appears that the storm drain, domestic water and sanitary sewer facilities will be obtained from main line connections and/or extensions. Separate engineering drawings reflecting the installation of these public utilities will be required.
PFC 24.	<p>The original Traffic Impact Evaluation was completed on December 17, 2004 by DKS Associates, including the CR PNR, SMART PNR, CR Maintenance Facility and SMART/City/PW Maintenance Facilities. Because several of the project elements are different from typical land use developments projects (in that they both add and subtract trips) this assessment evaluated the trip to the facilities and the trips shifted to transit (reduction) and relocating existing trips. The project is anticipated to have the following impacts:</p> <ul style="list-style-type: none"> • Net P.M. peak hour trips: 482 • Trips through Wilsonville Road Interchange Area: 69 <p>At the request of Staff, DKS Associates completed an updated Transportation Impact Study dated December 14, 2006. The project is hereby limited to no more then the following impacts.</p> <ul style="list-style-type: none"> • Net P.M. peak hour trips: 306 • Trips through Wilsonville Road Interchange Area: 24
PFC 25.	Applicant shall coordinate and work with City staff to assure frontage improvements and required setbacks allow for the planned future improvements to Barber Street and Kinsman Road.

PFC 26.	Access to public streets shall be limited to three (3) proposed commercial driveways (Transit, PNR, Maintenance Facility) located on Barber Street, as shown on the material submitted. Driveways shall be wide enough to safely accommodate a 3-lane section, to a maximum of 40 ft width, as required by Public Works Standards. Thermoplastic material directional striping shall be required at park-n-ride access (for exit: right only arrow, left and ahead arrows).
PFC 27.	The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
PFC 28.	If one does not already exist, the applicant shall dedicate a 6 ft public utility easement along their frontage to Barber Street and Kinsman Road. No permanent structures are allowed within Public Utility easements.
PFC 29.	Show all existing utilities located on the subject site. Locate structures outside of any existing easements, or relocate existing utility(ies) upon approval of City and utility owner. If utility(ies) is relocated, applicant shall be responsible for preparation of all documents transferring easement to new utility location at their cost.
PFC 30.	The proposed routing of the public storm lines shall be subject to approval based on gradient and design flow requirements. Storm lines can not connect to the sanitary sewer system.
PFC 31.	Provide Stormwater Maintenance Covenant and Access Easements for PNR storm system
PFC 32.	The City is in the process of preparing plans for the re-construction of Barber Street in this location. The applicant shall coordinate the vertical and horizontal design of the improvements with the City's street construction plans. This will help minimize future conflicts and lead to a better product for the applicant and the City.
PFC 33.	It appears that the proposed development will occur in phases. If the west side of the property is built at a later date (expansion of PNR), the applicant shall provide barricades or other <i>the</i> means to prevent parking and/or driving on that portion of the property.
PFC 34.	The PNR project shall install an 8" diameter class 52 DIP public waterline and appurtenances from a stub connection at the existing waterline in Barber Street, extending to the north property line, for future connect to City's existing 8" dia. DIP public waterline on adjacent property, to complete a looped system. Extend 8" dia DIP water service stubs to end in blow-off assemblies at (1) the (future) SMART drivers' station building, (2) the (future) undeveloped site and (3) at the north property line. From this water main, extend fire hydrant stubs and install fire hydrant assemblies in park and ride facility, bus transit center, and Rail platform, as required by TVF&R. Provide required 3 foot clearance around each hydrant. From this water main, install domestic and irrigation water meters, within the ROW. If the property to the north constructs their portion of the looped waterline first, then the applicant shall make the connection.
PFC 35.	The Tri-Met maintenance facility project shall connect to a water line at Barber Street. Install domestic and irrigation water meters, within the ROW. From this water main, extend fire hydrant stubs and install fire hydrant assemblies
PFC 36.	This project shall connect to three 8" dia sanitary stub at Barber Street for (1) the (future) SMART drivers station building, (2) the (future) undeveloped site and (3) Tri-Met Maintenance Facility. The applicant shall connect to these stub-outs for all sanitary service. No other connection to the existing sanitary sewer will be allowed. Sump pumps are not

	allowed.
PFC 37.	The applicant shall install ADA compliant directional ramps at all traffic crossing locations, including, but not limited to the bus transit area and near the platform approaches.
PFC 38.	Provide safe pedestrian sidewalks, but restricted to authorized personnel, between the Tri Met platform and the maintenance facility.
PFC 39.	Provide a letter from BPA, allowing the proposed construction project and document the power line clearance, delineating where structures are not allowed on the plans.
PFC 40.	Maintenance Facility will require storm-water water quality facility. Provide calculation for approval by City Engineer.
PFC 41.	Provide wash-down facility design details, including the automatic switch between sanitary and storm sewers for approval by City Engineer.
PFC 42.	Provide Irrigation system and control system to meet PW standard equipment and interface with MaxicomSystem for approval by City Public Works Director.
PFC 43.	Maintenance Facility landscaping adjacent to Barber Street shall coordinate with Barber Street Improvement Landscape Plan.
PFC 44.	Access to adjacent taxlot 1600 from the new maintenance facility driveway shall be maintained.
PFC 45.	Provide detailed electrical plans for monument signs illumination, irrigation control and area lighting.
PFC 46.	Provide for minimum 15 ft wide public easement for all public utilities. Easements shall extend from street ROW to 7.5 ft past termination point of utility. Easements shall be conveyed to the City of Wilsonville on City approved forms.

<u>Natural Resources Conditions:</u>	
NRC 1.	Submit a drainage report and drainage plans. The report and plans shall demonstrate the proposed water quality treatment and water quantity control facilities satisfy the policies and standards of the City of Wilsonville's Stormwater Master Plan and Public Works Standards. Refer to Stormwater Master Plan Policy 9.3 (Stormwater Quality Policies) and Policy 9.5 (Stormwater Quantity Policies).
NRC 2. (Maintenance Facility only)	Pursuant to Implementation Measure 9.3.3.2, the applicant shall submit a maintenance plan (including the City's stormwater maintenance covenant and access easement) for the proposed water quality treatment and water quantity control facilities prior to approval for occupancy of the maintenance facility.
NRC 3.	Pursuant to the Stormwater Master Plan's Implementation Measure 9.4.1.1, access shall be provided to all areas of the water quality treatment and quantity control facilities. At a minimum, at least one access shall be provided for maintenance and inspection.
NRC 4. (Maintenance Facility only)	Provide outfall protection for stormwater discharge. Include a detail and specifications that satisfy the City of Wilsonville Public Works Standards.
NRC 5. (Maintenance Facility only)	Provide a plan view, detail and specifications for the proposed train washing facility.

NRC 6. (Maintenance Facility only) Provide a plan view, detail and specifications for the proposed train fueling equipment.

NRC 7. Pursuant to the City of Wilsonville's Ordinance No. 482, the applicant shall include the following techniques and methods in the submitted erosion and sedimentation control plan:

- a. Dust control;
- b. Temporary/permanent seeding or wet weather measures (e.g. mulch);
- c. Limits of construction; and
- d. Other appropriate erosion and sedimentation control methods

Request D: DB06-0080 Master Sign Plan

Planning Division Conditions:

On the basis of *applicants'* findings, *findings of fact, analysis and* conclusionary findings D1 through D8, ~~staff recommends that~~ the Development Review Board **approved** the **Master Sign Plan** along with the recommended conditions necessary to fully comply with the requirements of the Code *with no conditions of approval.*

~~PDD 1. Issue: Final review of Master Sign Plan. The proposed Master Sign Plan demonstrates materials, color schemes, and proportions for three monument signs. TriMet and SMART are coordinating to finalize details on signs, text, and graphics. The DRB is being asked to approve the Master Sign Plan with a condition of approval requiring final review by the Planning Director of the text, graphics, and compatibility with the Master Sign Plan conditionally approved by the DRB. Please refer to finding D2.~~

Request E: DB06-0083 Type 'C' Tree Plan

On the basis of *applicants'* findings, *findings of fact, analysis and* conclusionary findings E1 through E32, ~~staff recommends that~~ the Development Review Board **approved** the **Type 'C' Tree Plan** along with the recommended conditions necessary to fully comply with the requirements of the Code.

Planning Division Conditions:

PDE 1. The Applicant/Owner shall obtain a Type 'C' Tree Removal Permit on the Planning Division Site Development Application and Permit Form prior to site grading. All Trees that are approved to be retained shall be protected with a 6' tall cyclone fence with metal posts pounded into the ground at 6'-8' centers. Such fences shall be placed at or beyond the drip line of the trees to be protected and shall remain in place until such time as substantial construction is complete.

PDE 2. The Applicant/Arborist is required to submit a plan for tree protection before, during, and after construction as part of the Type 'C' Tree Removal Permit (i.e., a tree protection plan). Such a plan shall contain recommendations that will be reviewed by Staff and incorporated as conditions of approval for the project. Such a plan shall be closely followed by the development team for all trees being preserved. The preservation plan will address protection of preserved trees resulting from changes of grade, utility installation, detailed design and specifications for drainage and aeration, identification of the critical root zone to be protected,

	fencing and fertilization.
PDE 3.	The applicants shall coordinate with the City to determine any bonding requirements prior to obtaining the Tree Removal Permit. See finding E3.
PDE 4.	Trees requiring "More Analysis" shall not be removed until such time as there is a development proposal for surplus property. The applicant/arborist shall coordinate with the City regarding the appropriate process for review and mitigation. be coordinated with City Staff regarding the appropriate process for review and mitigation. See finding #E6.
PDE 5.	Trees identified in the Tree Inventory as #1768, (40"DBH Oregon white oak)#1360, and #1361 are is to be re-categorized as "to be saved". See finding E7.
PDE 6.	Prior to obtaining the Type "C" Tree Permit, the applicants shall protect all trees during construction that are approved to be retained. See finding E17.
PDE 7.	The applicants are to coordinate with City staff to demonstrate that the utility plans will not conflict with tree preservation plans prior to obtaining the Type "C" Tree Permit. See finding E18.
PDE 8.	Absent sufficient information in the application, City staff has applied a \$200 per tree replacement cost standard (\$100 per tree and \$100 per tree installation). See finding E20.
PDE 9.	All trees to be retained are to be identified with the requisite metal tags. The applicants are to provide the statement required in (.07) above prior to obtaining the Type "C" Tree Permit. Trees to be retained are to be clearly identified on construction documents. See finding E21.
PDE 10.	Mitigation of the removed trees is required at a ratio of 1-to-1. Replacement trees must be staked, fertilized and mulched, and shall be guaranteed by the permit grantee or the grantees successors-in-interest for two (2) years after the planting date. The Applicant/Owner shall replace a "guaranteed" tree that dies or becomes diseased.
PDE 11.	All replacement trees planted as mitigation shall have a caliper of 2" or greater if deciduous or 6' tall if evergreen.
PDE 12.	All trees to be planted shall consist of nursery stock that meets requirements of the American Association of Nurserymen (AAN) American Standards for Nursery Stock (ANSI Z60.1).

Request F: DB06-0084 Site Design Review

On the basis of *applicants'* findings, ***findings of fact, analysis and*** conclusionary findings F1 through F81, ~~staff recommends that~~ the Development Review Board **approved** the **Site Design Review** along with the recommended conditions necessary to fully comply with the requirements of the Code.

Planning Division Conditions:

PDF 1.	Bicycle lockers of the design currently being proposed for the plaza area shall be used to accommodate eight (8) bicycles in the northeast corner of the park & ride lot. Alternatively, co-locating these additional lockers with the plaza lockers would be acceptable as being a less isolated solution. See finding F10.
PDF 2.	Wheel stops shall be provided for all vehicle parking spaces, including ADA adjacent to the sidewalk along the eastern perimeter of the park & ride lot. See finding F30.
PDF 3.	All areas used for parking and maneuvering of cars shall be surfaced with asphalt, concrete,

	or other surface, such as "grasscrete" in lightly-used areas, that is found by the City Engineer to be suitable for the purpose. In all cases, suitable drainage, meeting standards set by the City Engineer, shall be provided. See finding F31.
PDF 4.	Vehicle parking spaces adjacent to the maintenance facility are restricted to a minimum of six (6) and a maximum of nine (9) <i>twenty-one (21), standard and one (1) ADA parking space and the bicycle accommodations to two (2), based on Development Code Section 4.155 (.02)(M)</i> . See finding F35, <i>additional language</i> .
PDF 5.	Applicants shall provided a graphic demonstration of the expected canopy dripline of the mature perimeter trees with calculations showing the percentage of the canopy dripline that can be expected to shade or overlap the parking area. See finding F40.
PDF 6.	Applicant shall provide a permanent, built-in, irrigation system with an automatic controller located at the maintenance building. Either a spray or drip irrigation system, or a combination of the two, may be specified. See finding F69
PDF 7.	Documentation verifying site distance at the project access points, stamped by a registered professional engineer, shall be provided to the City for approval prior to occupancy. See finding F75.
PDF 8.	The applicant shall coordinate with United Disposal Services to demonstrate that proposed solid waste storage areas will be adequate to accommodate the operations of the proposed facility. See finding F80.

Building Division Conditions and Advisory:

BDF 1.	CONDITION. PLANS submitted using architectural scale format shall use a scale of 3/32 or greater to insure clarity. Where building size or paper limitations necessitate the use of a smaller scale, submit plans in engineering scale format. (Oregon Structural Specialty Code (OSSC) Section 106.1.1)
BDF 2.	CONDITION. ACCESSIBILITY. The Maintenance Facility, the Public Restrooms, and all their accessory spaces, such as parking lots and walkways shall meet the Accessibility requirements of the Building Code. All portions of the project in the right-of-way, such as the Loading Platform and the adjoining parking shall meet the Accessibility requirements as defined in the Public Right-of-Way Accessibility Guidelines.
BDF 3.	CONDITION. RETAINING WALLS. When pedestrian walkways are located at or adjacent to the top of retaining walls where there is 30 inches or more of grade differential between the top of the wall and the lower finished grade, guardrails (or equivalent) meeting the requirements of the building code shall be installed. (OSSC Section 1012.1)
BDF 4.	ADVISORY. A 1200C permit from the Department of Environmental Quality will be required for this project. A copy of the 1200C permit shall be submitted to the City as part of the grading permit submittal.
BDF 5.	ADVISORY. ACCESSIBLE PARKING for the Maintenance Shed cannot be fully reviewed at this time. (Accessible parking for the Park & Ride shall meet Public Right-of-Way Accessibility Guidelines) Accessible parking will be fully reviewed as part of the plan review for the building permit. The additional information available at plan review may require changes to the number and location of accessible parking spaces.

<u>Tualatin Valley Fire and Rescue Conditions and Advisory:</u>	
FDF 1.	CONDITION. FIRE DEPARTMENT ACCESS into and throughout the Park & Ride and the area of the Maintenance Shed shall meet the requirements of the Fire Code and is required to be approved by the fire marshal.
FDF 2.	CONDITION. HYDRANT LOCATIONS and number on site, in both the Park & Ride and in the area of the Maintenance Shed shall be approved by the fire marshal.
FDF 3.	CONDITION. STORZ FITTINGS. All hydrants shall be equipped with STORZ connections, as per Tualatin Valley Fire & Rescue (TVF&R). [Storz connections are “quick-connect” type connections that do not require any tools for use. They allow fire hoses to be installed minutes faster than hoses with old style screw-type connections. Storz connections are being installed over much of the state on both new and existing hydrants]
FDF 4.	CONDITION. FDC. The location of the FDC for the Maintenance Shed shall be approved by the fire marshal.
FDF 5.	CONDITION. BEFORE CONSTRUCTION REQUIREMENTS. Required fire department access roads and water supplies for fire protection shall be installed and made serviceable prior to construction proceeding beyond the foundation stage. (UFC Section 901.3)

Request G: SI06-0005 Significant Resource Impact Report

On the basis of *applicants'* findings, *findings of fact, analysis and* conclusionary findings F1 through F34, ~~staff recommends that~~ the Development Review Board **approved** the **Significant Resource Impact Report** along with the recommended conditions necessary to fully comply with the requirements of the Code.

Natural Resources Conditions:

- NRG1.** Mitigation actions shall be implemented prior to or at the same time as the impact activity is conducted.
- NRG2.** The applicant shall submit a monitoring and maintenance plan to be conducted for a period of five years following mitigation implementation. The applicant shall be responsible for ongoing maintenance and management activities, and shall submit an annual report to the Planning Director documenting such activities, and reporting progress towards the mitigation goals. The report shall contain, at a minimum, photographs from established photo points, quantitative measure of success criteria, including plant survival and vigor if these are appropriate data. The Year 1 annual report shall be submitted one year following mitigation action implementation. The final annual report (Year 5 report) shall document successful satisfaction of mitigation goals, as per the stated performance standards. If the ownership of the mitigation site property changes, the new owners will have the continued responsibilities established by this section.
- NRG3.** Prior to any site clearing, grading or construction, the SROZ area shall be staked and fenced per the approved and finalized land use decision. During construction, the SROZ area shall remain fenced and undisturbed except as allowed by an approved development permit.

MASTER EXHIBITS LIST

The following exhibits are hereby entered into the public record by the Development Review Board in consideration of the application as submitted:

- A1. Staff Report dated September 18, 2006, including Findings and proposed Conditions of Approval
- A2. Letter dated August 9, 2006, from Washington County to City of Wilsonville authorizing Tri Met to act on behalf of Washington County relative to the Commuter Rail Project
- A3. DKS Transportation Impact Study, Dated December, 2005

New Exhibits: 9/26/2006

- A4. DKS Memo dated 7/17/2006 regarding Revised Access to Utility Vault Property
- A5. TriMet email dated 8/22/2006 regarding corrections made to the Tax Lot numbers
- A6. Email from Transit Director dated 9/21/2006 regarding SMART conditions of approval
- A7. Proposed Signage
- A8. DKS Memo dated 9/13/2006 regarding Washing County Commuter Rail Clarification
- A9. Memo dated 9/25/2006 from Natural Resources Program Manager regarding staff's response to TriMet's letter concerning conditions of approval.
- A10. Copies of Power Point Presentation by applicant, specifically drawing showing Park and Ride-Site Plan with 5 desired locations shown for traffic calming and pedestrian safety measures

Applicant's Written and Graphic Materials:

- B1. Land Use application, date received August 21, 2006, including narratives and findings, drawings and maps for :
 - Section 1: General information including existing and proposed lot lines,
 - Section 2: Zone change application,
 - Section 3: Stage 1 and 2 application,
 - Section 4: Site design review application, including reduced sized drawings,
 - Section 5: Type C Tree Removal Plan including arborist report, planting plans and drawings, and
 - Section 6: SROZ application including Technical Memorandum from URS regarding analysis and mitigation plan.
- B2. Full Sized Drawings/Plan Sheets: (Available in planning office)
 - A1: Wilsonville Station and Park and Ride Project Layout Plan
 - A2: Alignment Plan
 - A3: Site Plan – East
 - A4: Site Plan Busway
 - A5: Site Plan Scoring Pattern Busway
 - A6: Station Site Plan
 - A7: Platform Plan
 - A8: Platform Elevation
 - A9: Platform Cross Sections

- A10: Shelter Perspective View
- A11: Guardrail Details
- A12: Precast Tactile Warning & Platform Edge Details
- A13: Platform Plan-Mechanical
- B1: Planting Plan 1
- B2: Planting Plan 2
- B3: Planting Plan 4
- B4: Planting Plan 5
- B5: Planting Legend, Symbols and Notes
- B6: Planting Legend and Symbols
- B7: Wilsonville Water Quality Swales Planting Legend
- B8: Planting Details
- C1: Grading, Drainage, and Erosion Control
- C2: Grading, Drainage, and Erosion Control
- C3: Grading, Drainage, and Erosion Control
- C4: Grading, Drainage and Erosion Control Busway
- C5: Typical Sections
- D1: Electrical Utility Site Plan
- D2: Electrical Utility Site Plan
- D3: Electrical Platform Plan
- E1: Traffic Signing and Striping
- E2: Traffic Signing and Striping Plan Busway
- E3: Parking Stall Details
- E4: Striping Details Legend
- E5: Standard Sign Details
- E6: Permanent Signing Legend
- G1: Maintenance Facility Project Sheet Layout Plan
- G2: M.F.Site Plan
- G3: M.F. Access Road and Tail Track
- G4: M.F. Site Plan
- G5: M.F. Typical Sections
- G6: M.F. Demolition and Removal Plan
- G7: M.F.Floor Plan
- G8: M.F.Grading and Drainage Plan
- G9: M.F Waterline Plan and Profile
- G10: M.F Waterline Plan and Profile
- G11: M.F Sanitary Sewer Plan and Profile
- G12: M.F Sanitary Sewer Plan and Profile
- G13: M.F Utility Relocation Plan Sheet 1
- G14: M.F Utility Relocation Plan Sheet 2
- G15: M.F Electrical Site Site Utility Plan
- G16: M.F Signing and Striping Plan
- G17: M.F Planting Plan – North
- G18: M.F Planting Plan – South
- G19: M.F. Planting/Irrigation Legends and Notes
- G20: M.F. Erosion Control Plan
- I1: M.F. Signage Plan
- I2: Section 4 Site Design Review Sign Plan Detail #1 – Monument Sign
- I3: Section 4 Site Design Review Sign Plan Detail #2 – SMART Kiosk
- I4: Section 4 Site Design Review Sign Plan Detail #3 – SMART Bus Shelter

I5: Section 4 Site Design Review Sign Plan Detail #4 – Platform Signage

B3. Exterior Colors and Materials Color Board 1, July 28, 2006, showing glazing, wire mesh screens, and sample building

Exterior Colors and Materials Color Board 2, July 28, 2006, showing four proposed color chips for metal siding on building, trim and canopies

C. Meeting Notes and copy of Power Point Presentation from Commuter Rail Work Session of August 28, 2006.

Exhibits not received in time to be included in the Staff Report ~~and will be~~ were distributed at the September 25, 2006 DRB Public Hearing.

B4. Follow-up to August 28, 2006 DRB Work Session, Mary Dorman, Angelo Planning Group, September 13, 2006

B5. Wilsonville Transit Center Site Plan and Vicinity Map, September 15, 2006

B6. Memo from TriMet dated 2/9/2006 regarding local permitting and ICCTA preemption

New Exhibits:

B7. Park and Ride – Traffic Calming Plan

B8. Park and Ride Lighting Specifications

B9. Station Site Plan

B10. Station – Windscreen specifications

B11. Station – Lighting specifications

Development Review Team Correspondence:

~~Letter (neither For nor Against): None submitted~~

~~Letters (In Favor): None submitted~~

~~Letters (Opposed): None submitted~~

FINDINGS OF FACT

1. Existing Site Conditions:

The subject site comprises three properties and portions of two others, which are part of Area of Special Concern E. The subject parcels that will be developed with the commuter rail improvements are all designated for Industrial use on the Wilsonville Comprehensive Plan Map. The parcel that is proposed to be developed for the commuter rail maintenance facility is already zoned PDI (Planned Development Industrial). The parcels that will be developed for the other improvements (commuter rail platform, SMART transit center and park & ride lot) are currently zone Residential Agricultural – Holding (RA-H). Property surrounding the subject site is zoned Residential-Agriculture – Holding (RA-H). Properties to the north, east and south are zoned Planned Development Industrial. All of these properties carry a Comprehensive Plan Map designation of Industrial.

Surrounding Development: The adjacent land uses are as follows:

Compass Direction	Existing Use(s)
North	SROZ, Utility Vault
East	SROZ, Klein International Ltd. Classic Manufacturing
South	Coca Cola Bottling Co. of Oregon (Production and Corporate Office) Across Barber Street
West	Industrial (RA-H), SROZ

Natural Characteristics:

The subject site contains nearly level terrain and is divided by the Portland & Western Railroad tracks. The property is undeveloped, with both deciduous trees (e.g., Big Leaf Maple, Oregon White Oak, Cherry, and Black Hawthorne) and coniferous trees (e.g., Douglas Fir, Western Red Cedar) scattered throughout the site west of the tracks. There are no trees east of the tracks. Underbrush, predominantly blackberries, covers the majority of the southern part of the site to a depth of five (5) to seven (7) feet. The Significant Resource Overlay Zone has been applied to portions of the site to reflect the presence of wetlands and Title 3 water quality resource areas.

Streets:

The Site proposes three accesses south to Barber Street for the park & ride lot, transit center, and maintenance facility. Construction of the maintenance facility access would remove the existing Utility Vault access (private road) to Barber Street immediately east of the railroad tracks.

2. Previous Planning Applications Relevant to the subject property: None

3. The applicant has complied with Sections 4.013-4.033 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.

4. Notice of the proposed project has been sent to the appropriate agencies involved in the review of public improvements. Comments and conditions of approval from the Building and Engineering Divisions were received and are incorporated into this staff report.
5. The statutory 120-day time limit applies to this application. The application was received on August 21, 2006. On August 25, 2006, staff conducted a completeness review within the statutorily allowed 30-day review period, the applicant submitted new materials and, on September 15, 2006, the application was deemed complete. The City must render a final decision for the request, including any appeals, by January 13, 2007.

CONCLUSIONARY FINDINGS

The applicants' response findings to the applicable land development criteria and Comprehensive Plan goals, policies, and implementation measures found in the consolidated set of applications (Exhibit B1) are hereby incorporated in this staff report as findings for approval.

REQUEST 'A' - DB06-0076 ZONE MAP AMENDMENT

Wilsonville Comprehensive Plan or Development Code is shown in **bold** type.
Excerpts from the application are shown in *italics*.

The applicants are requesting approval of a Master Plan (Stage I), Site Development Plan (Stage II), Site Design Review, Master Sign Plan, Class C Tree Removal Plan, and SRIR Review in order to construct a TriMet commuter rail station and maintenance facility, and a SMART transit center and park & ride lot. In addition, Wilsonville's Code requires a zone change in conformance with the Comprehensive Plan prior to partitioning or subdividing properties for development in the Residential Agriculture – Holding (RA-H) zone. The City plans to partition property and TriMet is proposing lot line adjustment(s) affecting parcels currently designated Industrial in the Comprehensive Plan but zoned RA-H. Therefore, the applicants are requesting a recommendation from the Development Review Board to City Council for a zone change to Planned Development Industrial (PDI) for those parcels.

The Wilsonville commuter rail improvements will be developed on multiple contiguous parcels located west of I-5 and Boberg Road and north of Barber Road. As described earlier in Section 1 of this consolidated application narrative, the commuter rail maintenance facility will be located on the east side of the railroad tracks, with the commuter rail platform, SMART transit center and shared use park & ride lot located west of the railroad tracks.

*The subject parcels that will be developed with the commuter rail improvements described above are all designated for **Industrial** use on the Wilsonville Comprehensive Plan Map. Surrounding parcels are also designated for industrial use. The Industrial plan designation is implemented with the **Planned Development Industrial (PDI)** zone. The parcel that will be developed for the commuter rail maintenance facility is already zoned **PDI**. However, the parcels that will be developed for the other improvements - including the commuter rail platform, the park & ride lot, and the SMART transit center - are currently zoned **Residential Agricultural - Holding (RA-H)**.*

Section 4.120 of the Wilsonville Development Code describes the RA-H Zone as a "holding zone" that is applied to properties within the city that are planned for urban development but have not previously received development approval in accordance with the Comprehensive Plan.

Uses allowed in the RA-H zone are quite limited. Additionally, Wilsonville's Code requires a zone change in conformance with the Comprehensive Plan prior to partitioning or subdividing properties for development in the RA-H zone. The City of Wilsonville plans to partition property described as 4S114B, Tax Lot 700 into three parcels and TriMet is also proposing lot line adjustment(s) affecting the maintenance facility parcel. Therefore, the applicants (TriMet and SMART) are proceeding with a zone change from RA-H to PDI concurrent with the Stage I & II Planned Development and Site Design Review to implement the Industrial plan designation on the remainder of the parcels. As required by the Wilsonville Code, a map of the zone change area is included in Attachment A and a legal description of the same area is included in Attachment B.

CITY OF WILSONVILLE COMPREHENSIVE PLAN

Implementation Measure 3.1.6.o The City shall take the following steps to reduce VMTs and overall reliance on single occupancy vehicles:

- 6.** Seek location of a permanent park-and-ride station as well as a commitment from TriMet to upgrade transit service to the greatest extent possible, in coordination with SMART. Note the potential need for a commuter rail station in conjunction with the park and ride lot.
- A1.** Approval of the zone change and related land use applications will allow the City and TriMet to proceed with development of the commuter rail station and shared use park & ride lot in coordination with SMART, as called for in the Comprehensive Plan. The link of SMART bus service and new commuter rail service at a single location will greatly expand the efficiency and coverage of transit service to and from Wilsonville and the larger east Washington County area. By introducing a new transportation mode choice for peak hour commuter travel for residents and employees, the City will take a key step to reduce vehicle miles traveled and overall reliance on single occupancy vehicles.

Implementation Measure 3.1.6.p The City recognizes the value of the railroad to industrial growth in Wilsonville, and will encourage the railroad and the State of Oregon to maintain quality service and provide needed improvements, rail crossings and signalization, etc. System expansion to accommodate commuter rail service shall be strongly encouraged.

- A2.** *While improvements to the freight rail corridor outside of the station areas are not subject to land use approval, the City finds that improvements to the rail track, crossings, and bridges will encourage and support quality freight service and enhance the value of the railroad to industrial growth. Additionally, improvements to the railroad system to accommodate commuter rail service are specifically encouraged by the plan and approval of the zone change will facilitate the commuter rail improvements.*

Implementation Measure 4.1.3.j - All industrial areas will be developed in a manner consistent with industrial planned developments in Wilsonville. Non-industrial uses may be allowed within a Planned Development Industrial Zone, provided that those non-industrial uses do not limit the industrial development potential of the area.

- A3.** *The activities associated with the commuter rail station and maintenance facility, the SMART transit center, and the shared use park & ride lot will not limit the industrial development potential of the area. Instead, the development of commuter rail as called for in the Comprehensive Plan [see Findings A4 and A5] will support Wilsonville businesses by providing a new transportation option for employees and residents and by improving transit connections to neighboring cities (Tualatin, Tigard, and Beaverton) and providing a new link to light rail in Beaverton. The availability of peak hour commuter rail service in Wilsonville will provide a tool to help alleviate peak hour congestion on I-5 and at the Wilsonville and Stafford Road interchanges.*

Area of Special Concern E

This is the area planned for industrial use between Boeckman Road and Barber Street, from Boones Ferry Road to the railroad tracks. It also includes the property west of the railroad, immediately north of Barber Street, which has been identified as a potential commuter rail station

and park-and-ride lot. The primary concerns for this area have been related to continuity in design and protection of the existing mobile home park.

The area has been previously divided into numerous small lots, many of which are in separate ownerships. For this reason, the opportunity to design development under a common master plan is minimized. Therefore, there is a potential for an uncoordinated patchwork development pattern to occur.

The Walnut Park mobile home park is also located in this area. While economics may ultimately force redevelopment of the park to industrial use, the life of the park can be prolonged through careful design considerations of surrounding development. Doing so will help to retain one of the City's affordable housing opportunities.

The following design objectives are identified for Area E:

1. Encourage consolidation of smaller lots to allow for master planning of large areas.
2. Provide buffers adjacent to the mobile home park, e.g., increased landscaped setbacks, or complementary uses.
3. Minimize traffic (truck) conflicts with residential activities, including pedestrians.
4. Provide an attractive and easily accessible park-and-ride facility in conjunction with a commuter rail station. If necessary to meet these objectives, prepare a master plan for the area around the selected commuter rail station site.
5. Determine the appropriate alignment for a road connecting 95th Avenue and Kinsman Road through this area.

A4. Area E anticipates the commuter rail station and park & ride lot being proposed by the applicants. Concurrent with this zone change proposal, Master Plan and Site Development Plan applications (Section 3) are being submitted for the site to address issues of "patchwork development" and to ensure that the site is developed as a whole with a uniform design as called for in the plan policy and design objectives (see attachment 3A for Master Plan and Stage II boundaries).

The proposed commuter rail station and accompanying development is largely situated in the southwest corner of Area E. While the Walnut Park mobile home park is also located within the boundary of Area E, it is situated east of Boberg Road and northeast of the proposed development. The Stage II improvements (maintenance facility, commuter rail platform, transit center, and park & ride) are separated from the mobile home park by undeveloped parcels and are primarily oriented to Barber Road. Therefore, increased landscaped setbacks and buffers are not needed between the commuter rail facilities and the mobile home park.

The commuter rail facilities will not result in truck traffic that is typically associated with industrial uses. As described in the planned development applications, two driveways will be provided to Barber Street to separate SMART bus traffic from vehicle traffic entering the park & ride lot. Sidewalk improvements along Barber Street and internal to the site will minimize conflicts between pedestrian and vehicle traffic. Additional safety and design measures have been incorporated into the park-and-ride to provide pedestrian connections between the parking, commuter rail station platform and SMART bus stops.

The applicants are submitting a consolidated land use application for the zone change, planned development (Stage I & II) and Site Design Review to meet the objectives for master planning for the area that will be under the control of TriMet and/or SMART. The City of Wilsonville will

retain the responsibility for future detailed development plans for parcels that will not be developed as part of the Phase I improvements. A second phase within the Master Plan is expected to include a Drivers' Station and public restrooms with the goal of availability when commuter service begins in 2008. This phase is currently in planning and will be introduced under a separate application. A subsequent phase may include an expansion of the park & ride lot should the demand warrant. While the conceptual alignment for the Kinsman Road extension is shown on the Stage I Master Plan, the final design and development of the roadway will be implemented by the City at a future date.

The zone change and anticipated development of commuter rail facilities at this specific location are consistent with the stated design objectives for Area of Special Concern E.

Transportation System Plan Policies

Wilsonville's Transportation System Plan (TSP) is adopted as an ancillary document and is considered part of the Wilsonville Comprehensive Plan. Numerous provisions in the adopted TSP specifically support the commuter rail project and are highlighted below. Because there is some redundancy and overlap in the policies, the findings are consolidated to address all of the policies as a whole.

2.13 Rail - A rail route owned by Western Pacific and operated by the Portland and Western Railroad passes through Wilsonville. This single-track rail line is a north south route that carries between three and eight freight trains on a daily basis. Train volumes vary because they are dependent on shipper demand. Currently, there are no passenger trains running on this rail line. However, the line is currently being planned for future commuter rail use by a consortium of municipalities with funding from the state and federal governments.

Goal 6.1 - To promote an effective transit system that is a viable alternative to the single occupant vehicle; responds to the mobility needs of residents, employers, and employees; permits easy shifts from one mode to another; offers choice and convenience; and connects to other regional transportation systems.

6.3.6.3 Park-and-Ride and Transit Center Adjacent to Commuter Rail - A 250-space SMART park-and-ride and transit center is planned adjacent to the commuter rail terminus in Wilsonville. As a condition of approval, the traffic study for the construction of this park-and-ride should examine the traffic concurrency needs with reference to the Wilsonville Road/I-5 interchange access improvements as envisioned by the Freeway Access Study. This City facility will be in addition to the 450-space park-and-ride area that is planned by Washington County for commuter rail passengers. The transit center and the park-and-ride facilities are essential government facilities. Co-locating a SMART park-and-ride at the commuter rail terminus will create a centralized transfer hub for Wilsonville and provide convenient access for both bus and rail passengers. Currently, 14,000 employee trips are made into and out of the City during peak hours and about 110,000 daily trips are made along I-5 to points north and south of Wilsonville. A park-and-ride and transit center will provide much needed access and connectivity for commuters to use local and regional public transportation services in Wilsonville.

Implementation Measure 6.1.2.a - Plan, fund, and construct park-and-rides and transfer centers near the north and south I-5 interchanges and at the commuter rail station. Work with regional, state and private entities to develop funding packages.

Implementation Measure 6.1.2.d - Support new peak-hour commuter rail service, the regional studies for commuter rail all-day service, and for an extension from Wilsonville to Salem using existing railroad tracks. Support this passenger rail service with SMART bus service.

Goal 7.1: To coordinate with local, regional, and State jurisdictions in the development and operation of the multi-modal transportation system.

Policy 7.2.2 – The City of Wilsonville shall assist in efforts to improve the viability of the railroad, not only for freight, but for passenger service as well.

Policy 7.3.1 – The City of Wilsonville shall minimize conflicts and facilitate connections between modes of transportation.

Implementation Measure 7.2.2.a - Coordinate with the rail line owner and commuter rail operator to enhance the viability of both freight and passenger service. The City will continue to advocate extending the commuter rail service south of Wilsonville.

- A5.** *Wilsonville's TSP includes very strong and specific policy support for the commuter rail project, the coordination and linkage of commuter rail and SMART bus services, and the development of a shared use park & ride lot at the location north of Barber Road. Along with this zone change proposal and associated land use applications, a traffic study has been prepared by DKS as required by City procedures. This project is the result of years of planning and coordination by local, regional, state and federal governments. The City of Wilsonville and SMART have been partners in the project from the beginning, and TriMet and city representatives have worked diligently to develop an integrated, efficient and cost-effective design.*

The project has given special attention to ensuring the frequency of freight along the rail lines is not unduly impacted by the commuter rail's presence or schedule. Additionally, the improvements made to the rail for the commuter rail cars will benefit the freight trains in terms of safety and speed. By using the existing rail corridor and working in partnership with SMART, the commuter rail service will be able to access developed infrastructure and draw upon established bus services for ridership.

By locating in a centralized and well-developed employment area, near the I-5 interchanges, the station can become a "transfer hub" that establishes the City's public transportation system as a practical alternative for single occupancy vehicles. The transit center will allow for greater access and connectivity for commuters to local and regional destinations while minimizing conflicts and facilitating connections between different modes of transportation (buses, trains, cars and bicycles). The ability to access multi-modal options will respond to the needs of different residents, employees and employers. The increase in choice and convenience in making these connections will benefit both the businesses and residents of Wilsonville. For all of these reasons, the zone change to PDI and the proposed project are consistent with and will help to implement multiple goals and objectives in the Wilsonville TSP.

WILSONVILLE DEVELOPMENT CODE

Section 4.029 - Zoning to be Consistent with Comprehensive Plan

If a development, other than a short-term temporary use, is proposed on a parcel or lot which is not zoned in accordance with the Comprehensive Plan, the applicant must receive approval of a zone change prior to, or concurrently with the approval of an application for a Planned Development.

- A6. The proposed improvements, including the commuter rail station, transit center, and shared use park & ride, are not considered short-term temporary uses. Therefore, a zone change from RA-H to PDI is required and the applicants have submitted this application for zone change approval concurrently with the applications for a Planned Development. Approval of the zone change to PDI will ensure that the zoning of the subject property is consistent with the Industrial designation applied in the Comprehensive Plan, consistent with Section 4.029. The application material and supporting documentation for a planned development can be seen in Sections III-VI. Approval of Request A will result in zoning consistent with the Comprehensive Plan.

Section 4.110 – Zoning – Zones

(.01) **The following Base Zones are established by this Code:**

- A. **Residential Agricultural - Holding, which shall be designated “RA-H”.**
- E. **Planned Development Industrial, which shall be designated “PDI”.**

- A7. The parcels being proposed for re-zoning from RA-H to PDI are within the city limits of Wilsonville and have a Comprehensive Map designation of Industrial. The zone change is being reviewed concurrently with a Master Plan and a Development Plan for both industrial use (maintenance building) and uses which are considered public facilities (transit center, and the park & ride lot). The PDI zone will implement the Industrial Comprehensive Plan Map designation and public facilities are a permitted use in that zone. Industrial uses are neither a permitted or conditional use allowed in the Public Facilities zone, therefore, the PDI zoning designation is most appropriate for the subject property to implement the Master Plan. (See the following related Findings.)

Section 4.135 (.01) – PDI – Planned Development Industrial Zone. -Purpose

The purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses.

- A8. *Components of the commuter rail improvements, including the maintenance facility and track improvements, can be categorized as “industrial” types of uses. Other components, including the SMART transit center and shared-use park & ride lot, are more appropriately categorized as “public/institutional” types of uses. Both categories of uses are consistent with the purpose statement for the PDI zone as stated above. Because the commuter rail trains will operate on the existing freight rail corridor, the related commuter rail facilities must be located next to the rail tracks.*

As noted previously, policies and maps in the Wilsonville Comprehensive Plan and Transportation System Plan specifically support the development of the commuter rail and park

& ride facilities at this particular location in the PDI zone and are appropriate “associated uses” consistent the purpose of the PDI zone. The application supports the purpose of the PDI zone.

Section 4.135 (.03) – Uses that are typically permitted. The following uses are specifically permitted in the PDI zone:

- E. Motor vehicle services, or other services complementary or incidental to primary uses, and which support the primary uses by allowing more efficient or cost-effective operations.**
- N. Industrial.**
- Q. Public facilities.**
- T. Other similar uses, which in the judgment of the Planning Director, are consistent with the purpose of the PDI zone.**

A9. The commuter rail station, SMART transit center and shared use park & ride are categorized as "public facilities" and are listed as a permitted use in the PDI zone under (.03) Q above. All of the facilities will be developed, owned, operated and maintained by the City of Wilsonville (SMART) and/or TriMet. The commuter rail maintenance facility may be classified as an "Industrial Service" under (.03) (N) or a "motor vehicle services use" under (.03) E above. The maintenance facility is needed to support the primary commuter rail use of the adjacent rail corridor and is needed to allow efficient and cost effective operations of the overall commuter rail project. Finally, the Planning Director can authorize other similar uses that are consistent with the purpose of the PDI zone. The following excerpts are taken from a letter from Wilsonville Planning Director Sandi Young to Joe Walsh (TriMet) regarding the City’s position on the use in the PDI zone:

“The Wilsonville Station uses are proposed to be located on property specifically designated in the Comprehensive Plan for these uses. The site has an Industrial Comprehensive Plan designation and a zoning designation as a holding zone. We anticipate that the holding zoning will be amended through the typical development review process to appropriate zoning designations and that development approvals will be issued. Both the Industrial Zone and the Public Facilities Zone allow for development of the maintenance facility, station and ancillary uses.”

The letter from the Planning Director is included in Attachment C and provides further documentation that the commuter rail facilities are an appropriate use in the PDI zone.

Section 4.197 Zone Changes and Amendments To This Code – Procedures.

(.02) In recommending approval or denial of a proposed zone map amendment, the Planning Commission or Development Review Board shall at a minimum, adopt findings addressing the following criteria:

- A. That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125 (.18)(B)(2) or, in the case of a Planned Development, Section 4.140; and [Amended by Ord 557, adopted 9/5/03];**

A10. This application has been submitted in accordance with the procedures set forth in Section 4.140, which require that:

(.05)(A)(1) All parcels of land exceeding two (2) acres in size that are to be used for residential, commercial or industrial development, shall, prior to the issuance of building permit: Be zoned for planned development

(.05)(B) Zone change and amendment to the zoning map are governed by the applicable provisions of the Zoning Sections, inclusive of Section 4.197

(.05)(D) The planned development permit review and approval process consists of the following multiple stages, [the reviews] can be combined at the request of the applicant:

- 1. Pre-application conference with Planning Department;**
- 2. Preliminary (Stage I) review by the Development Review Board. When a zone change is necessary, application for such change shall be made simultaneously with an application for preliminary approval to the Board; and**
- 3. Final (Stage II) review by the Development Review Board**

A11. See Request B- Stage I Master Plan, for the demonstration of compliance with these subsections of the Code.

B. That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text; and

A12. The Comprehensive Plan map designation for the subject parcels is Industrial and the requested PDI zone is consistent with and implements the Industrial plan designation. As described previously, the zone change from RA-H to PDI is consistent with and supports numerous goals, policies and objectives set forth in the Comprehensive Plan text and Transportation Systems Plan.

C. In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measures 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text; and [Amended by Ordinance No. 538, 2/21/02.]

A13. No portion of the subject parcel is designated as "Residential" on the City's Comprehensive Plan Map. Therefore, criterion C is not applicable to the zone change from RA-H to PDI.

D. That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized; and

A14. Section III (Stage I & II) and Section 4 (Site Design Review) of this consolidated application include supporting utility and drainage reports, and Traffic Impact Analysis prepared by DKS and Associates.

A15. **Sanitary Sewer:** Approval of the development requires compliance with the Public Facilities (PF) Conditions of Approval. The City Engineer must approve all construction plans for the sanitary sewer system prior to construction to insure that they comply with City standards. This requirement must be met at the time of development as monitored by the City Engineer.

A16. **Water:** Approval of the development requires compliance with the Public Facilities (PF) and Building Division (BD) Conditions of Approval. The City Engineer must approve all construction plans for the water system prior to construction to insure that they comply with City standards. This requirement must be met at the time of development as monitored by the City Engineer.

E. That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/or geologic hazard are located on or abut the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone; and

A17. There are no areas of natural hazard and/or geologic hazard on the portions of the subject property planned for development in the Site Design Review. A separate SRIR Review (see Section 6 of this consolidated application) has been submitted to address the 2,465 square foot impact on the SROZ area associated with grading for the park & ride lot (Request G). TriMet will provide mitigation at a ratio of 4:1 for this impact, which is beyond the mitigation requirements of the Code, in order to enhance the overall quality and function of the SROZ area. The applicable Findings and recommended conditions of approval for Request G are incorporated by reference.

F. That the applicant is committed to a development schedule demonstrating that development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change; and

A18. The application states, "TriMet has established an aggressive schedule to complete local land use permitting in Wilsonville, Tualatin, Tigard, and Beaverton and to commence construction in early 2007. The full funding grant agreement from FTA is expected in September 2006 and TriMet has hired a construction manager/general contractor (Stacy-Witbek) for the construction work. Pre-construction staging work is already underway along the railroad corridor. Therefore, TriMet is committed to move forward with development as soon as possible following approval of the zone change and related applications, and expects to initiate operation within two years." Therefore, development of the subject property is reasonably expected to commence within two (2) years of the initial approval of the zone change.

G. That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached that insure

that the project development substantially conforms to the applicable development standards.

- A19.** Compliance with the development standards for the PDI zone and other applicable Code standards is addressed in the other land use applications that have been filed concurrent with the zone change application. In particular, see the Stage I & II planned development narrative (Section 3), Site Design Review narrative (Section 4), Type 'C' Tree Plan narrative (Section 5) and SRIR narrative (Section 6). The proposed project can be made to meet all applicable development standards through required conditions of approval.

SUMMARY FINDINGS FOR REQUEST A:

- A20.** The applicants' proposed Zone Map Amendment meets all applicable requirements, and its approval may be recommended to the City Council.

REQUEST 'B' – DB06-0078 STAGE I MASTER PLAN

Wilsonville Comprehensive Plan or Development Code references are shown in **bold** type. Excerpts from the application are shown in *italics*.

The applicants are requesting approval of the Master Plan depicted in Section 3 Attachment A of the consolidated application. The plan area is approximately 29 acres, generally north of Barber Street, south of Boeckman Road, and west of Boberg Road and I-5. (See the Vicinity Map in the introductory section of this staff report). The Master Plan anticipates phased development, over time, principally supporting the southern terminus of the Washington County Commuter Rail Project, plus co-located South Metro Area Rapid Transit center facilities. This request is being submitted concurrently with applications for a Zone Map amendment, Stage II Development Plan, Master Sign Plan, Site Design Review, Type C Tree Removal Plan, and a Significant Resource Impact Report (SRIR).

DESCRIPTION OF MASTER PLAN

Land Uses

Attachment [3]A to this narrative [Section 3] outlines the boundaries and conceptual elements for the STAGE I Planned Development. Key components are described below:

- *Stage I boundary includes the entire City property west of the rail tracks.*
- *The Stage I Plan shows future phases of development, including the Kinsman Road extension, westerly expansion of the park & ride lot, the City's future development parcel on Barber Street, and the proposed location of the public restrooms and driver station near the plaza. A separate site design review approval will be required prior to construction of this building.*
- *East of the rail tracks, the Stage I boundary includes the portions of the County Property that will be transferred to TriMet for the maintenance facility and track improvements.*
- *The narrow band (20 feet) that extends from Barber Street on the south to Boeckman Road on the north is included in the Stage I boundary because it is a single lot"*

Significant Resource Overlay Zone

The City of Wilsonville has mapped a Significant Resource Overlay Zone that generally extends in an east-west direction along the northern boundary of the city-owned parcel located west of the railroad corridor and the maintenance facility parcel located east of the railroad corridor. Additionally, the SROZ extends into portions of the city-owned parcel that lie west of the Phase I park & ride and transit center improvements that are addressed in the concurrent Site Design Review application (see Section 4 of consolidated land use application). The consolidated application includes a Significant Resource Impact Report review found in Section 6).

Phasing

The applicants are submitting this request to meet the objectives for master planning for the area that will be under the control of TriMet and/or SMART. The City of Wilsonville will retain the responsibility for future detailed development plans for parcels that will not be developed as part of the Phase I improvements. A second phase within the Master Plan is expected to include a Drivers' Station and public restrooms with the goal of availability when commuter service begins in 2008. This phase is

currently in planning and will be introduced under a separate application. A subsequent phase may include an expansion of the park & ride lot should the demand warrant. While the conceptual alignment for the Kinsman Road extension is shown on the Stage I Master Plan, the final design and development of the roadway will be implemented by the City at a future date.

CITY OF WILSONVILLE LAND DEVELOPMENT ORDINANCE

Section 4.140. Planned Development Regulations.

(.01) Purpose.

A. The provisions of Section 4.140 shall be known as the Planned Development Regulations. The purposes of these regulations are to encourage the development of tracts of land sufficiently large to allow for comprehensive master planning, and to provide flexibility in the application of certain regulations in a manner consistent with the intent of the Comprehensive Plan and general provisions of the zoning regulations and to encourage a harmonious variety of uses through mixed use design within specific developments thereby promoting the economy of shared public services and facilities and a variety of complimentary activities consistent with the land use designation on the Comprehensive Plan and the creation of an attractive, healthful, efficient and stable environment for living, shopping or working.

B1. The plan promotes the economy of shared public services and facilities consistent with the proposed Industrial land use designation by co-locating the Wilsonville Commuter Rail Station and maintenance facility with the SMART Transit Center and Park & Ride Lot. The maintenance facility is considered an industrial use while the others are considered public facilities that are permitted under current zoning or the proposed zone change (see Request A) to PDI. The application states, "The plans integrate a variety of public transportation uses and implement a stated policy in the Wilsonville Comprehensive Plan to *'seek location of a permanent park-and-ride station as well as a commitment from TriMet to upgrade transit service to the greatest extent possible, in coordination with SMART. Note the potential need for a commuter rail station in conjunction with the park and ride lot.'* In addition, several policies in the Transportation System Plan support development of the Park-and-Ride and Transit Center adjacent to Commuter Rail at this specific location. Staff finds the Stage I Master Plan is consistent with the stated purpose in this section of the Planned Development Regulations.

B. It is the further purpose of the following Section:

1. To take advantage of advances in technology, architectural design, and functional land use design:

B2. Although TriMet has adopted a consistent look for their separate facilities along the commuter rail line, they have worked with City Staff to integrate design values and objectives unique to Wilsonville for their southern terminus. Amenities proposed for the public facilities (see Section 4, Attachment H) have endeavored to balance TriMet facilities design with continuity of elements seen elsewhere in the City. The maintenance facility is an industrial use in an industrially-zoned district, which must by necessity be located next to the railroad tracks. Starting with a basic utilitarian prefinished metal-sided building, TriMet responded to Staff recommendations to soften the building's look since it is to be located across from the commuter rail platform and open to view for the commuters. Design elements added were a multi-color façade (see Exhibit 3, Exterior Colors and Materials Color Board); low-maintenance woven steel wire mesh screens over the windows which allow light in but provide architectural interest on the outside while

breaking up the roof line; canopies/sunshades; and tall corner windows that allow views of the activities going on inside and that provide an element of interest when lighted at night. The response is the modern-industrial design depicted in Section 4, Attachment H – Maintenance Facility Building Elevations).

2. **To recognize the problems of population density, distribution and circulation and to allow a deviation from rigid established patterns of land uses, but controlled by defined policies and objectives detailed in the comprehensive plan;**

B3. Recognizing an increasing commuter traffic problem, the Transportation Systems Plan has as a stated goal “To promote an effective transit system that is a viable alternative to the single occupant vehicle; responds to the mobility needs of residents, employers, and employees; permits easy shifts from one mode to another; offers choice and convenience; and connects to other regional transportation systems.” (Goal 6.1) The TSP also recognizes that, “Currently, 14,000 employee trips are made in to and out of the City during peak hours and about 110,000 daily trips are made along I-5 to points north and south of Wilsonville. A park-and-ride and transit center will provide much needed access and connectivity for commuters to use local and regional public transportation services in Wilsonville.”

3. **To produce a comprehensive development equal to or better than that resulting from traditional lot land use development.**

B4. In designating Area of Special Concern E in the Comprehensive Plan, the City noted that, “The area had been previously divided into numerous small lots, many of which are in separate ownerships. For this reason, the opportunity to design development under a common master plan is minimized. Therefore, there is a potential for an uncoordinated patchwork development pattern to occur.” The City also identified Area E as the location of a future commuter rail station and a park & ride lot. Design objectives were adopted to “encourage consolidation of smaller lots to allow for master planning of large areas” and “prepare a master plan for the area around the selected commuter rail station site.” The application concludes, “*The integrated design and amenities for the commuter rail station, transit center and park & ride assure an overall cohesive character and will result in a comprehensive development that is equal to or better than that resulting from individual lot land use development.*”

4. **To permit flexibility of design in the placement and uses of buildings and open spaces, circulation facilities and off-street parking areas, and to more efficiently utilize potentials of sites characterized by special features of geography, topography, size or shape or characterized by problems of flood hazard, severe soil limitations, or other hazards;**

B5. The application states, “*The Stage I [Master Plan is] responsive to site characteristics such as topography, access, visibility and natural resources. The impervious surfaces are clustered near the railroad corridor and minimize impacts on delineated wetland areas and the SROZ buffer. Additionally, proposed access points to the park & ride and transit center were chosen to minimize impacts on mature trees. Consistent with the recommendations of Staff, the layout of the improvements separate ‘public’ uses and functions such as the commuter rail station, transit center and park & ride lot from “industrial” functions associated with the commuter rail maintenance facility. The railroad corridor provides an existing barrier and reinforces the natural separation of these public and industrial functions.*” Staff concurs with this statement.

5. **To permit flexibility in the height of buildings while maintaining a ratio of site area to dwelling units that is consistent with the densities established by the Comprehensive Plan and the intent of the Plan to provide open space, outdoor living area and buffering of low-density development.**
- B6.** There are no dwelling units proposed in the Master Plan area. This requirement is not applicable.
6. **To allow development only where necessary and adequate services and facilities are available or provisions have been made to provide these services and facilities.**
- B7.** The application states, *“With only one building proposed (maintenance facility), the development will place minimal demand on public facilities and services such as water, sanitary sewer, storm sewer, and streets - particularly when compared with potential industrial development. All public facilities and services are either available to the site or will be extended in compliance with City of Wilsonville standards. Half-street improvements along the Barber Street frontage of the subject property are underway and expected to be completed by 2007. The half-street improvements will include installation of sidewalks, bike lanes, street lights and utilities. TriMet will coordinate with the City to stub water and sewer connections as part of the street improvement project to serve the future public restroom/driver station building next to the transit plaza.”* The City Engineer has reviewed the Master Plan and has determined that adequate services and facilities are available or will become available with scheduled City facilities development projects.
7. **To permit mixed uses where it can clearly be demonstrated to be of benefit to the users and can be shown to be consistent with the intent of the Comprehensive Plan.**
- B8.** See the Finding for B.2 above.
8. **To allow flexibility and innovation in adapting to changes in the economic and technological climate.**
- B9.** The application states in the project description that, *“After years of planning, the Washington County Commuter Rail Project is moving forward through local land use permitting and preliminary construction staging, with daily commuter rail service expected to begin in 2008. Federal environmental approvals and funding commitments are in hand and the project is supported in the land use and transportation plans of all affected jurisdictions (including the cities of Wilsonville, Tualatin, Tigard and Beaverton, Washington County, Metro, and ODOT).”* Intergovernmental agreements were established between Washington County and each of the four cities to assure coordination and consistency in the design of the commuter rail station areas. Additionally, the City recognized co-locating a SMART park & ride at the commuter rail terminus will create a centralized transfer hub for Wilsonville and provide convenient access for both bus and rail passengers. The proposed Master Plan responds to the economic and technological climate established by the funding availability and cooperative agreements which have been established.

(.02) Lot Qualification.

- A. **Planned Development may be established on lots which are suitable for and of a size to be planned and developed in a manner consistent with the purposes and objectives of Section 4.140.**
- B. **Any site designated for development in the Comprehensive Plan may be developed as a Planned Development, provided that it is zoned "PD." All sites which are greater than two (2) acres in size, and designated in the Comprehensive Plan for commercial, residential, or industrial use shall be developed as Planned Developments, unless approved for other uses permitted by the Development Code.**

B10. The applicants have demonstrated consistency with the purposes and objectives of Section 4.140. The combined lots that are included in the Stage I boundary comprise approximately 29 acres and are designated in the Comprehensive Plan for Industrial use. Approval of Request A – Zone Map Amendment to PDI for those parcels currently zoned RA-H will allow this application to comply with this lot qualification requirement.

(.03) Ownership.

- A. **The tract or tracts of land included in a proposed Planned Development must be in one (1) ownership or control or the subject of a joint application by the owners of all the property included. The holder of a written option to purchase, with written authorization by the owner to make applications, shall be deemed the owner of such land for the purposes of Section 4.140.**
- B. **Unless otherwise provided as a condition for approval of a Planned Development permit, the permittee may divide and transfer units or parcels of any development. The transferee shall use and maintain each such unit or parcel in strict conformance with the approval permit and development plan.**

B11. The tracts of land proposed to be included within the boundary of the Master Plan are currently owned by either the City of Wilsonville or Washington County. The County has provided authorization to TriMet to pursue on their behalf development of project plans for the subject property (Exhibit A2). The application states, *"The Stage I & II planned development is a joint application by the City of Wilsonville and TriMet. The City of Wilsonville owns the property west of the railroad corridor, and Washington County currently owns the property included within the Stage I & II boundaries to the east of the railroad corridor. See Attachments A and B in Section 1 of this consolidated application for maps of existing and proposed ownership.*

Upon execution of a Full Funding Grant Agreement between FTA [Federal Transit Administration] and TriMet, the City and County will complete a property exchange as described in Section 1 of the consolidated application. Washington County will deed the maintenance facility parcel to TriMet. The City of Wilsonville will proceed with a partition of the City Property as outlined in Attachment B of Section 1.

The maintenance facility parcel is already zoned PDI. Additionally, only a lot line adjustment is needed to shift the existing lot line between Tax Lots 1600 and 1701 from an east-west to a north-south orientation. Similar to the partition of the City Property, the lot line adjustment affecting the County Property will also be processed separate from this consolidated land use application. Because the County Property is zoned PDI, there is no requirement to wait for approval of the consolidated land use application before recording the lot line adjustment." The application complies with the ownership requirements.

(.04) Professional Design.

- A. The applicant for all proposed Planned Developments shall certify that the professional services of the appropriate professionals have been utilized in the planning process for development.**
- B. Appropriate professionals shall include, but not be limited to the following to provide the elements of the planning process set out in Section 4.139:**
 - 1. An architect licensed by the State of Oregon;**
 - 2. A landscape architect registered by the State of Oregon;**
 - 3. An urban planner holding full membership in the American Institute of Certified Planners, or a professional planner with prior experience representing clients before the Development Review Board, Planning Commission, or City Council; or**
 - 4. A registered engineer or a land surveyor licensed by the State of Oregon.**
- C. One of the professional consultants chosen by the applicant from either 1, 2, or 3, above, shall be designated to be responsible for conferring with the planning staff with respect to the concept and details of the plan.**
- D. The selection of the professional coordinator of the design team will not limit the owner or the developer in consulting with the planning staff.**

B12. All of the professional disciplines as required by (.04) above were used to prepare the plans and narrative for the consolidated land use applications. Individual firms are listed on the inside cover of the application and represent the following disciplines:

- Licensed architect (Waterleaf Architecture)
- Registered landscape architect (Lango Hansen)
- Land use planner with AICP certification (Angelo Planning Group)
- Registered engineer (URS Corporation)

TriMet has taken a lead role in conferring with Staff with respect to the concept and details of the plans. In addition, Angelo Planning Group was designated to support TriMet in coordinating with Staff as specified in (C.) above.

(.05) Planned Development Permit Process.

- A. All parcels of land exceeding two (2) acres in size that are to be used for residential, commercial or industrial development, shall, prior to the issuance of any building permit:**
 - 1. Be zoned for planned development;**
 - 2. Obtain a planned development permit; and**
 - 3. Obtain Development Review Board, or, on appeal, City Council approval.**
- B13.** The application states, *“The combined Commuter Rail and SMART improvements encompass more than 2 acres in area. All of the parcels within the Stage I and II boundaries are designated for Industrial use on the Wilsonville Comprehensive Plan Map. The property east of the rail corridor is zoned Planned Development Industrial (PDI). The City Property to the west of the rail corridor is currently zoned Residential Agricultural - Holding (RA-H). An application for a*

zone change from RA-H to PDI [Request A] has been submitted concurrent with the Planned Development application (see Section 2)...” Staff concurs with this statement. Stage I and Stage II approval as well as Site Design Review are also being sought in the applicants’ consolidated application (Requests B, C, and F, respectively).

D. All planned developments require a planned development permit. The planned development permit review and approval process consists of the following multiple stages, the last two or three of which can be combined at the request of the applicant:

- 1. Pre-application conference with Planning Department;**
- 2. Preliminary (Stage I) review by the Development Review Board. When a zone change is necessary, application for such change shall be made simultaneously with an application for preliminary approval to the Board; and**
- 3. Final (Stage II) review by the Development Review Board**
- 4. In the case of a zone change and zone boundary amendment, City Council approval is required to authorize a Stage I preliminary plan.**

B14. A formal pre-application conference was held on May 25, 2006. Additionally, the project team has met with staff on a weekly basis over the past two months to refine components of the overall design and review the plan set.

B15. A zone change application for the City Property has been submitted simultaneous with the Stage I application as required by the Code.

B16. The final Stage II application outlines the improvements included in the more detailed Site Design Review plans addressed in Sections 4 of the consolidated application.

B17. The applicants have elected to combine numerous separate land use applications as allowed by the Wilsonville Code

(.06)(B) The applicant may proceed to apply for Stage I – Preliminary Approval – upon determination by either staff or the Development Review Board that the use contemplated is consistent with the Comprehensive Plan.

B18. As previously discussed, the proposed industrial and public facilities uses contemplated with this request are consistent with the Comprehensive Plan Map designation of Industrial, subject to approval by the City Council of the proposed zone map amendment.

(.07) Preliminary Approval (Stage One):

A. Applications for preliminary approval for planned developments shall:

- 1. Be made by the owner of all affected property or the owner’s authorized agent; and**

B19. As described in the findings addressing (.03) Ownership, the Stage I application was submitted by the owner (City of Wilsonville) and authorized agent (TriMet) for the County Property.

- 2. Be filed on a form prescribed by the City Planning Department and filed with said Department.**

B20. On August 21, 2006, the applicants submitted the required application forms and the required fees were received by the City.

- 3. Set forth the professional coordinator and professional design team as provided in subsection (.04), above.**

B21. The professional design team was described in the findings addressing (.04) above.

- 4. State whether the development will include mixed land uses, and if so, what uses and in what proportions and locations.**

B22. The application narrative and the more detailed plans included in the Site Design Review application (see Section 4) describe and illustrate the mix of land uses (commuter rail station, transit center, park & ride, and maintenance facility), the amount of land area devoted to each use, and their location.

- B. The application shall include conceptual and quantitatively accurate representations of the entire development sufficient to judge the scope, size, and impact of the development on the community; and, in addition to the requirements set forth in Section 4.035, shall be accompanied by the following information:**

B23. A checklist that provides cross-references to the information required by Section 4.035 (Site Development Permits) is included in Attachment 3-C and is included by reference herein. Staff has reviewed the application and has determined that it includes conceptual and quantitatively accurate representations of the entire development sufficient to judge the scope, size, and impact of the development on the community. Staff has reviewed the checklist and has determined, with the exception of WDC Section 4.140(.07)(B)(1) (see Finding below), that the applicants have provided conceptual and quantitatively accurate representations of the entire development sufficient to judge the scope, size, and impact of the development on the community.

- 1. A boundary survey or a certified boundary description by a registered engineer or licensed surveyor.**

B24. ~~Staff is recommending a condition of approval requiring demonstration of certification for boundary surveys or boundary descriptions representing all parcels within the master plan area.~~ *The applicants have submitted corrected boundary description information. This requirement is met.*

- 2. Topographic information as set forth in Section 4.035**

B25. Topographic information is shown on the Grading, Drainage, and Erosion Control Plans of Section 4 (Site Design Review) of the consolidated application (Attachments C and G [Sheet G8]). One (1)-foot contours are shown as required for sites with slopes up to 5%.

- 3. A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre.**

B26. Residential development is not proposed. The Attachment 3 – C checklist provides the following tabulations for the proposed uses:

Maintenance facility building coverage – 17,000 SF
Maintenance facility paving coverage – 86,325 SF
Park & ride coverage – 171,852 SF
Commuter rail platform/transit center/plaza – 152,766 SF
Landscaped area coverage – 80,575 SF (15.8%)

4. **A stage development schedule demonstrating that the developer intends to receive Stage II approval within two (2) years of receiving Stage I approval, and to commence construction within two (2) years after the approval of the final development plan, and will proceed diligently to completion; unless a phased development schedule has been approved; in which case adherence to that schedule shall be considered to constitute diligent pursuit of project completion.**

B27. The applicants are submitting a request for approval of a Stage II development concurrently with the request for Stage I approval. The Section 1 narrative (page 4 of 6) of the consolidated application provides a commuter rail project schedule which proposes to begin construction of the Wilsonville commuter rail facilities in January 2007. Commuter rail service is intended to commence in September 2008. No phased development schedule is requested with this application. The application states, "*TriMet and SMART intend to proceed diligently to completion of the improvements identified in the Stage II and Site Design Review plans.*"

5. **A commitment by the applicant to provide in the Final Approval (Stage II) a performance bond or other acceptable security for the capital improvements required by the project.**

B28. No capital improvements are anticipated. No performance bond is required.

6. **If it is proposed that the final development plan will be executed in stages, a schedule thereof shall be provided.**

B29. The final development plan will not be executed in stages. This section is not applicable.

7. **Statement of anticipated waivers from any of the applicable site development standards.**

B30. No waivers from applicable site development standards are anticipated. This section is not applicable.

SUMMARY FINDING FOR REQUEST B:

B31. The applicants' proposed Stage I Master Plan meets all applicable requirements and the recommendation to the Board is for approval.

REQUEST 'C' – DB06-0079 STAGE II FINAL PLAN

Wilsonville Comprehensive Plan or Development Code references are shown in **bold** type. Excerpts from the application are shown in *italics*.

The applicants are requesting approval of a Stage II Development Plan for an area consisting of approximately 14 acres shown on Section 3, Attachment A of the consolidated application. This request is being submitted concurrently with applications for a Zone Map amendment, Stage I Master Plan, Master Sign Plan, Site Design Review, Type C Tree Removal Plan, and a Significant Resource Impact Report (SRIR).

DESCRIPTION OF DEVELOPMENT PLAN

Land Uses

Attachment [3]A also outlines the smaller boundary and more detail on the components of the Stage II Planned Development. The Stage II boundary matches the Site Design Review boundary. Attachment [3]B provides the legal description for the Stage II/Site Design Review boundary. Key components are described below:

- *Accesses to the park & ride, transit center and maintenance facility*
- *SMART transit center, including 12 bus bays and plaza*
- *Park & ride lot, including 8 kiss & ride spaces*
- *SROZ enhancement area and water quality swale*

Significant Resource Overlay Zone

The proposed non-exempt development will encroach into the Significant Resource Overlay Zone and its associated 25 foot Impact Area. All non-exempt development will occur within the 50-foot Title 3 wetland vegetated corridor for the creek and its associated 25 foot Impact Area. The impacted area totals 2,465 square feet and is situated along the northerly edge of the park and ride lot. The impact to the SROZ is necessary to accommodate a landscaped embankment, which is 425 feet long and approximately six (6) feet wide.

Proposed exempt development in the SROZ and its associated 25 foot Impact Area includes the following:

- 3) Improvements to the railroad tracks to access the new maintenance facility; and
- 4) A flow spreader to maximize the dispersion of treated stormwater runoff in the adjacent wetland area.

Even though the railroad improvements are exempt from local land use review, state and federal permits (DSL/COE) are still required. TriMet has received permit approvals from the Corps of Engineers and the Oregon Department of State Lands for fill-removal activities associated with the entire Commuter Rail project. In addition, Oregon Department of Environmental Quality has issued a 1200c erosion control permit. While a minimal impact to the SROZ will be associated with grading for the park & ride lot, no paving or structures will be placed within the SROZ. WDC Section 4.139.09(.01)C allows public agencies, such as TriMet, to impact these areas without having to produce a Significant Natural Resources

Impact Report (SRIR) as long as the SROZ review criteria are met. The SRIR criteria review is provided in Section 6 (Request G, application file no. SI06-0005) of the consolidated application.

Phasing

The proposed project which is the subject of this request will not be done in phases.

CITY OF WILSONVILLE LAND DEVELOPMENT ORDINANCE

Section 4.140. Planned Development Regulations.

(.09) Final Approval (Stage Two):

C. The final plan shall conform in all major respects with the approved preliminary development plan, and shall include all information included in the preliminary plan plus the following:

- C1.** The applicants have submitted a consolidated application which includes a Stage I Master Plan along with a Stage II Development Plan and a Site Design Review request for the first phase of the Wilsonville Commuter Rail and SMART facility improvements. The Stage II Development Plan is consistent with the proposed Master Plan and has the same boundary for the Site Design Review approval request. Detailed plans on the location of water, sewerage and drainage facilities; preliminary building and landscaping plans and elevations; the general type and location of signs; topographic information; a map indicating the types of locations of all proposed uses; and grading plans are shown in the Attachments to the Site Design Review application (see Section 4 of the consolidated application).
 - 1. The location of water, sewerage and drainage facilities;**
- C2.** See Attachment 4C, Grading, Drainage, and Erosion Control Plans; Attachment 4G, Maintenance Facility (Sheets G8-G12).
 - 2. Preliminary building and landscaping plans and elevations, sufficient to indicate the general character of the development;**
- C3.** See Attachment 4A, Site Plans (Sheet A8); Attachment 4B, Landscape Plans; Attachment 4H, Maintenance Facility Building Elevations.
 - 3. The general type and location of signs;**
- C4.** See Attachment 4I, Comprehensive Sign Plan; Attachment 4F, Amenities Package. Refer also to Request D - Master Sign Plan, of the consolidated application.
 - 4. Topographic information as set forth in Section 4.035;**
- C5.** See Attachment 4C, Grading, Drainage, and Erosion Control Plans; Attachment 4G, Maintenance Facility (Sheet G8).
 - 5. A map indicating the types and locations of all proposed uses; and**

C6. See Section 3 - Attachment A, Stage I Master Plan and Stage II Development/Site Design Review Plan; Attachment 4A, Site Plans; Attachment 4G, Maintenance Building (Sheets G1-G5).

6. A grading plan.

C7. See Attachment 4C, Grading, Drainage, and Erosion Control Plans; Attachment G, Maintenance Facility (Sheet G8).

D. The final plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the development or phase of development. However, Site Design Review is a separate and more detailed review of proposed design features, subject to the standards of Section 4.400.

C8. Staff has reviewed the final plans and have determined that they are of sufficient detail to indicate fully the ultimate operation and appearance of the first phase of the Master Plan. A request for Site Design Review for all improvements within the Stage II boundary has been submitted concurrently (see Section 4 of the consolidated application).

J. A planned development permit may be granted by the Development Review Board only if it is found that the development conforms to all the following criteria, as well as to the Planned Development Regulations in Section 4.140:

C9. The applicants have demonstrated conformance with the regulations in Section 4.140 within the Stage I application request.

1. The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.

C10. It was demonstrated in Section 2 (Request for Zone Map Amendment) that the proposed project is consistent with policies and implementation measures in the Wilsonville Comprehensive Plan and Transportation System Plan that support the commuter rail and transit improvements at this specific location. With approval of the zone map amendment request, public facility and maintenance facility uses are authorized in the PDI zone.

2. That the location, design, size and uses are such that traffic generated by the development at the most probable used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D...

b. The following are exempt from meeting the Level of Service D criteria standard:

ii. A planned development or expansion thereof which provides an essential governmental service.

C11. Section 4.001 of the Wilsonville Development Code defines essential government services as follows: **“Services and facilities provided by a governmental unit that are basis and inherent to the public health and welfare including but not limited to fire, police, water, sewer, transportation, emergency communication and educational and governmental services and facilities and support thereof.”** Staff has taken the position that commuter rail

meets the definition of an essential government service and is an essential part of the overall transportation system in the Metro area and clearly meets the definition of an essential government service. The proposed development is therefore exempt from meeting the Level of Service D criteria standard.

- c. **Traffic generated by development exempted under this subsection on or after Ordinance No. 463 was enacted shall not be counted in determining levels of service for any future applicant. [Added by Ord 561, adopted 12/15/03.]**
- d. **Exemptions under 'b' of this subsection shall not exempt the development or expansion from payment of system development charges or other applicable regulations. [Added by Ord 561, adopted 12/15/03.]**

C12. These two subsections of the Code are included for informational purposes only. Determination of the applicability or level of system development charges is not being considered with review of this set of consolidated applications.

- e. **In no case will development be permitted that creates an aggregate level of traffic at LOS "F". ([Added by Ord 561, adopted 12/15/03.]**

The DRB granted the waiver and applied a condition of approval requiring the fenced signal storage area to be enclosed with a six (6)-foot, green vinyl chain link fence.. DKS Associates prepared a Transportation Impact Study (Study) in December 2005 for the proposed first phase. (Copies of the 2005 Study and an updated Memorandum dated July 22, 2006 are included in Attachment D.) Table 7 of the Study compares existing intersection operating conditions with the addition of the proposed project development traffic. The Table indicates the intersection of Boeckman Road/Boberg Road has an existing LOS of A/D (major street LOS/minor street LOS), which will degrade to A/F with the proposed project during the PM peak hour. However, Table 8 includes an analysis of existing plus other Stage II developments that have been approved or are currently under construction; the intersection of Boeckman Road/Boberg Road is already showing an LOS of A/F. It is Staff's position that the proposed development would not be creating an aggregate level of traffic at LOS of F since that level already exists.

In a Memorandum dated September 13, 2006, DKS identified an error in Table 8. Under the heading "Existing + Stage II + Project" the 'Delay' and 'LOS' data for the Boberg Road/Boeckman Road and Boberg Road/Barber Street intersections were reversed. The result is that the intersection of Boberg Road/Barber Street develops an LOS F with the addition of the proposed project. Staff is recommending a condition of approval [per Transportation Systems Plan Implementation Measure 4.2.1.a., WDC 4.008(I), and WDC .140(.09)(J)(2)], requiring the intersection of Boberg Road/Barber Street to be improved to at least LOS D within two (2) years of approval by the City Council of the Zone map amendment for the proposed site.

- 3. **That the location design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.**

C14. The application states, *"The improvements in the Stage II plan will place minimal demands on public facilities such as water and sanitary sewer because no residents or full-time employees*

will be associated with the transit center and park & ride improvements. The maintenance facility will have approximately 15 staff and is expected to have infrastructure demands typical of a low employment density industrial user. Public utility extensions to serve the maintenance facility are shown on the Utility Plans included with the plan set for the maintenance facility (see Section 4, Site Design Review Attachments). Storm drainage improvements, including water quality swales, will be constructed to accommodate and treat storm water runoff associated with the new impervious surfaces. Details are shown on the grading, drainage and erosion control plans included with the Site Design Review Attachments.” Staff has reviewed the proposed development plan and have determined that the project can be adequately served by existing or immediately planned facilities and services.

Section 4.118. Standards Applying to all Planned Development Zones:

(.02) Underground Utilities shall be governed by Sections 4.300 to 4.320. All utilities above ground shall be located so as to minimize adverse impacts on the site and neighboring properties.

C15. All new utilities associated with the Stage II development will be installed underground as required by the Code and approved by the City Engineer.

(.08) Wetland Mitigation and other mitigation for lost or damaged resources. The Development Review Board may, after considering the testimony of experts in the field, allow for the replacement of resource areas with newly created or enhanced resource areas. The Board may specify the ratio of lost to created and/or enhanced areas after making findings based on information in the record. As much as possible, mitigation areas shall replicate the beneficial values of the lost or damaged resource areas.

C16. Mitigation of impacts to wetlands within the SROZ abutting the site is addressed in Section 6 of the consolidated application (Request G).

Section 4.117. Standards Applying To Industrial Developments In Any Zone.

(.01) All industrial developments, uses, or activities are subject to performance standards. If not otherwise specified in the Planning and Development Code, industrial developments, uses, and activities shall be subject to the performance standards specified in Section 4.135 (.07) (PDI Zone). Note to reader: The performance standards are found in Section 4.135 (.05) (PDI Zone).

C17. The commuter rail station, transit center and park & ride lot are "public facility" uses permitted in the PDI zone. Industrial performance standards are not applicable to these uses. The maintenance facility is considered an industrial use. This facility and its associated activities are subject to the performance standards specified in Section 4.1135 (.05) (PDI Zone).

Section 4.135. PDI- Planned Development Industrial Zone.

(.01) Purpose: The purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses.

C18. The Wilsonville Commuter Rail & SMART improvements are consistent with the stated purpose of the PDI zone. Public facilities are a permitted use and the maintenance facility use is an industrial use

with activities similar to repair and vehicle service uses which are also permitted in the PDI zone. Additionally, the Wilsonville Transportation System Plan includes policies and maps that support development of the proposed transit facilities at this specific location in the PDI zone. This standard has been met.

(.02) The PDI Zone shall be governed by Section 4.140, Planned Development Regulations, and as otherwise set forth in this Code.

C19. The findings to address Section 4.140 Planned Development Regulations were addressed earlier in this narrative and are incorporated here by reference.

(.03) Uses that are typically permitted:

E. Motor vehicle services, or other services complementary or incidental to primary uses, and which support the primary uses by allowing more efficient or cost effective operations

N. Industrial Services

Q. Public facilities.

C20. The commuter rail station, SMART transit center and shared use park & ride are categorized as "public facilities" and are listed as a permitted use in the PDI zone under (.03) Q above. All of the facilities will be developed, owned, operated and maintained by the City of Wilsonville (SMART) and/or TriMet. The commuter rail maintenance facility may be classified as an "Industrial Service" under (.03) (N) or a "motor vehicle services use" under (.03) E above. The maintenance facility is needed to support the primary commuter rail use of the adjacent rail corridor and is needed to allow efficient and cost effective operations of the overall commuter rail project. This standard is met.

(.04) Block and access standards:

The PDI zone shall be subject to the same block and access standards as the PDC zone, Section 4.131(.02) and (.03).

C21. The application states, "*The referenced section (.02) describes prohibited uses in the PDC zone and is not applicable. The referenced block and access standards in (.03) are intended to assure adequate connectivity for pedestrians, bicyclists, and motor vehicle drivers – an also included consideration of public transit as a means of meeting access needs. The referenced standards are generally applicable to residential and mixed use development and address items such as local street spacing and maximum block length. The Stage II improvements do not propose extension of local streets and do not result in the creation of 'blocks'. However, the overall intent of the project is to improve transit access and connectivity between various transportation modes for Wilsonville residents, employers and employees, consistent with the stated intent of PDC block and access standards.*" Staff concurs with this statement. There are three access locations off Barber St. shown on the site plan: 1) access to the park & ride lot (western-most access) 250 feet east of Kinsman Road, 2) access to the Transit Center 450 feet from the park & ride access, and 3) access to the maintenance facility east of the railroad tracks (only employees will use this access). The intent of this standard is met.

(.05) Performance Standards. The following performance standards apply to all industrial properties and sites within the PDI Zone, and are intended to minimize the potential

adverse impacts of industrial activities on the general public and on other land uses or activities. They are not intended to prevent conflicts between different uses or activities that may occur on the same property.

- C22.** These performance standards apply to the Commuter Rail Maintenance Facility and associated maintenance and repair activities. Compliance with the recommended conditions of approval and inspection and approval by City engineering and permitting staff will assure compliance.
- A. All uses and operations except storage, off-street parking, loading and unloading shall be confined, contained, and conducted wholly within completely enclosed buildings, unless outdoor activities have been approved as part of Stage II, Site Design or Administrative Review.**
- C23.** The vehicle maintenance bays, components shop, parts storage and activities associated with rail vehicle maintenance will be enclosed in the maintenance facility building that must of necessity be located adjacent to the rail corridor and tracks.
- B. Vibration: Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any boundary line of the property on which the use is located.**
- C24.** The application states that the operation of the maintenance facility will not generate vibration in violation of any applicable standards adopted by the Oregon Department of Environmental Quality (DEQ).
- C. Emission of odorous gases or other odorous matter in quantities as detectable at any point on any boundary line of the property on which the use is located shall be prohibited.**
- C25.** The application states that the operation of the maintenance facility will not emit odorous gases or other odorous matter in violation of any applicable standards adopted by DEQ.
- D. Any open storage shall comply with the provisions of Section 4.176, and this Section.**
- C26.** The Findings and recommended conditions of approval for WDC Section 4.176, which is addressed in Section 4 – Site Design Review (Request F) of the consolidated application, are incorporated here by reference.
- E. No building customarily used for night operation, such as a baker or bottling and distribution station, shall have any opening, other than stationary windows or required fire exits, within one hundred (100) feet of any residential district and any space used for loading or unloading commercial vehicles in connection with such an operation shall not be within one hundred (100) feet of any residential district.**
- C27.** The maintenance facility will operate at night. Neither the building nor the loading dock is within (100) feet of any Residential (R) district. The closest Residential district is approximately (2000) feet generally southwest of the proposed building site. This standard is met.
- F. Heat and Glare:**

1. **Operations producing heat or glare shall be conducted entirely within an enclosed building.**
2. **Exterior lighting on private property shall be screened, baffled, or directed away from adjacent residential properties. This is not intended to apply to street lighting.**

C28. As noted above, all uses and operations except storage, off-street parking, loading and unloading shall be confined, contained, and conducted wholly within completely enclosed buildings. There are no adjacent residential properties. However, the lighting plan submitted by the applicants (see Section 4, Attachment D) and the cut sheets for the pedestrian-scale and park & ride lighting fixtures identify “state-of-the-art luminaires for outdoor cutoff lighting.”

G. Dangerous Substances: Any use which involves the presence, storage or handling of any explosive, nuclear waste product, or any other substance in a manner which would cause a health or safety hazard for any adjacent land use or site shall be prohibited.

H. Liquid and Solid Wastes:

1. **Any storage of wastes which would attract insects or rodents or otherwise create a health hazard shall be prohibited.**
2. **Waste products which are stored outside shall be concealed from view from any property line by a sight-obscuring fence or planting as required in Section 4.176.**
3. **No connection with any public sewer shall be made or maintained in violation of applicable City or State standards.**
4. **No wastes conveyed shall be allowed to or permitted, caused to enter, or allowed to flow into any public sewer in violation of applicable City or State standards.**
5. **All drainage permitted to discharge into a street gutter, caused to enter or allowed to flow into any pond, lake, stream, or other natural water course shall be limited to surface waters or waters having similar characteristics as determined by the City, County, and State Department of Environmental Quality.**
6. **All operations shall be conducted in conformance with the City’s standards and ordinances applying to sanitary and storm sewer discharges.**

C29. The application states, “*Two memos prepared by TriMet that describe the methods for mobile fueling and washing commute rail vehicles at the maintenance facility are included in Attachment E to address compliance with performance standards and are incorporated by this reference. Special performance measures such as an automatic valve to switch discharge from the storm sewer to the sanitary sewer system have been included in the maintenance facility design as requested by staff. Additionally, the mobile fueling will include special track pans to hold any spills which may occur.*” Highlights from the memos which have a bearing on the standards listed above include:

Train washing:

- Trains will be washed over a concrete wash pad on the storage track adjacent to the maintenance building.
- The mechanical motion of turning on the wash water will also rotate a valve in the drainage system so that while the water is on the drainage system will be flowing to the sanitary sewer system.

- When train washing is completed, the wash pad will be flooded with water to remove all washing residue.
- When wash water is turned off, it will rotate the valve so the drainage system will flow to the storm sewer system.
- Storm water from the wash area will be piped through a treatment vault for sediment and oil removal prior to discharge into the storm sewer system.

Train fueling

- The fuel supplier will bring a fueling truck to the maintenance facility site to deliver fuel.
- During fueling, the track pans will collect and hold any spills which may occur.
- Any fuel spills shall be cleaned from the track pans and disposed of properly by the fueling vendor.
- The track pan covers will divert all stormwater (rainfall) into the ballast below the pans when fueling is not taking place.
- The Oregon Department of Environmental Quality has jurisdiction over this fueling activity.

Staff has had several meetings with TriMet to review the proposed wash and stormwater management system and has determined that, with the exception of (H)(2) above (see following Finding), the proposed systems will meet the standards of this subsection of the Code.

C30. The Development Code requires sight-obscuring screening of open storage. TriMet has cited concerns for safety and security plus federal mandates which affect their fencing options. The Development Review Board is being asked to examine the issue, determine the merits of the TriMet position, and decide whether a waiver shall be granted as provided for under WDC 4.176(.02)(B).

I. Noise: Noise generated by the use, with the exception of traffic noises from automobiles, trucks, and trains, shall not violate any applicable standards adopted by the Oregon Department of Environmental Quality governing noise control in the same or similar locations.

C31. The application states, "*Operation of the maintenance facility will not generate...noise ...in violation of any applicable standards adopted by DEQ. Background (ambient) noise levels already include operations of the freight railroad.*"

J. Electrical Disturbances. Except for electrical facilities wherein the City is preempted by other governmental entities, electrical disturbances generated by uses within the PDI zone which interfere with the normal operation of equipment or instruments within the PDI Zone are prohibited. Electrical disturbances which routinely cause interference with normal activity in abutting residential use areas are also prohibited.

C32. The application states, "*Operation of the maintenance facility will not generate... electrical disturbances in violation of any applicable standards adopted by DEQ.*"

K. Discharge Standards: There shall be no emission of smoke, fallout, fly ash, dust, vapor, gases, or other forms of air pollution that may cause a nuisance or injury to human, plant, or animal life, or to property. Plans of construction and operation shall be subject to the recommendations and regulations of the State Department of Environmental Quality. All measurements of air pollution shall be by the procedures

and with equipment approved by the State Department of Environmental Quality or equivalent and acceptable methods of measurement approved by the City. Persons responsible for a suspected source of air pollution upon the request of the City shall provide quantitative and qualitative information regarding the discharge that will adequately and accurately describe operation conditions.

L. Open burning is prohibited.

M. Storage:

- 1. Outdoor storage must be maintained in an orderly manner at all times.**
- 2. Outdoor storage area shall be gravel surface or better and shall be suitable for the materials being handled and stored. If a gravel surface is not sufficient to meet the performance standards for the use, the area shall be suitably paved.**
- 3. Any open storage that would otherwise be visible at the property line shall be concealed from view at the abutting property line by a sight obscuring fence or planting not less than six (6) feet in height.**

C33. The application states, *“An outside storage area (about 9,750 square feet) north of the Maintenance Facility will be used to store equipment needed to support track signals maintenance operations. Additionally, the storage track will accommodate storage of 7 commuter rail cars (DMU [Diesel Multiple Units] in three married pairs of DMU’s plus a single car.”* The only site plan depicting a storage area is Section G – Maintenance Facility (Sheet G2), which has a graveled Maintenance-of-Way storage area on the south side of the facility. ~~This plan sheet also shows the location of the storage track. Staff is recommending a condition of approval requiring TriMet~~ *has provided additional information to verifying the northern location of the outdoor storage area and to describing the nature of surfacing.*

N. Landscaping:

- 1. Unused property, or property designated for expansion or other future use, shall be landscaped and maintained as approved by the Development Review Board. Landscaping for unused property disturbed during construction shall include such things as plantings of ornamental shrubs, lawns, native plants, and mowed, seeded field grass.**
- 2. Contiguous unused areas of undisturbed fieldgrass may be maintained in their existing state. Large stands of invasive weeds such as Himalayan blackberries, English ivy, cherry Laurel, reed canary grass or other identified invasive plants shall be removed and/or mowed at least annually to reduce fire hazard. These unused areas, located within a phased development project or a future expansion cannot be included in the area calculated to meet the landscape requirements for the initial phase(s) of the development.**
- 3. Unused property shall not be left with disturbed soils that are subject to siltation and erosion. Any disturbed soil shall be seeded for complete erosion cover germination and shall be subject to applicable erosion control standards.**

C34. Unused property or property designated for expansion were not expressly addressed or depicted in the landscaping plans. Staff is recommending a condition of approval requiring the identification of any such property, plans for landscaping to the standards of this subsection if applicable, and landscaping for unused property disturbed during construction consistent with the approved development plan.

(.06) Other Standards:

- A. Minimum Individual Lot Size: No limit save and except as shall be consistent with the other provisions of this Code (e.g., landscaping, parking, etc.).**
 - B. Maximum Lot Coverage: No limit save and except as shall be consistent with the other provisions of this Code (e.g., landscaping, parking, etc.).**
 - C. Front Yard Setback: Thirty (30) feet. Structures on corner or through lots shall observe the minimum front yard setback on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.**
 - D. Rear and Side Yard Setback: Thirty (30) feet. Structures on corner or through lots shall observe the minimum rear and side yard setbacks on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.**
 - E. No setback is required when side or rear yards abut on a railroad siding.**
 - F. Corner Vision: Corner lots shall have no sight obstruction to exceed the vision clearance standards of Section 4.177.**
 - G. Off-Street Parking and Loading: As provided in Section 4.155.**
 - H. Signs: As provided in Section 4.156. [Section 4.135 amended by Ordinance No. 574, 11/1/04.]**
- C35.** As noted above, no minimum lot size or lot coverage standards are specified for the PDI zone. Through a separate administrative process, the City will partition the property west of the railroad tracks into three parcels and a lot line adjustment will be recorded for the maintenance facility east of the tracks. The size of the proposed parcels will be designed to accommodate all of the landscaping, parking and other Stage II improvements. No structures will be located within the specified front yard setback of 30 feet. Barber Street is established as the front yard for the maintenance facility building because of the access connection to that street. As noted in the Code, no side or rear yards are required when the building abuts a railroad siding. Corner vision standards will be maintained at all access points. Off-street parking and signs are addressed in the Site Design Review application (see Section 4 of the consolidated land use applications).

SUMMARY FINDING FOR REQUEST C:

- C36.** The proposed State II Final Plan can be made to meet all applicable Code requirements through required conditions of approval. The recommendation to the Board is for approval.

REQUEST 'D' – DB06-0080 Master Sign Plan

The applicants are requesting approval of a Master Sign Plan for monument signs at the entrances to the park & ride lot, the transit center, and the maintenance facility. The remaining signs to be installed on the subject property are exempt from meeting the sign criteria standard because they relate to traffic control and directional signage. Other signs are permitted because they are associated with City property and improvements (transit center and park & ride); these signs and their placement must meet all other applicable standards and criteria. However, all monument signs had been submitted for DRB review and approval.

WILSONVILLE LAND DEVELOPMENT ORDINANCE

Section 4.156 Sign Regulations

(.01) Purpose. The general purpose of this Section is to provide one of the principal means of implementing the Wilsonville Comprehensive Plan by promoting public safety, providing locational and directional information, ensuring continued aesthetic improvement of the City's environment, and providing adequate opportunity for signage to meet the needs of individuals, businesses, institutions, and public agencies. These provisions classify and regulate the variety, number, size, location, and type of signs for a site. They do not necessarily assure or provide for a property owner's desired level of sign visibility. Regulations for signs have one or more of the following specific objectives:

- A. To ensure that signs are designed, constructed, installed and maintained so that public safety and traffic safety are not compromised;**
- B. To allow and promote positive conditions for meeting the needs of sign users while avoiding nuisances to nearby properties and the community overall;**
- C. To reflect and support the desired character and development patterns of the various zones;**
- D. To allow for variety in number and type of signs in appropriate locations, while preventing signs from dominating the visual appearance of the area;**
- E. To prevent the construction or use of signs that would otherwise detract from the design of adjacent buildings or properties;**
- F. To provide the public with adequate opportunity for needed information that can be supplied through signage;**
- G. To stabilize and improve property values and prevent the creation of blighted areas;**
- H. To provide for the clear identification of structures in order to enhance public safety; and**
- I. To ensure the protection of the constitutionally guaranteed right of free speech.**

D1. The majority of the signs that will be installed on the subject property are exempt from City of Wilsonville sign standards because they relate to traffic control and directional signage (WDC 156.04.A.1). Other signs are permitted because they are associated with City property and improvements (transit center) (WDC 156.10.A.1). The applicants propose to install three compatible monument signs at the entrance to the park & ride, the SMART transit center and the maintenance facility along the Barber Road frontage. The setback, dimensions, materials and general design of the two monument signs will be the same. However, the TriMet logo will be included on the monument signs at the park & ride and maintenance facility access, while the SMART logo will be included on the monument sign at the transit center access. Attachment I

(Comprehensive Sign Plan) shows the locations and dimensions of the monument signs. No signage will be provided on the maintenance facility building.

TriMet and SMART are also coordinating to assure that needed information is provided for the public regarding schedules, maps of the overall system, etc. thorough use of kiosks. Cut sheets in Attachment F (Sheets F8 – F11) illustrate the proposed elements of signage.

2. **Any decision for approval of a sign proposal shall include written findings addressing the following criteria:**
 - a. **The proposed signage complies with the specific objectives in subsection 4.156(.01) of this Code;**
 - b. **The proposed signage is compatible with developments or uses permitted in the zone in terms of design, materials used, color schemes, proportionality, and location, so that it does not interfere with or detract from the visual appearance of adjacent development;**
 - c. **The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of adjacent properties;**
 - d. **If the proposed signage is to be temporary, the length of time for which it is permitted shall be reasonable in terms of the purpose and nature of the signs that are proposed, but not to exceed one (1) year from the date of approval;**
 - e. **If the application involves a Variance, it shall be subject to the standards and criteria listed in Section 4.196; and**
 - f. **All of the relevant application filing requirements of Chapter 4 have been met.**

D2. The proposed signage is compatible with typical signage and public information displayed along the MAX system and is coordinated with the signage proposed for the four other commuter rail stations. The sign materials, color schemes, proportions, and location have been designed to compliment the visual appearance of the new public transportation improvements. No temporary signs or variances to sign standards are proposed. Attachment F (Sheets F8 – F11) and Attachment I illustrate key signage elements. *Supplemental information on proposed graphics and text (Exhibit A.7) has also been submitted by the applicants.* ~~TriMet and SMART are eordinating to finalize details on sign text and graphics. Staff is recommending a condition of approval requiring final review by the Planning Director of the text, graphics, and compatibility with the Master Sign Plan conditionally approved by the DRB.~~

D. Master Sign Plans. A master sign plan is required for developments containing three (3) or more non-residential occupants, including but not limited to tenants, businesses, agencies, and entities. Additionally, the developer of any project may apply to have the development's signs reviewed through master sign plan procedures. A master sign plan shall be submitted at the time the development is reviewed by the Development Review Board. Master sign plans shall contain the method of illumination, the number, locations, and sizes of signs. The proposed master sign plan shall also show the estimated number of tenant signs and the total square footage of all signs within the development. Lettering styles and sizes for all occupants of the development shall be shown if known at the time of application.

1. In reviewing a master sign plan, the Development Review Board may regulate size, location, number and type of proposed signage in accordance with Sections 4.400 through 4.450 of this Code.

2. **The Development Review Board may grant waivers from the requirements of this Section where the overall design of the master sign plan is found by the Board to assure attractive and functional signage. The Board shall give consideration to the size and scale of the proposed development, as well as the number of separate entrances, when acting on a master sign plan for a large development.**
3. **Any existing sign, whether or not it is to be retained, must be shown on the plan. It shall be the responsibility of the property owner or the owner's agent to administer and control any aspect of an approved master sign plan that is more restrictive than the City's sign regulations. Individual business signs that are part of a master sign plan are subject to the permit application process.**

D3. The master sign plan is included in Attachment I and includes the number, locations and sizes of the monument signs that are subject to review.

(.04) Signs Exempt From Sign Permit Requirements.

A. The following signs are exempt from the permit requirements of this Section and do not require sign permits. Unless otherwise specified, the area of the exempted signs shall not be included in the calculations of sign area permitted on a given site:

1. **Traffic or other governmental or directional signs, as may be authorized by the City or other units of government having jurisdiction within the City.**

D4. The plan sets include information on traffic control signs in Attachment E. However, these signs are exempt from sign permit requirements.

B. Signs on Buildings

D5. No signs are proposed on the Maintenance Facility building.

4. **District or Planned Development signs - one (1) on-site monument sign, or one (1) off-site monument sign on an adjacent parcel identifying that Planned Development project, may be permitted, subject to the following standards and conditions:**

- a. **The sign may be double-faced, shall not exceed thirty-two (32) square feet per face, and may be located within ten (10) feet of a street right-of-way without requiring a waiver or variance.**
- b. **The sign shall pertain only to identification of its subject development.**
- c. **Sign graphics may be changeable so as to indicate vacancies and occupancy changes.**
- d. **The sign shall be reviewed by the Development Review Board in conjunction with the overall Planned Development.**

D6. The proposed monument signs (3) will be located on three separate parcels after the partition of the City parcel is approved through a separate administrative review. The dimensions of the signs (around 16 SF per sign face) and setback from the Barber Street right-of-way (about 15 feet) are consistent with the standards noted above. Representative examples of the three monument signs are shown in Section 4, Attachment F – Amenities (Sheets 9 through 11).

(.10) Signs On City Property. For the purposes of this subsection, City property is defined as physical sites, City right-of-ways, and rights-of-way over which the City has jurisdiction. City property includes, but is not limited to, the following: City Hall, The Community Development Annex, the Community Center, the Library, Boones Ferry Park, the Burlington Northern park site, Town Center Park, Tranquil Park, Wilsonville Memorial Park, the Boozier property, the Montebello open space on Wilsonville Road, Fox Chase Park, and the City's reservoir, pump station, or treatment plant properties.

A. Permitted Signs. Signs may be placed on City property and/or City rights-of-way and right-of-ways over which the City has jurisdiction under the following conditions:

- 1. Such signs as are necessary to locate and direct the public to City premises, or other governmental premises, shall be permitted.**
- 2. Such signs as are necessary for the public's health, safety and welfare authorized under law, regulation, ordinance, or order including but not limited to traffic signs shall be permitted. This shall include signs authorized to conform with the State's Tourism Information program.**
- 3. Signs and their placement as authorized in subsections 1 and 2, above, shall meet all other applicable standards and criteria under law, regulation, ordinance, or order.**

D7. The City of Wilsonville owns the property west of the railroad corridor and signs directing the public to the SMART transit center and park & ride would be permitted under the provisions of (.10) above. However, the monument signs and other signage for SMART bus facilities and the commuter rail platform have been submitted for DRB review and approval. The signage plan and details are included in Attachment I.

SUMMARY FINDING FOR REQUEST D:

D8. The proposed Master Sign Plan can be made to meet all applicable Code requirements through required conditions of approval. The recommendation to the Board is for approval.

REQUEST 'E' - DB06-0083 - TYPE 'C' TREE PLAN:

Wilsonville Development Code requirements are shown in **bold** type. Excerpts from the application are shown in *italics*.

The applicants are submitting a request for a Type 'C' Tree Removal Plan concurrently with the Site Design Review for the Wilsonville Commuter Rail Station and South Metro Area Rapid Transit (SMART) improvements. This request is part of a consolidated set of applications for the proposed project. This request addresses only the subject site west of the existing railroad right-of-way where the proposed development includes a park & ride lot, SMART transit facilities, plaza, and commuter rail station platform. The development on the east side of the railroad tracks (maintenance facility site) does not encompass trees larger than six inches d.b.h. and is, therefore, not subject to tree permit requirements.

There is a Significant Resource Overlay Zone that runs generally east-west along the northern perimeter of the subject site. Impacts to the SROZ are addressed in Section 6 of the consolidated application (Request G). The impact area is primarily comprised of non-native species dominated by English hawthorne. A mitigation plan included in Section 6, Attachment A (URS Technical memorandum) proposes to remove existing invasive species and replant with an assortment of native trees and shrubs, including Oregon ash, alder and willow.

An arborist's report is included as Attachment A of this request, dated July 27, 2006. The report divides the inventoried trees into three categories: 1) those to be removed, 2) those to be preserved, and 3) those whose disposition is uncertain pending further assessment after clearing of surrounding vegetation. Since the report was compiled, TriMet has worked with the City to avoid and minimize impacts to the areas natural resources. As a result, the originally proposed layout of the western access was shifted to the east to make it feasible to save some mature oak trees,

Section 4.600 – Tree Preservation and Protection

4.600.50 Application for Tree Removal Permit

(.01) Application for Permit

(.02) Time of Application: Application for a Tree Removal Permit shall be made before removing or transplanting trees, except in emergency situations as provided in WC 4.600.40 (1)(B) above. Where the site is proposed for development necessitating site plan or plat review, application for a Tree Removal Permit shall be made as part of the site development application as specified in this subchapter.

E1. The applicants are requesting a Site Design Review for Phase 1 of the Wilsonville Commuter Rail Station and SMART Improvements, therefore an application for a Tree Removal Permit is being made as part of the site development application as required by this subsection of the Code.

Section 4.600. Purpose and Declaration

(.01) Rapid growth, the spread of development, need for water and increasing demands upon natural resources have the effect of encroaching upon, despoiling, or eliminating many of the trees, other forms of vegetation, and natural resources and processes associated therewith which, if preserved and maintained in an undisturbed and

natural condition, constitute important physical, aesthetic, recreational and economic assets to existing and future residents of the City of Wilsonville.

(.02) Specifically, the City Council finds that:

- A. Woodland growth protects public health through the absorption of air pollutants and contamination, through the reduction of excessive noise and mental and physical damage related to noise pollution, and through its cooling effect in the summer months, and insulating effects in winter;
- B. Woodlands provide for public safety through the prevention of erosion, siltation, and flooding; and
- C. Trees make a positive contribution to water quality and water supply by absorbing rainfall, controlling surface water run-off, and filtering and assisting in ground water recharge; and
- D. Trees and woodland growth are an essential component of the general welfare of the City of Wilsonville by producing play areas for children and natural beauty, recreation for all ages and an irreplaceable heritage for existing and future City residents.

(.03) Therefore, the purposes of this subchapter are:

- A. To preserve Significant Resource Overlay Zone areas, recognizing that development can and will occur.
- B. To provide for the protection, preservation, proper maintenance and use of trees and woodlands in order to protect natural habitat and prevent erosion.
- C. To protect trees and other wooded areas for their economic contribution to local property values when preserved, and for their natural beauty and ecological or historical significance.
- D. To protect water quality, control surface water run-off, and protect ground water recharge.
- E. To reflect the public concern for these natural resources in the interest of health, safety and general welfare of Wilsonville residents.
- F. To encourage replanting where trees are removed.

E2. In support of the stated purpose for the Tree Preservation and Protection section of the Wilsonville Coe the application states, *“Through the preliminary and final design phases for the commuter rail project, TriMet has coordinated closely with the City of Wilsonville to avoid and minimize impacts to natural resources and trees on the site. This includes shifting the western vehicular access to make it feasible to save some mature Oak trees. Additionally, TriMet is committed to maximizing ecological functions in this area through riparian area plantings in the SROZ buffer and replanting trees throughout the site.*

Policies and maps in the Wilsonville Comprehensive Plan and Transportation System Plan specifically support the development of the commuter rail facilities at this particular location. TriMet recognizes the City of Wilsonville’s strong commitment to the preservation of trees and other natural resources and intends to support that commitment by meeting and exceeding standards for tree protection, preservation and proper maintenance throughout the development of this project.”

Although 60 to 78 of 171 trees on site are proposed to be removed, 135 trees will be planted west of the railroad tracks and 33 trees will be added east of the tracks where there are currently no

living trees. Proposed enhancements to the SROZ are discussed in Section 6 (Request G) of the consolidated application. Staff finds that the application generally demonstrates an understanding of and support for the stated purposes for tree preservation and protection.

Section 4.610 Application Review Procedure

(.06) Grant of a Tree Removal Permit. Whenever an application for a Type B, C, or D Tree Removal Permit is granted, the reviewing authority shall:

(C.) Security. Requirement the Type C permit grantee to file with the City a cash or corporate surety bond or irrevocable bank letter of credit in an amount determined necessary to the City to ensure compliance with Tree Removal Permit conditions and this Chapter.

E3. The applicant shall coordinate with the City to determine and bonding requirements prior to obtaining the Tree Removal Permit.

Section 4.610.10. Standards For Tree Removal, Relocation Or Replacement

(.01) Except where an application is exempt, or where otherwise noted, the following standards shall govern the review of an application for a Type A, B, C or D Tree Removal Permit:

A. Standard for the Significant Resource Overlay Zone. The standard for tree removal in the Significant Resource Overlay Zone shall be that removal or transplanting of any tree is not inconsistent with the purposes of this Chapter.

E4. A Significant Natural Resource Overlay Zone (SROZ) application is being submitted as part of this overall consolidated land use application (Request G). The supporting findings and plans for the SROZ impacts and mitigation are included in Section 6 and are incorporated by this reference. The mitigation enhancements for the SROZ include planting a diverse array of tree species.

B. Preservation and Conservation. No development application shall be denied solely because trees grow on the site. Nevertheless, tree preservation and conservation as a design principle shall be equal in concern and importance to other design principles.

E5. The application has stated, *“Over the course of this project, TriMet has been committed to the preservation and conservation of trees on the park & ride site. In consultation with city staff, TriMet was able to identify a number of legacy oak trees on the western portion of the site. Through a redesign of the bus transit circulation and park & ride vehicle access, the project was able to maximize the number of trees to be protected and preserve the oak trees.”* As noted above, of the 171 trees found on this site, the design requires the definite removal of 60 trees and the potential removal of an additional 18 trees. The project will preserve and protect at least 93 of the 171 trees and add trees to the east side of the railroad tracks around the maintenance facility. Mitigation and enhancement plantings are also proposed for the impacted parts of the SROZ. In addition to the proposed trees and other plantings in the park & ride lot (at a greater density than required by code), specially located trees throughout the plaza area will add to the pedestrian environment. The application demonstrates support of tree preservation and conservation as a design principle.

C. Developmental Alternatives. Preservation and conservation of wooded areas and trees shall be given careful consideration when there are feasible and reasonable location alternatives and design options on-site for proposed buildings, structures or other site improvements.

E6. The following attachments provide details on the tree inventory and tree preservation and protection. The attachments summarize the trees that will remain and those that will be protected during construction activities.

- Attachment A – July 27, 2006 Tree Assessment prepared by The Pacific Resources Group. Attachment A also includes an earlier 2004 report and inventory prepared for the same site
- Attachment B – Tree Assessment Spreadsheet that summarizes the inventory data and conclusions regarding the 171 existing trees
- Attachment C – Tree Removal & Protection Plan (2 site plan sheets) that correlate with the Tree Assessment Spreadsheet
- Attachment D – Planting Plans (11 sheets) that show tree planting for all of the site improvements. This same plan set is included with the Site Design Review application in Section 4 of this consolidated narrative

The application has identified a category of trees that will require additional arborist analysis (the “More Analysis Needed” category) once the tall blackberry brush has been cleared from the site allowing for better access and evaluation. The trees in the “More Analysis Needed” category are not part of the project area, but are part of the future development of the surplus property. Staff is recommending a condition of approval requiring that ~~these trees not be removed until such time as there is a development proposal for the surplus property. There are trees that will be removed as part of the Barber Street widening. If there are additional trees in this category that need to be removed to accommodate the road project, the applicant/arborist shall coordinate with the City regarding the appropriate process for review and mitigation consistent with the Tree Preservation and Protection section of the Code. trees requiring “More Analysis” shall be coordinated with City Staff regarding the appropriate process for review and mitigation.~~

E7. As noted previously, since the arborist’s report was completed, the site design has been adjusted to save ~~some~~^a mature trees west of the park & ride access. Therefore, Staff is recommending a condition of approval removing ~~these trees (#1768, #1360, and #1361)~~ from the “More Analysis Needed” category and listing ~~them~~^{it} in the “To Be Saved” category.

D. Land Clearing. Where the proposed activity requires land clearing, the clearing shall be limited to designated street right-of-way and areas necessary for the construction buildings, structures, and other site improvements.

E8. The application indicates that the project will remain within the specified limits of construction shown on the construction plans and that the clearing includes only the amount necessary to construct the improvements on the site. Some clearing will be involved with the mitigation and restoration of the impacted SROZ area (see Request F, SROZ Review)

E. Residential Development. Where the proposed activity involves residential development, residential units shall, to the extent reasonably feasible, be designed and constructed to blend into the natural setting of the landscape.

E9. No residential development is proposed and this section is not applicable.

F. Compliance with Statutes and Ordinances. The proposed activity shall comply with all applicable statutes and ordinances.

E10. Compliance with all relevant City of Wilsonville's development statutes and ordinances applicable to the project and the proposed improvements also includes various state agency permits. All proposed grading activities on-site will be managed pursuant to guidelines established and identified in the applicant's approved Erosion Control Plan and a 1200-C Erosion Control Permit issued by the Oregon Department of Environmental Quality. Stream turbidity is regulated under the City's Grading and Erosion Control Permit and the DEQ's 1200-C Erosion Control Permit. No stormwater runoff will directly enter the existing wetlands. TriMet has received permit approvals from the Corps of Engineers and the Oregon Department of State Lands for fill-removal activities associated with the entire Commuter Rail project.

G. Relocation or Replacement. The proposed activity shall include necessary provisions for tree relocation or replacement, in accordance with WC 4.620.00, and the protection of those trees that are not to be removed, in accordance with WC 4.620.10.

E11. The following attachments submitted with this request support a tree preservation and protection plan.

- Attachment A - Arborist's report
- Attachment B - Tree Assessment Spreadsheet
- Attachment C - Tree Removal and Protection Plan
- Attachment D - Planting Plans

Please refer also to the Findings for WDC 4.620.00 and 4.620.10.

H. Limitation. Tree removal or transplanting shall be limited to instances where the applicant has provided complete information as required by this Chapter and the reviewing authority determines that removal or transplanting is necessary based on the criteria of this subsection.

1. **Necessary for Construction.**
2. **Disease, Damage, or Nuisance, or Hazard.**
3. **Interference.**
4. **Other.**

E12. See Findings referenced above. Of the 60 trees to be removed due to the impacts of construction, the arborist report identifies 22 that are hazardous or otherwise defective from disease or damage. As previously discussed, the applicant/arborist is being required to coordinate with the City regarding the appropriate process for review and mitigation of trees which fall into the "More Analysis Needed" category and three trees (mature oaks) are to be relisted into the "Saved" category.

I. Additional Standards for Type C Permits.

1. **Tree survey. For all site development applications reviewed under the provisions of Chapter 4 Planning and Zoning, the developer shall provide a Tree Survey before site development as required by WC 4.610.40, and provide a Tree**

Maintenance and Protection plan, unless specifically exempted by the Planning Director or DRB, prior to initiating site development.

E13. The Tree Survey is included with the Arborist Report (see Attachment A). The survey information was also used to create a demolition and removal plan that identifies the trees to be removed, the trees to be preserved, and the trees that will receive further analysis (see Attachments B and C).

3. **Utilities. The City Engineer shall cause utilities to be located and placed wherever reasonably possible to avoid adverse environmental consequences given the circumstances of existing locations, costs of placement and extensions, the public welfare, terrain, and preservation of natural resources. Mitigation and/or replacement of any removed trees shall be in accordance with the standards of this subchapter.**

E14. The application states, *"The placement of utilities coincides with the areas of paving and improvements identified in the tree inventory and plans. Therefore, there are no additional tree impacts associated with location and placement of utilities that have not already been addressed in the tree inventory and spreadsheet attachments to this application."*

Section 4.610.40 - Type C Tree Plan Approval Criteria

Section 4.610.40. Type C Permit

(.01) Approval to remove any trees on property as part of a site development application may be granted in a Type C permit....If an applicant proposes to remove trees and submits a landscaping plan as part of a site development application, an application for a Tree Removal Permit shall be included....Tree removal shall not commence until approval of the required Stage II application and the expiration of the appeal period following that decision. If a decision approving a Type C permit is appealed, no trees shall be removed until the appeal has been settled.

E15. This request is being made concurrently with a site development application.

(.02) The applicant must provide ten copies of a Tree Maintenance and Protection Plan completed by an arborist that contains the following information:

A. A plan, including a topographical survey bearing the stamp and signature of a qualified, registered professional containing all the following information:

1. **Property Dimensions. The shape and dimensions of the property, and the location of any existing and proposed structure or improvement.**
2. **Tree survey. The survey must include:**
 - a. **An accurate drawing of the site based on accurate survey techniques at a minimum scale of one inch (1") equals one hundred feet (100') and which provides a) the location of all trees having six inches (6") or greater d.b.h likely to be impacted, b) the spread of canopy of those trees, (c) the common and botanical name of those trees, and d) the approximate location and name of any other trees on the property.**
 - b. **A description of the health and condition of all trees likely to be impacted on the site property. In addition, for trees in a present or proposed public street**

or road right-of-way that are described as unhealthy, the description shall include recommended actions to restore such trees to full health. Trees proposed to remain, to be transplanted or to be removed shall be so designated. All trees to remain on the site are to be designated with metal tags that are to remain in place throughout the development. Those tags shall be numbered, with the numbers keyed to the tree survey map that is provided with the application.

- c. Where a stand of twenty (20) or more contiguous trees exist on a site and the applicant does not propose to remove any of those trees, the required tree survey may be simplified to accurately show only the perimeter area of that stand of trees, including its drip line. Only those trees on the perimeter of the stand shall be tagged, as provided in "b," above.
- d. All Oregon white oaks, native yews, and any species listed by either the state or federal government as rare or endangered shall be shown in the tree survey.

E16. The application states, "*TriMet has compiled and submitted the necessary materials to comply with this section. In addition, the Arborist report includes a previous report completed by Pacific Resource Group for the City of Wilsonville, which numbered each tree on-site. The Wilsonville report provides the required Tree Survey, which identifies each tree onsite and meets the provisions of section 4.610.40(.02). The arborist report also provides a Tree Protection Plan, which will be addressed according to the criteria in section 4.620.10. See Attachments A, B and C.*" Staff concurs with this statement.

With the exception of (b.) above, the application includes the applicable required information. Findings for subsection A(.07) below addresses (b.) Fifteen copies of the plan information were submitted to the City.

- 3. **Tree Protection. A statement describing how trees intended to remain will be protected during development, and where protective barriers are necessary, that they will be erected before work starts. Barriers shall be sufficiently substantial to withstand nearby construction activities. Plastic tape or similar forms of markers do not constitute "barriers."**

E17. The application includes a tree protection plan. Staff is recommending a condition of approval requiring all trees that are approved to be retained shall be protected with a 6'tall cyclone fence with metal posts pounded into the ground at 6'-8' centers. Such fences shall be placed at or beyond the drip line of the trees to be protected and shall remain in place until such time as substantial construction is complete. Demonstration of tree protection plans shall be required prior to obtaining the Type "C" Tree Permit.

- 4. **Easements and Setbacks. Location and dimension of existing and proposed easements, as well as all setbacks required by existing zoning requirements.**

E18. The applicants are to coordinate with City staff to demonstrate that the utility plans will not conflict with tree preservation plans prior to obtaining the Type "C" Tree Permit.

- 5. **Grade Changes. Designation of grade changes proposed for the property that may impact trees.**

E19. Attachment D depicts the shape and dimensions of the proposed improvements, as well as the grading that will occur.

6. **Cost of Replacement.** A cost estimate for the proposed tree replacement program with a detailed explanation including the number, size and species.

~~E20. Absent sufficient information in the application, City staff has applied a \$200 per tree standard (\$100 per tree and \$100 per tree installation).~~

7. **Tree Identification.** A statement that all trees being retained will be identified by numbered metal tags, as specified in subsection "A," above in addition to clear identification on construction documents.

E21. All trees to be retained are to be identified with the requisite metal tags. The applicants are to provide the statement required in (.07) above prior to obtaining the Type "C" Tree Permit. Trees to be retained are to be clearly identified on construction documents.

Section 4.620.00 - Mitigation, Maintenance and Protection

Section 4.620.00. Tree Relocation, Mitigation, Or Replacement

(.01) Requirement Established. A Type B or C Tree Removal Permit grantee shall replace or relocate each removed tree having six (6) inches or greater dbh within one year of removal.

(.02) Basis For Determining Replacement. The permit grantee shall replace removed trees on a basis of one (1) tree replanted for each tree removed. All replacement trees must measure two inches (2") or more in diameter. Alternatively, the Planning Director or Development Review Board may require the permit grantee to replace removed trees on a per caliper inch basis, based on a finding that the large size of the trees being removed justifies an increase in the replacement trees required. Except, however, that the Planning Director or Development Review Board may allow the use of replacement Oregon white oaks and other uniquely valuable trees with a smaller diameter.

E22. The Application states, "*The new plantings that will occur for the park & ride, plaza, water quality swale, bus transit center, and SROZ enhancement area will include the planting of 135 trees. An additional 33 trees will be planted for the Maintenance Facility site, which as previously mentioned, currently contains no living trees. The contract specifications require all trees to be a minimum of 2.5 inches DBH at the time of planting, in excess of the City's 2-inch requirement. Therefore, TriMet is proposing to plant an additional 90 trees beyond what would be required under the Code standard of 1:1 mitigation for tree removal.*"

E23. Mitigation of the removed trees is to be at a minimum of 1:1 ratio. All replacement trees planted as mitigation shall have a caliper of two (2) inches or greater if deciduous, or six (6) feet tall if evergreen.

(.03) Replacement Tree Requirements. A mitigation or replacement tree plan shall be reviewed by the City prior to planting and according to the standards of this subsection.

A. Replacement trees shall have shade potential or other characteristics comparable to the removed trees, shall be appropriately chosen for the site from an approved tree species list supplied by the City, and shall be state Department of Agriculture Nursery Grade No. 1 or better.

E24. The applicants have coordinated with Staff regarding the selection of replacement trees and plant materials, guided by the requirement of the Development Code. The application indicates a tree “palette” for the project (see Attachment D, Planting Plan). The palette includes trees of similar mature size, shade characteristics, growth habits, and other traits of the trees to be removed from the property. These trees include Zelkovas, Scarlett Oaks, Hackberry, Hawthorne, Hazelnut, Red Alder, Douglas fir, and Oregon Ash. The trees to be removed consist of Cherry, Hawthorne, Cedar, Spruce, Oak, Apples, Holly, Fir, Alder, Ash, and Maple.

E25. All trees to be planted shall consist of nursery stock that meets requirements of the American Association of Nurserymen (AAN) American Standards for Nursery Stock (ANSI Z60.1).

B. Replacement trees must be staked, fertilized and mulched, and shall be guaranteed by the permit grantee or the grantee’s successors-in-interest for two (2) years after the planting date.

C. A “guaranteed” tree that dies or becomes diseased during that time shall be replaced.

D. Diversity of tree species shall be encouraged where trees will be replaced, and diversity of species shall also be maintained where essential to preserving a wooded area or habitat.

E26. Replacement trees must be staked, fertilized and mulched, and shall be guaranteed by the permit grantee or the grantees successors-in-interest for two (2) years after the planting date. The applicant/owner shall replace a “guaranteed” tree that dies or becomes diseased.

(.04) All trees to be planted shall consist of nursery stock that meets requirements of the American Association of Nurserymen (AAN) American Standards for Nursery Stock (ANSI Z60.1) for top grade.

E27. The application states, *“The special provisions for the contract require that the contractor procure and install all landscape material according to the latest edition of the American Association of Nurserymen (AAN) Standards for Nursery Stock (ANSI Z60.1) to ensure the highest quality.”*

(.05) Replacement Tree Location.

A. City Review Required. The City shall review tree relocation or replacement plans in order to provide optimum enhancement, preservation and protection of wooded areas. To the extent feasible and desirable, trees shall be relocated or replaced onsite and within the same general area as trees removed.

E28. Staff has reviewed the planting plans (Attachment D) illustrating the planting scheme for the project. All new plantings will be located onsite and the tree identifies replacement trees of similar species in the same general areas as those removed. As an example, the application notes the plaza plantings, where the removal of three oak trees is mitigated by the planting of three oak trees in a similar location that also caters to the intent of the plaza design. One hundred and thirty-five (135) trees will be planted west of the railroad tracks.

B. Relocation or Replacement Off-Site. When it is not feasible or desirable to relocate or replace trees on-site, relocation or replacement may be made at another location approved by the City.

E29. As previously discussed, the applicants have coordinated with Staff on the removal and mitigation plans for the project. One hundred thirty-five (135) trees will be planted on the western portion of the site to meet the mitigation requirement, other applicable Wilsonville Development Code sections, and staff recommendations. In addition, another thirty-three (33) trees will be planted on the Maintenance Facility site (where there are currently no trees) directly east of the rail corridor, for an overall total planting of 168 trees. This planting plan translates into an additional 90 trees beyond the 1:1 mitigation requirement for potential tree removal.

(.06) City Tree Fund. Where it is not feasible to relocate or replace trees on site or at another approved location in the City, the Tree Removal Permit grantee shall pay into the City Tree Fund, which fund is hereby created, an amount of money approximately the value as defined by this subchapter, of the replacement trees that would otherwise be required by this subchapter. The City shall use the City Tree Fund for the purpose of producing, maintaining and preserving wooded areas and heritage trees, and for planting trees within the City.

E30. The applicants are proposing to replace trees on the subject site in excess of the standard requirements. Therefore, this subsection is not applicable.

Section 4.620.10. Tree Protection During Construction

(.01) Where tree protection is required by a condition of development under Chapter 4 or by a Tree Maintenance and Protection Plan approved under this subchapter, the following standards apply:

A. All trees required to be protected must be clearly labeled as such.

B. Placing Construction Materials Near Tree. No person may conduct any construction activity likely to be injurious to a tree designated to remain, including, but not limited to, placing solvents, building material, construction equipment, or depositing soil, or placing irrigated landscaping, within the drip line, unless a plan for such construction activity has been approved by the Planning Director or Development Review Board based upon the recommendations of an arborist.

C. Attachments to Trees During Construction. Notwithstanding the requirement of WC 4.620.10(1)(A), no person shall attach any device or wire to any protected tree unless needed for tree protection.

D. Protective Barrier. Before development, land clearing, filling or any land alteration for which a Tree Removal Permit is required, the developer shall erect and maintain suitable barriers as identified by an arborist to protect remaining trees. Protective barriers shall remain in place until the City authorizes their removal or issues a final certificate of occupancy, whichever occurs first. Barriers shall be sufficiently substantial to withstand nearby construction activities. Plastic tape or similar forms of markers do not constitute "barriers." The most appropriate and protective barrier shall be utilized. Barriers are required for all trees designated to remain, except in the following cases:

1. Right-of-Ways and Easements. Street right-of-way and utility easements may be cordoned by placing stakes a minimum of fifty (50) feet apart and tying ribbon,

plastic tape, rope, etc., from stake to stake along the outside perimeters of areas to be cleared.

2. Any property area separate from the construction or land clearing area onto which no equipment will venture may also be cordoned off as described in paragraph (D) of this subsection, or by other reasonable means as approved by the reviewing authority.

E31. All construction activities will follow the criteria set forth above. All trees that are approved to be retained shall be protected with a 6' tall cyclone fence with metal posts pounded into the ground at 6'-8' centers. Such fences shall be placed at or beyond the drip line of the trees to be protected and shall remain in place until such time as substantial construction is complete.

(.01) The following standards apply to all activities affecting trees, including, but not limited to, tree protection as required by a condition of approval on a site development application brought under this Chapter or as required by an approved Tree Maintenance and Protection Plan.

A. Pruning activities shall be guided by the most recent version of the ANSI 300 Standards for Tree, Shrub, and Other Woody Plant Maintenance. Information on these standards shall be available upon request from the Planning Department.

B. Topping is prohibited.

1. Exception from this section may be granted under a Tree Removal Permit if necessary for utility work or public safety.

SUMMARY FINDING FOR REQUEST E:

E32. The proposed Type 'C' Tree Plan is in substantial compliance with the applicable provision of WDC 4.610.40 and WDC 4.6.20.00, subject to compliance with the recommended conditions of approval. Recommendation to the Board is for approval.

REQUEST 'F' - DB06-0084 SITE DESIGN REVIEW:

Wilsonville Development Code requirements are shown in **Bold** type.
Excerpts from the application are shown in *italics*.

The Site Design Review (SDR) application (Section 4 of the consolidated application) includes one new building and multiple site improvements as summarized below. Detailed site design review plans for all improvements are included in the Section 4 attachments and specific sheet numbers are referenced in these findings.

- *Construct 17,000 square foot commuter rail maintenance facility building on a two-acre site to the east of the rail corridor. In addition to the building, the maintenance facility site improvements include parking, landscaping, lighting and fencing.*
- *Construct commuter rail station to the west side of the rail corridor. The commuter rail station amenities include a metal platform shelter and benches in the station plaza area, guardrail, pedestrian-scale lighting, ticket vending machines, schedule kiosk, trash cans, etc.*
- *Construct 12-bay transit center for SMART on a portion of a 1.5-acre site to the west of the rail corridor. The transit center site improvements include a new bus access to Barber Street and associated transit amenities, such as bus shelters, plaza, pedestrian-scale lighting, benches, bike lockers, trees in grates, schedule kiosks, a concrete pad/pedestal for public art, etc.*
- *Construct shared use park & ride on approximately 4.75 acres to the west of the commuter rail station and north of the transit center. The park & ride site improvements include a separate access point to Barber Street, a total of 399 parking spaces (all types), lighting, parking lot landscaping, and pedestrian connections to the commuter rail station and transit center.*

This SDR does not include plans for construction of a driver break station with public restrooms. However, SMART plans to construct a building at a future date. An outline of the proposed location for the future restroom/driver break building is shown on the Stage I development plan (see Section 3, Attachment A of this consolidated application). SMART understands that submittal of a subsequent application for site design review will be needed when they are ready to proceed with construction.

Section 4.400. Purpose.

- (.02) The City Council declares that the purposes and objectives of site development requirements and the site design review procedure are to:**
- A. Assure that Site Development Plans are designed in a manner that insures proper functioning of the site and maintains a high quality visual environment.**
 - B. Encourage originality, flexibility and innovation in site planning and development, including the architecture, landscaping and graphic design of said development;**
 - C. Discourage monotonous, drab, unsightly, dreary and inharmonious developments;**

- D. Conserve the City's natural beauty and visual character and charm by assuring that structures, signs and other improvements are properly related to their sites, and to surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain and landscaping, and that proper attention is given to exterior appearances of structures, signs and other improvements;**
 - E. Protect and enhance the City's appeal and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business, commercial and industrial purposes;**
 - F. Stabilize and improve property values and prevent blighted areas and, thus, increase tax revenues;**
 - G. Insure that adequate public facilities are available to serve development as it occurs and that proper attention is given to site planning and development so as to not adversely impact the orderly, efficient and economic provision of public facilities and services;**
 - H. Achieve the beneficial influence of pleasant environments for living and working on behavioral patterns and, thus, decrease the cost of governmental services and reduce opportunities for crime through careful consideration of physical design and site layout under defensible space guidelines that clearly define all areas as either public, semi-private, or private, provide clear identity of structures and opportunities for easy surveillance of the site that maximize resident control of behavior – particularly crime;**
 - I. Foster civic pride and community spirit so as to improve the quality and quantity of citizen participation in local government and in community growth, change and improvements;**
 - J. Sustain the comfort, health, tranquility and contentment of residents and attract new residents by reason of the City's favorable environment and, thus, to promote and protect the peace, health and welfare of the City.**
- F1.** *The application concludes, "The Wilsonville Commuter Rail and SMART improvements will introduce a vital new transportation hub within a large employment area. When combined with the City of Wilsonville project to extend and upgrade the adjacent Barber Road, the commuter rail station and transit center will also link with rapidly developing neighborhoods to the west. The overall character of the subject property will remain relatively open with few buildings. The coordinated and cohesive transit amenities and lighting, signs and landscaping – when combined with increased public activity – will support nearby employment and residential areas and promote investment in the area. The project is specifically supported in the Wilsonville Comprehensive Plan and Transportation System Plan, and the City of Wilsonville has worked in coordination with other partners (TriMet, County and Cities) to move the project forward through local land use permitting and construction."*

The commuter rail maintenance facility is the only building being designed with this project. It will be a metal-sided, concrete pad building in an industrial district that already has several other buildings of the same type, e.g., Marten Transport Ltd and U.S. Crane and Hoist around the

corner on Kinsman Road, and several on Boberg Road such as Halton's CAT-The Rental Store and Iosco Trucking Ltd. However, TriMet has worked with Staff to take a new approach to a common building concept. Attachment H provides conceptual building elevations and Exhibit B3 provides examples of exterior colors and materials developed by Waterleaf Architecture and Interiors and being proposed by TriMet to create a more modern-industrial style facility. TriMet feels that commuters have an interest in seeing inside the building where the trains are being serviced, yet at the same time the exterior should be pleasing and interesting to look at when viewed from the commuter station across the tracks. The proposal is a utilitarian building with elements such as windows with unusual low-maintenance woven steel wire-mesh screens which let in light but break up the façade and roof line; tall corner windows which let commuters on approaching trains see into the interior and which are columns of light at night; a multi-colored exterior siding and trim; and canopies over bay doors. The resulting graphic design of the architecture is unique to the TriMet rail system.

The application generally demonstrates an understanding of and support for the stated purpose and objectives of the Site Design Review.

Section 4.421(.01) Criteria and Application of Design Standards.

A. Preservation of Landscape. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soils removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

F2. The application states, *"The site development plans have been refined to retain mature trees and natural vegetation to the degree practicable. For example, the access point to the park & ride lot was shifted east to minimize removal and disturbance of mature trees, including Oregon white oak. There are few trees located on the park & ride site, and only a limited number of shrubs on the maintenance facility site. The subject parcels are generally level and will require minimal grade changes. The following plan sheets illustrate the preservation of landscape and grading:*

Plan Set for Station, Park & Ride and Transit Center

- See Planting Plans in Attachment B (Sheets B1 – B8)
- See Grading, Drainage and Erosion Control Plans in Attachment C (Sheets C1 – C5)

Plan Set for Maintenance Facility

- See Planting Plans in Attachment G (Sheets G17 – G19)
- See Grading and Drainage Plan and Erosion Control Plan in Attachment G (Sheets G8 & G20)

Final grades will be in keeping with the appearance of neighboring developed areas. Grading required for the park & ride lot will result in a very small impact on the SROZ buffer. However, TriMet will provide mitigation for the impact and enhance the riparian area at an overall ratio of almost 4:1. For additional details and specific plans on the Type C tree permit application and the SROZ application, please see Sections 5 and 6 of the consolidated land use application." The request to remove trees is based upon the recommendation of Stephen F. Goetz, a certified arborist and landscape architect.

- F3. The proposed Type C Tree Plan requires the review and approval of the Development Review Board. It is being processed concurrently with this request.
- F4. The applicable findings for concurrent applications Type C Tree Permit and SROZ Review (Sections 5 and 6 of the consolidated application) are incorporated by reference.

B. Relation of Proposed Buildings to Environment. Proposed structures shall be located and designed to assure harmony with the natural environment, including protection of steep slopes, vegetation and other naturally sensitive areas for wildlife habitat and shall provide proper buffering from less intensive uses in accordance with Sections 4.171 and 4.139 and 4.139.5. The achievement of such relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, street access or relationships to natural features such as vegetation or topography.

- F5. The application states, *“The maintenance facility is the only building included in this Site Design Review application. The building will be located next to an active freight rail corridor and in a neighborhood with several large industrial buildings, outside storage areas, etc. No steep slopes or sensitive wildlife habitat areas are identified on the maintenance facility parcel. The building will enclose maintenance and repair activities associated with the commuter rail vehicles. More detailed architectural plans and new planting plans are found in Attachment H (Maintenance Facility Building Elevations) and Attachment G, Sheets G17-G19 (Planting Plans).*
- F6. A Significant Resource Overlay Zone generally extends in an east-west direction along the northern boundary of the project site. This area is addressed (Development Code Section 4.139 – Significant Resource Overlay Zone Ordinance) in the concurrent application for SROZ Review (see Section 6). Code Section 4.171 (Protection of Natural Resources and Other Features) is addressed within this request.

C. Drives, Parking and Circulation. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to location and number of access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient and, insofar as practicable, do not detract from the design of proposed buildings and structures and the neighboring properties.

- F7. The application states, *“The design and layout of the park & ride lot provides for safe and efficient internal circulation that meets all City of Wilsonville standards for parking areas. A convenient location is provided for kiss & ride spaces in proximity to both the transit center and the commuter rail station. Internal sidewalks are provided in the parking lot to separate pedestrian and vehicular traffic and to assure convenient and direct walkway connections from the park & ride lot to the commuter rail station and transit center. The following plans illustrate compliance with the criterion relating to drives, parking and circulation:*

Plan Set for Station, Park & Ride and Transit Center

- *See Site Plans in Attachment A (Sheets A2 – A13)*

Plan Set for Maintenance Facility

- *See Site & Access Plans in Attachment G (Sheets G2 – G6)*

- F8.** Three driveway separate access points to/from the north side of Barber Street are proposed for the park & ride lot, the transit center, and the maintenance facility and are shown in Attachment A (Sheet A2) and Attachment G (Sheet G3). The access spacing requirement for Barber Street is 50 feet, minimum, based on the minor collector functional classification. (Transportation Systems Plan, page 4-69, Table 4.o). The park & ride access is 250 east of Kinsman Road; the transit center 450 feet farther east; and the maintenance facility access would use the existing Utility Vault access farther east across the railroad tracks. The park & ride access would align with the access to the Coca-Cola warehouse across Barber Street.
- F9.** DKS Associates has reviewed the access points for compliance with minimum standards, spacing and clear vision requirements (see Section 3, Attachment D, Transportation Impact Study). The study concludes, "The internal circulation provides safe pedestrian linkages from the Barber Street to the bus platform and the rail station. The parking lot provides pedestrian aisles from the parking lot to the bus platform and rail station." The study goes on further to recommend certified verification of sight distance at the project access points be submitted prior to occupancy. Staff is recommending such a condition of approval. This standard will be met upon compliance with the recommended conditions of approval.

Parking Analysis:

- F10.** Table # 5 of Section 4.155 of the Development Code has no maximum parking space requirements and only an "as needed" minimum requirement for park & ride or transit parking. As shown on Attachment E, Sheet E1, there are 400 vehicle spaces being proposed for the 4.75-acre park & ride lot (278 Standard, 108 compact, and 14 ADA spaces). The bicycle minimum requirement is 10 per acre (i.e., 48) with 50% in lockable enclosures. Twenty bicycle lockers are proposed near the plaza; each locker holds two (2) bicycles (83%). Parking for an additional eight (8) bicycle spaces are proposed in the northeast corner of the lot for a total accommodation of 48 bicycles as required. However, those bicycle parking spaces are too isolated to be a secure area from theft unless lockers are provided. Staff is recommending a condition of approval requiring bicycle lockers of the design currently being proposed for the plaza area to be used to accommodate eight (8) bicycles in the northeast corner of the park & ride lot. Alternatively, co-locating these additional lockers with the plaza lockers would be acceptable as being a less isolated solution. The ADA requirement is six (6). [Note to reader: the legend on Sheet E1 incorrectly lists 263 standard spaces rather than the correct amount of 278. Therefore, the correct number of total spaces is 416.]

D. Surface Water Drainage. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system.

- F11.** The application states, *"The grading, drainage, and erosion control plans include details on proposed surface water drainage for the new impervious surface areas west of the rail corridor and the maintenance facility impervious surfaces east of the rail corridor. Catch basins will be installed in paved areas in compliance with City of Wilsonville standards. Additionally, a water quality swale will be constructed to the west of the park & ride lot and will provide natural pre-treatment of stormwater prior to discharge. Two stormwater spreaders will be installed west of*

the park & ride lot to disperse stormwater into the wetland area along the westerly boundary of the city-owned property. A drainage swale and inflow spreader will also be constructed on the maintenance facility parcel. The following plans illustrate compliance with the criterion relating to surface water drainage:

Plan Set for Station, Park & Ride and Transit Center

- See Grading, Drainage and Erosion Control Plans in Attachment C (Sheets C1 – C5)

Plan Set for Maintenance Facility

- See Grading and Drainage Plan and Erosion Control Plan in Attachment G (Sheets G8 & G20)”

F12. A system of catch basins, water quality swales, combined with stormwater flow spreaders is being used to address Staff requests to maximize the dispersion of stormwater flow into the adjacent wetland (see the request (SI06-0005) for SROZ review in Section 6 of the consolidated application).

E. Utility Service. Any utility installations above ground shall be located so as to have a harmonious relation to neighboring properties and site. The proposed method of sanitary and storm sewage disposal from all buildings shall be indicated.

F13. New utility services will be installed underground for the Commuter Rail and SMART improvements. An existing above-ground PGE utility pole will be removed with construction of the park & ride lot. A total of seven (7) BPA poles will be relocated – four in the railroad right-of-way and three (3) on the transit center side of the tracks. This is a BPA project and the work will not be conducted as part of the Commuter Rail Project. BPA will handle all design, contract and construction work.

The following plan sheets illustrate compliance with the utility service criterion:

Plan Set for Station, Park & Ride and Transit Center

- See Electrical Utility Site Plan in Attachment D (Sheets D1 – D3)

Plan Set for Maintenance Facility

- See Utility Relocation Plans, Attachment G (Sheets G13 & G14)
- See Electrical Utility Site Plan, Attachment G (Sheet G15)
- See Grading and Drainage Plan, Attachment G (Sheet G8)
- See Sanitary Sewer Line and Profile, Attachment G (Sheets G11 & G12)

F. Advertising Features. In addition to the requirements of the City's sign regulations, the following criteria should be included: the size, location, design, color, texture, lighting and materials of all exterior signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties.

F14. This is a public project that will be owned and maintained by public agencies (TriMet and SMART). The project will not include advertising features and signs that are typically associated with commercial or industrial development. Monument signs will be provided at the entrances to the park & ride lot and the transit center near Barber Street. The monument signs will be compatible in terms of size, materials, and location. The reader is referred to the review of Request D (DB06-0080), Master Sign Plan for further details. Applicable Findings and conditions of approval for that request are incorporated here by reference.

G. Special Features. Exposed storage areas, exposed machinery installations, surface structures shall be subject to such setbacks, screen plantings or other screening methods as shall be required to prevent their being incongruous with the existing or contemplated environment and its surrounding properties. Standards for screening and buffering are contained in Section 4.176.

F15. The application states, *“No exposed storage areas or exposed machinery installations will be associated with the improvements west of the rail corridor. By necessity, the maintenance facility building will be located adjacent to the rail corridor because commuter rail vehicles will pull off of the corridor and into the building on a new, short segment of track. Vehicle maintenance and repair activities will occur inside the maintenance facility building. An outside storage area (about 9,750 square feet) north of the Maintenance Facility will be used to store equipment needed to support track signals maintenance operations. Additionally, the storage track will accommodate storage of 7 commuter rail cars (DMU [Diesel Multiple Units] in three married pairs of DMU's plus a single car. It is not feasible to “screen” the storage areas because of FTA and Railroad requirements relating to safety, security and visibility. However, plantings will be provided along the Barber Street frontage of the storage track to provide some screening and buffering of the view from Barber Street.*

Plan Set for Maintenance Facility

- See Site Plan Sheets in Attachment G for outdoor storage area (Sheet G4)
- See Planting Plan Sheets in Attachment G for landscape screening (Sheet G18)”

F16. The Development Code requires landscape screening of open storage TriMet has cited concerns for safety and security plus federal mandates which affect their fencing options. The Development Review Board is being asked to examine the issue, determine the merits of the TriMet position, and decide whether a waiver shall be granted as provided for under WDC 4.176(.02)(B). (See also the Findings for WDC 4.176.01(F) further in this staff report.)

Section 4.440. Site Design Review Procedure.

(.01) Submission of Documents. A prospective applicant for a building or other permit who is subject to site design review shall submit to the Planning Department, in addition to the requirements of Section 4.035, the following:

- A. A site plan, drawn to scale, showing the proposed layout of all structures and other improvements including, where appropriate, driveways, pedestrian walks, landscaped areas, fences, walls, off-street parking and loading areas, and railroad tracks. The site plan shall indicate the location of entrances and exits and direction of traffic flow into**

and out of off-street parking and loading areas, the location of each parking space and each loading berth and areas of turning and maneuvering vehicles. The site plan shall indicate how utility service and drainage are to be provided.

F17. The following plan sets provide the required information:

Plan Set for Station, Park & Ride and Transit Center

- See Site Plans in Attachment A, Site Plans (Sheets A1 – A13)
- See Grading, Drainage, Erosion Control Plans in Attachment C (Sheets C1-C5)
- See Lighting Plans in Attachment D (Sheets D1-D3)

Plan Set for Maintenance Facility

- See Site Plans in Attachment G (Sheets G1 – G5)
- See Grading and Drainage Plans in Attachment G (Sheet G8)
- See Utility Plans in Attachment G (Sheets G8 - G14)

This requirement is met.

B. A Landscape Plan, drawn to scale, showing the location and design of landscaped areas, the variety and sizes of trees and plant materials to be planted on the site, the location and design of landscaped areas, the varieties, by scientific and common name, and sizes of trees and plant materials to be retained or planted on the site, other pertinent landscape features, and irrigation systems required to maintain trees and plant materials. An inventory, drawn at the same scale as the Site Plan, of existing trees of 4" caliper or more is required. However, when large areas of trees are proposed to be retained undisturbed, only a survey identifying the location and size of all perimeter trees in the mass is necessary.

F18. Landscape Plans that show all of the information required by the Wilsonville Code are included in the Attachments. The Landscape Plan information is included on multiple sheets as summarized below:

Plan Set for Station, Park & Ride and Transit Center

- See Planting Plans in Attachment B (Sheets B1 – B8)

Plan Set for Maintenance Facility

- See Planting Plan in Attachment G (Sheets G17 – G19)

In general, the Landscape Plan submitted provides the requested information. However the irrigation discussion is incomplete and additional information is being asked of TriMet. The Findings and recommended conditions of approval are incorporated here by reference.

C. Architectural drawings or sketches, drawn to scale, including floor plans, in sufficient detail to permit computation of yard requirements and showing all elevations of the

proposed structures and other improvements as they will appear on completion of construction. Floor plans shall also be provided in sufficient detail to permit computation of yard requirements based on the relationship of indoor versus outdoor living area, and to evaluate the floor plan's effect on the exterior design of the building through the placement and configuration of windows and doors.

F19. Architectural drawings and elevations of all four sides of the maintenance facility building are included in Attachments H, (Sheets H1 – H4). Because the maintenance building will be a “design/build” facility (or Construction Manger/General Contractor process), this Site Design Review application focuses on the exterior of the building and does not include interior floor plans. However, a preliminary floorplan has been provided in Attachment G, Sheet G7. Interior building details are not required as part of this Site Design Review application. The maintenance facility will be 35 feet high at the middle height between the roof eave and the roof ridge (middle height gable) and complies with building height and setback standards for the PDI zone. No waivers or variances to existing code standards are requested.

F20. Relative to the improvements for the commuter rail station, park & ride lot, and transit center, Attachment F illustrates the “Amenities Package” for a cohesive design theme, including details on elevations, colors and materials of on-site amenities such as benches, lighting, trash cans, kiosks, bike lockers, etc.

D. A Color Board displaying specifications as to type, color, and texture of exterior surfaces of proposed structures. Also, a phased development schedule if the development is constructed in stages.

F21. A color board displaying type, color and texture of exterior surfaces for the maintenance facility building has been submitted with this land use application. This will be provided at the public hearing.

F22. The development plan proposed in this consolidated application does not propose a phased schedule. TriMet has provided a schedule of activities leading to the commencement of rail service in September 2008 in Section 1 (General Information). Future phases may included an expansion of the parking lot and a SMART drivers’ station, but they are not part of this consolidated set of applications.

E. A Sign Plan, drawn to scale, showing the location, size, design, material, color and methods of illumination of all exterior signs.

F23. The majority of the signs associated with the proposed project are exempt from city sign regulations for the following reasons:

- Traffic and directional signs are exempt (WDC 4.156(.04)(A)(1))
- Signs on city property are exempt (including SMART bus stop signs) (WDC 4.156(.10); however, the signs will be reviewed as part of the Site Design Review
- Public safety signs associated with the railroad are exempt (WDC 4.156(.04)(A)(2))

Three monument signs are proposed along the Barber Street frontage. One monument sign will be located at the entry to the park & ride lot. The second monument sign will be located at the entry to the SMART transit center and the third will be located at the driveway into the

maintenance facility. A request for approval of a Master Signage Plan has been submitted with the consolidated application (see Request D – DB06-0080). The applicants’ supporting findings and documentation can be found in Section 4 (Site Design Review). This requirement is met.

F. The required application fee.

F24. Only the portions of the project that involve improvements outside of the property owned by the City of Wilsonville require payment of application fees. TriMet has paid the required fee for their portions of the project as calculated by staff. See fee summary in Section 1, Attachment C. This requirement is met.

Section 4.450. Installation of Landscaping.

F25. All landscaping required by this section and approved by the Board shall be installed prior to issuance of 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.

F26. 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, as specified in the Wilsonville Development Code.

F27. 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 with Board approval.

CHAPTER 4 GENERAL DEVELOPMENT STANDARDS

Section 4.155 Parking, Loading and Bicycle Parking

(.01) Purpose:

- A. The design of parking areas is intended to enhance the use of the parking area as it relates to the site development as a whole, while providing efficient parking, vehicle circulation and attractive, safe pedestrian access.**
- B. As much as possible, site design of impervious surface parking and loading areas shall address the environmental impacts of air and water pollution, as well as climate change from heat islands.**
- C. The view from the public right of way and adjoining properties is critical to meet the aesthetic concerns of the community and to ensure that private property rights are met. Where developments are located in key locations such as near or adjacent to the I-5 interchanges, or involve large expanses of asphalt, they deserve community concern and attention.**

F28. The application states, *“The shared use park & ride lot has been designed for consistency with the purpose statement listed above. The layout of the parking area is intended to provide for efficient parking and vehicle circulation, while also ensuring attractive, convenient, and safe access for pedestrians, cyclists, and transit users. ADA spaces and bike lockers are conveniently located in proximity to the transit center, plaza, and commuter rail station. Kiss & ride spaces provide a safe location for drop off of passengers.*

The size of the park & ride lot is broken up by landscaped islands, and new trees and vegetation will provide for shading and help to mitigate environmental impacts associated with impervious surfaces and heat islands. The planting plans for the park & ride lot and for the SROZ buffer and water quality swale illustrate TriMet's commitment to meet the aesthetic and environmental concerns of the community relative to the design of parking areas."

The application generally demonstrates an understanding of and support for the stated purpose and objectives of the Parking, Loading and Bicycle Parking development standards.

(.02) General Provisions:

G. The nearest portion of a parking area may be separated from the use or containing structure it serves by a distance not exceeding one hundred (100) feet.

F29. The application states, *"The shared use park & ride lot has been sited to provide convenient access to both the commuter rail station and the SMART transit center. As shown in Attachment E (see Sheet E1), the southerly row of parking spaces are located within 100 feet of the transit center and the easterly row of spaces (including all ADA spaces) are located within 100 feet of the commuter rail station. The parking lot for the maintenance facility will be located to the east side of the building and will not be visible from the commuter rail station or transit center. Details for the maintenance facility parking lot are shown in Attachment G (see Sheet G2)." This standard is met.*

J. Parking spaces along the boundaries of a parking lot shall be provided with a sturdy bumper guard or curb at least six (6) inches high and located far enough within the boundary to prevent any portion of a car within the lot from extending over the property line or interfering with required screening or sidewalks.

F30. The application states, *"URS [engineering and environmental consultant] followed all City of Wilsonville Code and public works standards in laying out the park & ride lot and the parking for the maintenance facility. Parking stall details for the parking & ride lot and maintenance facility are shown in Attachment E (see Sheets E1 & E3). The detail sheet does not include the 6" bumper guard or curb around the perimeter spaces. However, TriMet understands that this requirement will be included in the conditions of approval and it has been included in contract specifications." The Staff is recommending a condition of approval requiring wheel stops for all vehicle parking spaces, including ADA adjacent to the sidewalk along the eastern perimeter of the park & ride lot.*

K. All areas used for parking and maneuvering of cars shall be surfaced with asphalt, concrete, or other surface, such as "grasscrete" in lightly-used areas, that is found by the City Engineer to be suitable for the purpose. In all cases, suitable drainage, meeting standards set by the City Engineer, shall be provided.

F31. The park & ride lot will be surfaced with AC pavement to City of Wilsonville standards. The maintenance facility parking lot will be surfaced with asphalt. Sidewalks will be constructed of concrete to City standards. Details on the site plans and drainage plans document that suitable drainage, meeting standards set by the City Engineer, will be provided for all parking and maneuvering areas. See Attachment A, Park & Ride Lot (Sheets A3 – A5), Attachment C,

Grading, Drainage and Erosion Control Plans (Sheets C1 – C5), and Attachment G, Maintenance Facility Plans (Sheets G2 – G5). Inspection and approval by the City Engineer will assure compliance. This standard will be met upon compliance with the recommended condition of approval.

L. Artificial lighting which may be provided shall be so limited or deflected as not to shine into adjoining structures or into the eyes of passers-by.

F32. A lighting plan has been provided by the applicants for the commuter rail station, transit center and plaza area (Attachment D (Sheets D1 – D3)) and the maintenance facility (Attachment G (Sheet G15)). The Amenities Package (Attachment F) includes illustrations and cut sheets for proposed lighting on Sheets F15 and F16. The application states that lighting will be “pedestrian” in scale and design, except for lighting for the park & ride lot and the maintenance facility, which will have a consistent look with the pedestrian lighting but will be taller to provide appropriate illumination in these areas. All lighting will be shielded to avoid off-site spillover. Staff has reviewed the plans and finds that they are generally consistent with those of other similar facilities in the commuter rail project and reflects the objectives of this standard. Therefore, this standard is met.

M. Off-street parking requirements for types of uses and structures not specifically listed in this Code shall be determined by the Development Review Board if an application is pending before the Board. Otherwise, the requirements shall be specified by the Planning Director, based upon consideration of comparable uses.

F33. In the Development Code the parking minimum requirement is “as needed” for park & ride or transit parking. There is no maximum requirement. Bicycle minimums must accommodate 10 bicycles per acre, with 50% in lockable enclosures (WDC 4.155(.03)(B)(8)(Table 5)). As shown in Attachment E (Sheet E1) the following types of parking spaces are proposed with the park & ride lot:

Standard Spaces:	278 (corrected)
Compact Spaces:	108
ADA Spaces:	<u>14</u>
Total Spaces:	400 (corrected)

Kiss & Ride (drop-off) Spaces:	8
Bicycle Spaces:	8

The application states, “*The total number of spaces proposed correlates with ridership assumptions for the Environmental Assessment, as well as commitments made to FTA as part of the overall project approval.*”

F34. Twenty (20) bike lockers will be provided in the plaza area near the transit center and the commuter rail platform. (See Attachment A, Sheet A4.) Each locker will accommodate two bikes, for a total of 40 enclosed bike parking spaces. Therefore, 48 bicycle parking spaces will be provided in the 4.75-acre park & ride area, the required minimum.

F35. The 17,000 sq.-ft. maintenance facility most closely fits the industrial classification of a “storage warehouse, wholesale establishment, rail or trucking freight terminal” under the parking standards in Table 5. The parking minimum requirement is .3 spaces per 1000 sq. ft. and the maximum requirement is .5 per 1000 sq. ft. The bicycle minimum is 1 per 20,000 sq. ft. with a minimum of two (2). Based on these requirements, a minimum of five (5) and a maximum of nine (9) parking spaces would be needed, plus parking accommodation for two (2) bicycles. The application states that based on the Code, a minimum of 14 parking spaces are required, with a maximum of 22 allowed. As shown in Attachment G (Sheet G16), a total of 21 parking spaces are proposed for the maintenance facility. Bike spaces will also be provided. A condition of approval is recommended restricting the vehicle parking spaces to a minimum of six (6) and a maximum of nine (9) and the bicycle accommodations to two (2). This standard will be met upon compliance with the recommended condition of approval. *However, Staff recognizes that the proposed use is not specifically listed in Table 5. WDC 4.155(.02)(M) provides for the DRB to determine the parking requirements for types of uses and structures not specifically listed in the Code. Staff has conducted a limited search for other jurisdictions which might address the proposed use and found that the City of Yakima, Washington addresses Bus Terminals – Storage and Maintenance under Title 15 of the City Code (Urban Area Zoning Ordinance, Off-Street Parking Standards). Yakima has adopted a standard of one (1) space/500 square feet for gross floor area. For a 17,000 square foot facility, this would equal 34 parking spaces. Staff provides this standard as an example for consideration.*

N. Up to forty percent (40%) of the off-street spaces may be compact car spaces as identified in Section 4.001 - “Definitions,” and shall be appropriately identified.

F36. Approximately 27% (108 of the 400 vehicle parking spaces in the park & ride lot) are allocated to compact cars. The location of the compact spaces is shown on Sheet E1, and the specifications for compact spaces are shown in Detail J on Sheet E3.

O. Where off-street parking areas are designed for motor vehicles to overhang beyond curbs, planting areas adjacent to said curbs shall be increased to a minimum of seven (7) feet in depth. This standard shall apply to a double row of parking, the net effect of which shall be to create a planted area that is a minimum of seven (7) feet in depth.

F37. None of the parking areas are designed for motor vehicles to overhang beyond curbs. Therefore, provision O above is not applicable

(.03) Minimum and Maximum Off-Street Parking Requirements:

A. Parking and loading or delivery areas shall be designed with access and maneuvering area adequate to serve the functional needs of the site and shall:

- 1. Separate loading and delivery areas and circulation from customer and/or employee parking and pedestrian areas. Circulation patterns shall be clearly marked.**
- 2. To the greatest extent possible, separate vehicle and pedestrian traffic.**

F38. The application states, *“The access to and layout of the park & ride lot has been safe, convenient, and direct circulation patterns for pedestrians have been clearly defined and marked. When the City completes the half-street improvements to Barber Street along the frontage of the site, on-site sidewalks will provide connections from the street sidewalk to the transit center, the park & ride lot, and the commuter rail station. Concrete (pedestrian) surfaces are most visible in Attachment A on Sheets A3 – A6”* [and Attachment E on sheet E1].

The loading and delivery area, delivery ramp, and maneuvering area for the maintenance facility are shown in Attachment G (Sheet G2), with the ramp separated from the employee parking area. Attachment G (Sheet G7) shows the entrance to the building is adjacent to the parking area and separated from the delivery area. This standard is met.

B. Parking and loading or delivery areas shall be landscaped to minimize the visual dominance of the parking or loading area, as follows:

3. Due to their large amount of impervious surface, new development with parking areas of more than two hundred (200) spaces that are located in any zone, and that may be viewed from the public right of way, shall be landscaped to the following additional standards:

a. One (1) tree shall be planted per six (6) parking spaces or fraction thereof. At least twenty-five percent (25%) of the required trees must be planted in the interior of the parking area.

F39. The park & ride lot is designed for 400 car parking spaces. Therefore, 67 trees are required. The planting plan (Attachment B, Sheets B1 & B2) shows 84 trees are proposed, 72 in the interior and 12 around the perimeter of the lot. This standard is met.

b. Required trees may be planted within the parking area or the perimeter, provided that a minimum of forty percent (40%) of the canopy dripline of mature perimeter trees can be expected to shade or overlap the parking area. Shading shall be determined based on shadows cast on the summer solstice.

F40. The application stated that the planting plans were prepared by Lango Hansen Landscape Architects and were designed to comply with all Code requirements for landscaping, including the shading standard. The planting legend (Attachment B, Sheet B5) identifies the park & ride lot trees as either green vase zelkova or common hackberry. There has not been enough information provided to conclude that the 40% criterion can be achieved. Staff is recommending a condition of approval requiring a graphic demonstration of the expected canopy dripline of the mature perimeter trees with calculations showing the percentage of the canopy dripline that can be expected to shade or overlap the parking area.

c. All parking lots in excess of two hundred (200) parking spaces shall provide an internal pedestrian walkway for every six (6) parking aisles. Minimum walkway clearance shall be at least six (6) feet in width. Walkways shall be designed to provide pedestrian access to parking areas in order to minimize pedestrian travel among vehicles. Walkways shall be designed to channel pedestrians to the front entrance of the building.

F41. The layout for the internal pedestrian walkways in the park & ride lot are most easily seen on the Pavement Striping Plan in Attachment E, Sheet E1. Internal walkways are provided for every two (2) parking aisles, well in excess of the Code requirement. The walkways are designed to assure safe, convenient and direct pedestrian access to the commuter rail station platform and the transit center from any location in the park & ride lot. The 6-ft. walkway width is most readily seen on the site plan in Attachment A, Sheet A3. This standard is met.

- d. **All parking lots viewed from the public right of way shall have a minimum twelve (12) foot landscaped buffer extending from the edge of the property line at the right of way to the edge of the parking area. Buffer landscaping shall meet the low screen standard of 4.176(.02)(D) except that trees, groundcovers and shrubs shall be grouped to provide visual interest and to create view openings no more than ten (10) feet in length and provided every forty (40) feet. Notwithstanding this requirement, the view of a parking area that is unscreened from the right of way due to slope or topography shall require an increased landscaping standard under 4.176(.02) in order to buffer and soften the view of vehicles as much as possible. For purposes of this section, "view from the public right of way" is intended to mean the view from the sidewalk directly across the street from the site, or if no sidewalk, from the opposite side of the adjacent street or road.**

F42. The application states, *"The park & ride lot is not located adjacent to the Barber Street public right-of-way. The SMART transit center and the city's future development parcel provide separation and screening of the park & ride lot, particularly with the heavy planting of trees in wells along both sides of the transit center and throughout the park & ride lot and existing trees and other vegetation on the city's future development parcel. See Attachment B (Sheets B1 – B8). The parking lot for the maintenance facility building will not be visible from the Barber Street right-of-way."* This standard does not apply.

- e. **Where topography and slope condition permit, the landscape buffer shall integrate parking lot storm water treatment in bioswales and related plantings. Use of berms or drainage swales are allowed provided that planting areas with lower grade are constructed so that they are protected from vehicle maneuvers. Drainage swales shall be constructed to Public Works Standards.**

F43. The swale for the park & ride lot extends along the westerly edge of the lot (see Attachment A, Site Plan, [Sheet A3] and Attachment B, Landscape Plans [Sheet B2]) and includes appropriate water quality swale plantings. For details on the plantings, see Attachment B (Sheet B7). A water quality swale is also proposed for the maintenance facility site, with details shown in Attachment G (Sheet G8). The drainage swales are separated from the parking areas by curbs. This standard will be met upon demonstration of compliance with Public Works Standards as determined by the City Engineer.

- f. **In addition to the application requirements of section 4.035(.04)(6)(d), where view of signs is pertinent to landscape design, any approved or planned sign plan shall accompany the application for landscape design approval.**

F44. Application DB06-0080: Master Sign Plan has been submitted as Request "D" of the consolidated application. This requirement is met.

4. **Be designed for safe and convenient access that meets ADA and ODOT standards. All parking areas which contain ten (10) or more parking spaces, shall for every fifty (50) standard spaces, provide one ADA-accessible parking space that is constructed to building code standards, Wilsonville Code 9.000.**

F45. There are 278 standard parking spaces in the park & ride lot. This standard would require six (6) ADA-accessible parking spaces. The application proposes 14. They are located on the eastern perimeter of the lot, closest to the commuter rail station. One ADA-accessible space will also be provided in the parking area for the maintenance facility building, consistent with the standard. Attachment E (Sheet E1) shows the number and location of the ADA spaces in the park & ride lot and Attachment G (Sheet G2) shows the location of the ADA space in the parking lot for the maintenance facility building. Parking stall details are shown on Attachment E, Sheet E3. This standard is met.

5. **Where possible, parking areas shall be designed to connect with parking areas on adjacent sites so as to eliminate the necessity of utilizing the public street for multiple accesses or cross movements. In addition, on-site parking shall be designed for efficient on-site circulation and parking.**

F46. The application states, “... *the layout of the park & ride lot has been designed for efficient on-site circulation and parking and complies with all Wilsonville Code standards pertaining to stall and access aisle dimensions. The park & ride layout can be expanded to the west in the future without the need for multiple accesses or cross movements.*” Efficient and safe circulation requires restricting accesses to three: park & ride, transit center, maintenance facility. Connections to adjacent properties is discouraged. The DKS Transportation Impact Study (Section 3, Attachment D of the consolidated application) states, “The internal circulation provides safe pedestrian linkages from the Barber Street to the bus platform and the rail station. The parking lot provides pedestrian aisles from the parking lot to the bus platform and rail station.” This standard is met.

8. **Table 5, below, shall be used to determine the minimum and maximum parking standards for various land uses. The minimum number of required parking spaces shown on Tables 5 shall be determined by rounding to the nearest whole parking space. For example, a use containing 500 square feet, in an area where the standard is one space for each 400 square feet of floor area, is required to provide one off-street parking space. If the same use contained more than 600 square feet, a second parking space would be required. [Amended by Ordinance No. 538, 2/21/02.]**

F47. See Finding F35.

(.03) Minimum Off-Street Loading Requirements:

A. Every building that is erected or structurally altered to increase the floor area, and which will require the receipt or distribution of materials or merchandise by truck or similar vehicle, shall provide off-street loading berths on the basis of minimum requirements as follows:

- 1. Commercial, industrial, and public utility uses which have a gross floor area of 5,000 square feet or more, shall provide truck loading or unloading berths in accordance with the following tables:**

Square feet of Floor Area	Number of Berths Required
Less than 5,000	0
5,000 - 30,000	1
30,000 - 100,000	2
100,000 and over	3

- 3. A loading berth shall contain space twelve (12) feet wide, thirty-five (35) feet long, and have a height clearance of fourteen (14) feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased to accommodate the larger vehicles.**

F48. The Wilsonville Code requires one off-street loading berth for an industrial building of about 17,000 square feet. One loading berth is proposed which meets the length (55 feet), width (16 feet) and clearance (not enclosed) standards specified. The loading berth and ramp are shown in Attachment G (Sheet G2). This standard is met.

Section 4.156 Sign Regulations – See the Master Sign Plan (Application DB06-0080), Request D of the consolidated application.

Section 4.167 Access, Ingress and Egress

- (.01) Each access onto streets shall be at defined points as approved by the City and shall be consistent with the public's health, safety and general welfare. Such defined points of access shall be approved at the time of issuance of a building permit if not previously determined in the development permit.**

F49. Three driveway separate access points to/from the north side of Barber Street are proposed for the park & ride lot, the transit center, and the maintenance facility and are shown in Attachment A (Sheet A2) and Attachment G (Sheet G3). DKS Associates has reviewed the access points for compliance with minimum standards, spacing and clear vision requirements (see Section 3, Attachment D, Transportation Impact Study). The access spacing requirement for Barber Street is 50 feet, minimum, based on the minor collector functional classification. (Transportation Systems Plan, page 4-69, Table 4.o). The park & ride access is 250 east of Kinsman Road; the transit center 450 feet farther east; and the maintenance facility access would use the existing Utility Vault access farther east across the railroad tracks. The park & ride access would align with the access to the Coca-Cola warehouse across Barber Street.

F50. Tualatin Valley Fire & Rescue has also reviewed the proposed site plan. The bus access is approximately 50 feet wide and the maintenance facility and park & ride accesses are a minimum of 24 feet wide, consistent with the standards of the Wilsonville Code and the Tualatin Valley Fire District.

Section 4.171 Protection of Natural Features and Other Resources

(.01) Purpose. It is the purpose of this Section to prescribe standards and procedures for the use and development of land to assure the protection of valued natural features and cultural resources. The requirements of this Section are intended to be used in conjunction with those of the Comprehensive Plan and other zoning standards. It is further the purpose of this Section:

- A. To protect the natural environmental and scenic features of the City of Wilsonville.
- B. To encourage site planning and development practices which protect and enhance natural features such as riparian corridors, streams, wetlands, swales, ridges, rock outcroppings, views, large trees and wooded areas.
- C. To provide ample open space and to create a constructed environment capable and harmonious with the natural environment.

F51. The application states, *“The site plans for the proposed Commuter Rail and SMART improvements reflect diligent efforts to protect natural features and resources. The site improvements are clustered near the railroad corridor and avoid encroachment into wetland areas and minimize impacts to the SROZ buffer and mature trees to the extent feasible. For specific findings to address the SROZ impacts and mitigation, and the Type C tree plan, see Sections 5 and 6 of the consolidated application.”* The application generally demonstrates an understanding of and support for the stated purpose and objectives for protection of natural features and other resources.

(.02) General Terrain Preparation:

- A. All developments shall be planned, designed, constructed and maintained with maximum regard to natural terrain features and topography, especially hillside areas, floodplains, and other significant landforms.
- B. All grading, filling and excavating done in connection with any development shall be in accordance with the Uniform Building Code
- C. In addition to any permits required under the Uniform Building Code, all developments shall be planned, designed, constructed and maintained so as to:
 - 1. Limit the extent of disturbance of soils and site by grading, excavation and other land alterations.
 - 2. Avoid substantial probabilities of: (1) accelerated erosion; (2) pollution, contamination, or siltation of lakes, rivers, streams and wetlands; (3) damage to vegetation; (4) injury to wildlife and fish habitats.
 - 3. Minimize the removal of trees and other native vegetation that stabilize hillsides, retain moisture, reduce erosion, siltation and nutrient runoff, and preserve the natural scenic character.

F52. The subject parcels are relatively flat and will not require substantial grading, excavation, or other land alterations. The grading, drainage and erosion control plans for the improvements west of the rail corridor are shown in Attachment C (Sheets C1 – C5). The grading and erosion control

plan for the maintenance facility is shown in Attachment G (Sheets G8 & G20). DEQ has issued a 1200c erosion control permit for the Commuter Rail Project. This permit includes requirements for best management practices for erosion control. Findings for the Type C Tree Plan (see Section 5) and the SRIR review (see Section 6) are incorporated by this reference to demonstrate compliance with the criteria on general terrain preparation.

These standards will be met upon compliance with recommended conditions of approval.

(.04) Trees and Wooded Areas.

A. All developments shall be planned, designed, constructed and maintained so that:

- 1. Existing vegetation is not disturbed, injured, or removed prior to site development and prior to an approved plan for circulation, parking and structure location.**
- 2. Existing wooded areas, significant clumps/groves of trees and vegetation, and all trees with a diameter at breast height of six inches or greater shall be incorporated into the development plan and protected wherever feasible.**
- 3. Existing trees are preserved within any right-of-way when such trees are suitably located, healthy, and when approved grading allows.**

F53. There are no trees with a diameter at breast height of six inches d.b.h. or greater on the maintenance facility parcel. A Type C Tree Plan application has been submitted as part of this consolidated land use application for the proposed land uses west of the railroad tracks. (See Section 5 for the arborist's report, tree inventory, and removal and mitigation plan for trees). The applicable findings and conditions of approval for the Tree Removal Plan are incorporated by reference.

B. Trees and woodland areas to be retained shall be protected during site preparation and construction according to City Public Works design specifications, by:

- 1. Avoiding disturbance of the roots by grading and/or compacting activity.**
- 2. Providing for drainage and water and air filtration to the roots of trees which will be covered with impermeable surfaces.**
- 3. Requiring, if necessary, the advisory expertise of a registered arborist/horticulturist both during and after site preparation.**
- 4. Requiring, if necessary, a special maintenance, management program to insure survival of specific woodland areas of specimen trees or individual heritage status trees.**

F54. The registered arborist's report prepared as part of the Type C Tree Plan includes a maintenance and management program for tree protection during and after site preparation and addresses the standards of this subsection of the Development Code. The applicable Findings and conditions of approval to address the Type C Tree Plan (see Section 5) are incorporated by this reference.

(.05) High Voltage Powerline Easements and Rights of Way and Petroleum Pipeline Easements:

- B. Any proposed non-residential development within high voltage powerline easements and rights of way and petroleum pipeline easements shall be coordinated with and approved by the Bonneville Power Administration, Portland General Electric**

Company or other appropriate utility, depending on the easement or right of way ownership.

F55. The application states, “*TriMet has coordinated with PGE and BPA on plans for the Commuter Rail project. A total of seven (7) BPA poles for high voltage power will be relocated; however, BPA will handle all of the design, contracting and construction work associated with the relocation. The power poles that will be relocated by PGE are shown in Attachment G (Sheet G13 & G14).*” This standard is met

Section 4.175 Public Safety and Crime Prevention

(.01) All developments shall be designed to deter crime and insure public safety.

(.02) Addressing and directional signing shall be designed to assure identification of all buildings and structures by emergency response personnel, as well as the general public.

(.03) Areas vulnerable to crime shall be designed to allow surveillance. Parking and loading areas shall be designed for access by police in the course of routine patrol duties.

(.04) Exterior lighting shall be designed and oriented to discourage crime.

F56. TriMet and SMART are cooperating to plan for public safety and crime prevention in the design, operation and management of the co-located public transit system based on experience with similar facilities. The following excerpt from the application is provided to demonstrate the elements of their joint approach to security and safety.

“The site plans for the improvements reflect the following defensible space guidelines:

- *Clear lines of sight and visibility of public waiting areas*
- *Use of trees rather than shrubs near the waiting areas to assure good visibility and avoid hiding places*
- *Use of lighting to avoid dark spaces and assure safety and comfort for transit patrons walking to their vehicles after dark*
- *Placement of telephones on the station platform with free 911 access*
- *Installation of underground wiring to accommodate future installation of video cameras at the transit center and station platform*

In addition, TriMet will implement a security and emergency plan and protocols with all emergency service providers (fire and police) along the Commuter Rail system prior to initiating service. While the Commuter Rail and SMART transit systems will not operate beyond the hours of 6 am – 6 pm, the maintenance facility will have employees on site on a 24-hour basis. The presence of employees can help to discourage crime.

Tualatin Valley Fire District has requested placement of two fire hydrants, one in the park & ride and one near the maintenance facility building. The west side hydrant location is shown in Attachment A (Sheet A13) and the maintenance facility hydrant is shown in Attachment G (Sheet G9). Additionally, the maintenance facility building will include sprinklers. TriMet understands that curbs will need to be painted and/or signs installed for no parking near the hydrants and expects a condition of approval to that effect.

TriMet is aware that Wilsonville's Code typically requires screening of open storage areas and generally precludes chain link fencing. As shown on the plan set for the maintenance facility (see Sheets G2 – G4), green coated chain link fencing is provided around the maintenance facility parcel, the storage track and an outside storage area north of the maintenance facility building. Providing landscape screening in conjunction with the fencing is not an option because of increasing concerns and mandates from the federal level regarding safety and security and the importance of open visibility for public transportation projects. Additionally, TriMet has gone to extra efforts to upgrade the western façade of the maintenance facility building because it will not be screened from view from the commuter rail platform and transit center.

When the City of Wilsonville constructs the Kinsman extension, the second public street will provide additional visibility into the park & ride lot from a second right-of-way and will enhance overall safety and crime prevention.”

- F57.** Details of the lighting plan for the park & ride lot, the transit center, and the commuter rail station are found in Attachment D, Sheets D1-D3. The maintenance facility lighting plan is shown in Attachment G, Sheet G15. Pedestrian scale lighting is provided in the station, plaza, and transit center areas. Sidewalks in the park & ride lot are illuminated by the parking lot lights. Attachment F (Amenities) provides cut sheets for the proposed pedestrian lighting fixtures (Sheet F15) and park & ride lot lighting poles (Sheet F16).
- F58.** The application generally meets the Public Safety and Crime Prevention standards. However, TriMet has correctly noted above that the Development Code requires landscape screening of open storage areas and generally precludes chain link fencing. They have cited concerns for safety and security plus federal mandates which affect their fencing options. The Development Review Board ~~is being~~ ~~was~~ asked to examine the issue, determine the merits of the TriMet position, and decide whether a waiver shall be granted as provided for under WDC 4.176(.02)(B). ***The DRB granted the waiver and applied a condition of approval requiring the fenced signal storage area to be enclosed with a six (6)-foot, green vinyl chain link fence.***

Section 4.176 Landscaping, Screening, and Buffering

Within the Master Plan area, there is an area south of the Transit Center and bordering on Barber Street which is not part of Phase 1, and that is currently undeveloped and deeply covered with blackberry vines. Part of this area is included in the approved landscaping plan for improvements to Barber Street. This property will be rough-graded and seeded during the Barber Street project landscaping.

- (.01) Purpose.** This Section consists of landscaping and screening standards and regulations for use throughout the City. The regulations address materials, placement, layout, and timing of installation. The City recognizes the ecological and economic value of landscaping and requires the use of landscaping and other screening or buffering to:
- A. Promote the re-establishment of vegetation for aesthetic, health, erosion control, flood control and wildlife habitat reasons;**
 - B. Restore native plant communities and conserve irrigation water through establishment, or re-establishment, of native, drought-tolerant plants;**
 - C. Mitigate for loss of native vegetation;**
 - D. Establish and enhance a pleasant visual character which recognizes aesthetics and safety issues;**

- E. Promote compatibility between land uses by reducing the visual, noise, and lighting impacts of specific development on users of the site and abutting sites or uses;
- F. Unify development and enhance and define public and private spaces;
- G. Promote the retention and use of existing vegetation;
- H. Aid in energy conservation by providing shade from the sun and shelter from the wind; and
- I. Screen from public view the storage of materials that would otherwise be considered unsightly.
- J. Support crime prevention, create proper sight distance clearance, and establish other safety factors by effective landscaping and screening.
- K. Provide landscaping materials that minimize the need for excessive use of fertilizers, herbicides and pesticides, irrigation, pruning, and mowing to conserve and protect natural resources, wildlife habitats, and watersheds.

F59. The application indicates that Lango Hansen Landscape Architects carefully reviewed all of the standards and requirements in the Wilsonville Code and prepared the landscape plans to achieve compliance with all standards. Staff has reviewed the plans and with the exception of (I.) listed above, the application generally demonstrates support for the stated purpose and objectives of the Landscaping, Screening, and Buffering standards. As noted in the previous Finding, TriMet has correctly noted that the Development Code requires landscape screening of open storage areas and generally precludes chain link fencing with no sight-obscuring slats. They have cited concerns for safety and security plus federal mandates which affect their fencing options. This position may create a conflict between standard (I.) and standard (J.) above supporting crime prevention and safety factors. The Development Review Board ~~is being~~ *was* asked to examine the issue, determine the merits of the TriMet position, and decide whether a waiver shall be granted as provided for under WDC 4.176(.02)(B). *The DRB granted the waiver and applied a condition of approval requiring the fenced signal storage area to be enclosed with a six (6)-foot, green vinyl chain link fence.*

(.02) Landscaping and Screening Standards

- A. Subsections “C” through “I,” below, state the different landscaping and screening standards to be applied throughout the City. The locations where the landscaping and screening are required and the depth of the landscaping and screening are stated in various places in the Code.
- B. All landscaping and screening required by this Code must comply with all of the provisions of this Section, unless specifically waived or granted a Variance as otherwise provided in the Code. The landscaping standards are minimum requirements; higher standards can be substituted as long as fence and vegetation height limitations are met. Where the standards set a minimum based on square footage or linear footage, they shall be interpreted as applying to each complete or partial increment of area or length (e.g., a landscaped area of between 800 and 1600 square feet shall have two trees if the standard calls for one tree per 800 square feet).

F60. Unless waived under WDC 14.176(.02)(B), the DRB ~~is being~~ *was asked* to determine the applicable screening standard to apply to the open storage areas associated with the maintenance facility. (See the two previous Findings and the discussion under Summary Issues near the front of this staff report.) To be considered ~~are were~~ (D) Low Screen Landscaping Standard, (E) High Screen Landscaping Standard, (H) Partially Sight-Obscuring Fence Standard, and Fully Sight-Obscuring

Fence Standard. Subsection (.05) also sets restrictions on the start of operation of the maintenance facility until sight-obscuring fence or planting is installed and approved by the City. The Board may alternatively *have chosen* to approve visible storage under WDC 4.176(.04)(D.) *The DRB granted the waiver and applied a condition of approval requiring the fenced signal storage area to be enclosed with a six (6)-foot, green vinyl chain link fence.*

C. General Landscaping Standard.

- (1.) Intent. The General Landscaping Standard is a landscape treatment for areas that are generally open. It is intended to be applied in situations where distance is used as the principal means of separating uses or developments and landscaping is required to enhance the intervening space. Landscaping may include a mixture of ground cover, evergreen and deciduous shrubs, and coniferous and deciduous trees.**
- (2.) Required materials. Shrubs and trees, other than street trees, may be grouped. Ground cover plants must fully cover the remainder of the landscaped area (see Figure 21: General Landscaping). The General Landscaping Standard has two different requirements for trees and shrubs:**
 - a. Where the landscaped area is less than 30 feet deep, one tree is required for every 30 linear feet.**
 - b. Where the landscaped area is 30 feet deep or greater, one tree is required for every 800 square feet and two high shrubs or three low shrubs are required for every 400 square feet.**

F61. Detailed landscape plans developed in conjunction with Lango Hansen Landscape Architects are provided with this request. (See Attachment B, park & ride lot and transit center [Sheets B1-B8] and Attachment G, Maintenance Facility [G17-G19]). The landscaping plans have been reviewed by Staff and with the exception of a final decision regarding potential screening of the fencing around the outdoor storage areas of the maintenance facility, these standards are met through compliance with standards for the specific uses proposed on the subject site.

- (.03) Landscape Area. Not less than fifteen percent (15%) of the total lot area, shall be landscaped with vegetative plant materials. The ten percent (10%) parking area landscaping required by section 4.155.03(B)(1) is included in the fifteen percent (15%) total lot landscaping requirement. Landscaping shall be located in at least three separate and distinct areas of the lot, one of which must be in the contiguous frontage area. Planting areas shall be encouraged adjacent to structures. Landscaping shall be used to define, soften or screen the appearance of buildings and off-street parking areas. Materials to be installed shall achieve a balance between various plant forms, textures, and heights. The installation of native plant materials shall be used whenever practicable.**

F62. The application provides the following analysis of landscape coverage:

A total of 15.8% of the total lot area included in the Site Design Review boundary is landscaped as summarized in the following table.

**Percentage of Landscape Cover
Site Design Review**

Project Component	Development Site Area (SF)	Landscape Area (SF)	Percent Landscape Cover
<i>Park & Ride</i>	<i>192,255</i>	<i>20,403</i>	<i>10.6%</i>
<i>Platform, Transit Center & Plaza</i>	<i>161,738</i>	<i>8,972</i>	<i>5.5%</i>
<i>Maintenance Facility</i>	<i>126,171</i>	<i>22,846</i>	<i>18.1%</i>
<i>SROZ</i>	<i>9,860</i>	<i>9,860</i>	<i>100%</i>
<i>Water Quality Swale</i>	<i>18,494</i>	<i>18,494</i>	<i>100%</i>
Total:	508,518	80,575	15.8%

For the improvements west of the railroad, the majority of the new landscaping is located in the park & ride lot to provide shading and to minimize the visual and environmental impact of the large impervious surface. Landscaping is provided in three distinct and separate areas as required by the Code: (1) park & ride lot landscaping, (2) transit center trees, and (3) plaza landscaping. Trees cannot be planted at the commuter rail platform because of safety standards and the need to avoid wet leaves on the tracks.

Landscaping is also provided around the maintenance facility to soften the appearance of the building and screen off-street parking and delivery. Materials used in all of the planting plans achieve a balance between various plant forms, textures and heights and also minimize requirements for heavy irrigation and maintenance. Because the City of Wilsonville is retaining a frontage parcel for future development, there is no opportunity to install planting along the contiguous frontage of Barber Street as part of this application. Frontage landscaping will be installed concurrent with development of the City's parcel. An area of landscaping is shown along the narrow frontage of the maintenance facility parcel on Barber Street to provide some screening of the track area.

Use of native plant materials has been emphasized, particularly for plantings in the SROZ buffer and the water quality swales. The following plan sheets illustrate planting details:

Plan Set for Station, Park & Ride and Transit Center

- *See Planting Plans in Attachment B (Sheets B1 – B8)*

Plan Set for Maintenance Facility

- *See Planting Plans in Attachment G (Sheets G17 – G19)*

This standard is met.

(.04) Buffering and Screening

- (C.) All exterior, roof and ground mounted, mechanical and utility equipment shall be screened from ground level off-site view from adjacent streets or properties.**
- F63.** No climate control is intended for the maintenance building. Air vents will be located on the roof.
- (D.) All outdoor storage areas shall be screened from public view, unless visible storage has been approved for the site by the Development Review Board or Planning Director acting on a development permit.**
- F64.** The Development Review Board is being asked to review the request which does not provide screening from public view of the outdoor storage areas associated with the maintenance facility.

(.06) Plant Materials.

A. *Shrubs and Ground Cover.*

- F65.** No turf or lawn areas are proposed. All planting specifications for shrubs and ground cover are consistent with the standards outlined in (.06) above. See planting details and specifications in Attachment B (Sheets B5 – B8) and Attachment G (Sheet G19). This standard is met.

B. Trees. All trees shall be well-branched and typical of their type as described in current American Association of Nurserymen (AAN) Standards and shall be balled and burlapped. The trees shall be grouped as follows:

- 1. Primary trees which define, outline or enclose major spaces, such as Oak, Maple, Linden, and Seedless Ash, shall be a minimum of 2" caliper.**
 - 2. Secondary trees which define, outline or enclose interior areas, such as Columnar Red Maple, Flowering Pear, Flame Ash, and Honey locust, shall be a minimum of 1-3/4" to 2" caliper.**
 - 3. Accent trees which, are used to add color, variation and accent to architectural features, such as Flowering Pear and Kousa Dogwood, shall be 1-3/4" minimum caliper.**
 - 4. Large conifer trees such as Douglas Fir or Deodar Cedar shall be installed at a minimum height of eight (8) feet.**
 - 5. Medium-sized conifers such as Shore Pine, Western Red Cedar or Mountain Hemlock shall be installed at a minimum height of five to six (5 to 6) feet.**
- F66.** Sheets B5 – B7 and G19 outline the planting legends for the site improvements. The following number of trees will be planted: (1) 100 trees at the park & ride and transit center; (2) 35 trees at the water quality swale; and (3) 28 trees at the maintenance facility. Tree species are listed on Sheet B5, B7, and G19. Planting details are shown on Sheet B8. All trees will be 2 – 2.5" caliper and the application states, that all trees will meet AAN standards. This standard is met.
- C. Where a proposed development includes buildings larger than twenty-four (24) feet in height or greater than 50,000 square feet in footprint area, the Development Review Board may require larger or more mature plant materials:**
- 1. At maturity, proposed trees shall be at least one-half the height of the building to which they are closest, and building walls longer than 50 feet shall require**

tree groups located no more than fifty (50) feet on center, to break up the length and height of the façade.

2. Either fully branched deciduous or evergreen trees may be specified depending upon the desired results. Where solar access is to be preserved, only solar-friendly deciduous trees are to be used. Where year-round sight obscuring is the highest priority, evergreen trees are to be used.
3. The following standards are to be applied:
 - a. Deciduous trees:
 - i. Minimum height of ten (10) feet; and
 - ii. Minimum trunk diameter (caliper) of 2 inches (measured at four and one-half [4 1/2] feet above grade).
 - b. Evergreen trees: Minimum height of twelve (12) feet.

F67. The maintenance facility building will have a footprint of about 17,000 square feet and an overall height of 35 feet. As shown on Sheet G17, trees will be evenly spaced along the south and east perimeter of the fence around the maintenance facility building, generally on 30-foot centers. Urbanite Ash trees are proposed. Building accent plantings will be provided on the north and east elevations. No trees are proposed for the western façade.

E. Types of Plant Species.

1. Existing landscaping or native vegetation may be used to meet these standards, if protected and maintained during the construction phase of the development and if the plant species do not include any that have been listed by the City as prohibited. The existing native and non-native vegetation to be incorporated into the landscaping shall be identified.
2. Selection of plant materials. Landscape materials shall be selected and sited to produce hardy and drought-tolerant landscaping. Selection shall be based on soil characteristics, maintenance requirements, exposure to sun and wind, slope and contours of the site, and compatibility with other vegetation that will remain on the site. Suggested species lists for street trees, shrubs and groundcovers shall be provided by the City of Wilsonville.
3. Prohibited plant materials. The City may establish a list of plants that are prohibited in landscaped areas. Plants may be prohibited because they are potentially damaging to sidewalks, roads, underground utilities, drainage improvements, or foundations, or because they are known to be invasive to native vegetation. [Section 4.176(.06)(E.) amended by Ordinance No. 538, 2/21/02.]

F68. The application states, "*Existing trees and vegetation outside of the area of construction limits will be protected as shown on the tree protection plan (see Section 5 Type C Tree Permit). Selection of plant materials has included consideration of hardy and drought-tolerant plants. Invasive and prohibited plant materials have not been used in any of the planting plans. The types of planting species are shown in the planting legends on Sheets B5 – B7 and on Sheet G19.*" Staff has reviewed the proposed plant species and landscape materials and concurs with this statement. This standard is met.

(.07) Installation and Maintenance.

- A. Installation.** Plant materials shall be installed to current industry standards and shall be properly staked to assure survival. Support devices (guy wires, etc.) shall not be allowed to interfere with normal pedestrian or vehicular movement.
- B. Maintenance.** Maintenance of landscaped areas is the on-going responsibility of the property owner. Any landscaping installed to meet the requirements of this Code, or any condition of approval established by a City decision-making body acting on an application, shall be continuously maintained in a healthy, vital and acceptable manner. Plants that die are to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. Failure to maintain landscaping as required in this Section shall constitute a violation of this Code for which appropriate legal remedies, including the revocation of any applicable land development permits, may result.
- C. Irrigation.** The intent of this standard is to assure that plants will survive the critical establishment period when they are most vulnerable due to a lack of watering and also to assure that water is not wasted through unnecessary or inefficient irrigation. Approved irrigation system plans shall specify one of the following:
1. A permanent, built-in, irrigation system with an automatic controller. Either a spray or drip irrigation system, or a combination of the two, may be specified.
 2. A permanent or temporary system designed by a landscape architect licensed to practice in the State of Oregon, sufficient to assure that the plants will become established and drought-tolerant.
 3. Other irrigation system specified by a licensed professional in the field of landscape architecture or irrigation system design.
 4. A temporary permit issued for a period of one year, after which an inspection shall be conducted to assure that the plants have become established. Any plants that have died, or that appear to the Planning Director to not be thriving, shall be appropriately replaced within one growing season. An inspection fee and a maintenance bond or other security sufficient to cover all costs of replacing the plant materials shall be provided, to the satisfaction of the Community Development Director. Additionally, the applicant shall provide the City with a written license or easement to enter the property and cause any failing plant materials to be replaced.
- D. Protection.** All required landscape areas, including all trees and shrubs, shall be protected from potential damage by conflicting uses or activities including vehicle parking and the storage of materials.

F69. Some aspects of the irrigation systems being proposed are found on the following plan sheets:

- Attachment B, park & ride, transit center (Sheet B8), which indicates that trees planted in grates will be irrigated by bubblers;
- Attachment G, maintenance building (Sheets G17 & G18), which indicate that all planting areas are to be irrigated with an underground irrigation system.

However, insufficient information has been provided to comply with subsection (C.)(1-3) above. Staff is recommending a condition of approval requiring a permanent, built-in, irrigation system with an automatic controller located at the maintenance building. Either a spray or drip irrigation system, or a combination of the two, may be specified.

(.09) **Landscape Plans.** Landscape plans shall be submitted showing all existing and proposed landscape areas. Plans must be drawn to scale and show the type, installation size, number and placement of materials. Plans shall include a plant material list. Plants are to be identified by both their scientific and common names. The condition of any existing plants and the proposed method of irrigation are also to be indicated. Landscape plans shall divide all landscape areas into the following categories based on projected water consumption for irrigation:

- A. High water usage areas (+/- two (2) inches per week): small convoluted lawns, lawns under existing trees, annual and perennial flower beds, and temperamental shrubs;
- B. Moderate water usage areas (+/- one (1) inch per week): large lawn areas, average water-using shrubs, and trees;
- C. Low water usage areas (Less than one (1) inch per week, or gallons per hour): seeded field grass, swales, native plantings, drought-tolerant shrubs, and ornamental grasses or drip irrigated areas.
- D. Interim or unique water usage areas: areas with temporary seeding, aquatic plants, erosion control areas, areas with temporary irrigation systems, and areas with special water-saving features or water harvesting irrigation capabilities. These categories shall be noted in general on the plan and on the plant material list.

F70. The landscape plans submitted with this application show the installation size, number, and placement of materials. The plans include a plant material list and plants are identified by both scientific and common names. All planting areas are intended to be low water usage areas. The water quality swales and the SROZ buffer will include special plantings to reflect their unique riparian and storm water characteristics. Planting details are shown on Attachment B, Sheets B5 – B8 and Attachment G, Sheet G19. The proposed methods of irrigation have not adequately been addressed. Compliance with the recommended condition of approval in the previous Finding will permit full compliance with this standard.

(.10) **Completion of Landscaping**

F71. The applicants' submittal documents do not specify whether a deferment of the installation of the proposed planting plan is requested. The applicants will be required to post a bond or other security acceptable to the Community Development Director for the installation of the approved landscaping, should the approved landscaping not be installed by the time of final occupancy.

(.12) **Mitigation and Restoration Plantings.** A mitigation plan is to be approved by the City's Development Review Board before the destruction, damage, or removal of any existing native plants.

F72. Mitigation plans are provided in Section 5 (Type C Tree Plan request) and Section 6 (SROZ Review request). Findings and recommended conditions of approval for these requests are incorporated by reference.

Section 4.177 Street Improvement Standards

(.01) **Except as specifically approved by the Development Review Board, all street and access improvements shall conform to the Street System Master Plan, together with the following standards:**

A. All street improvements shall conform to the Public Works Standards and shall provide for the continuation of streets through specific developments to adjoining properties or subdivisions.

F. Rights-of-way.

- 1. Prior to issuance of Building permits or recordation of a final plat, the City shall require dedication of rights-of-way in accordance with the Street System Master Plan. All dedications shall be recorded with the County Assessor's Office. The City shall also require a waiver of remonstrance against formation of a local improvement district, and all non-remonstrances shall be recorded in the County Recorder's Office as well as the City's Lien Docket, prior to issuance of a Building Permit or recordation of a final Plat.**

F73. No right-of-way dedication or street improvements are associated with the Commuter Rail & SMART improvements. The City is proceeding with half-street improvements along the Barber Street frontage as part of a separate public improvement project. The Wilsonville Transportation Systems Plan calls for future extension of Kinsman Street across the westerly portion of the City property as shown on the Stage I development plan (see Section 3, Attachment A), meeting the City's Transportation Systems Plan.

H. Access drives and lanes.

- 1. An access drive to any proposed development shall be designed to provide a clear travel lane free from any obstructions. A minimum additional width of eight feet shall be provided on each side where parking is allowed.**
- 2. Access travel lanes shall be constructed with a hard surface capable of carrying a 23-ton load. Improvement width shall be:
 - a. 12 feet for one-way traffic.**
 - b. 20 feet for two-way traffic.****
- 3. Secondary or emergency access lanes may be improved to a minimum 12 feet with a gravel or better all-weather surface as approved by the Fire District. All fire lanes shall be dedicated easements.**
- 4. Minimum access requirements shall be adjusted commensurate with the intended function of the site based on vehicle types and traffic generation.**

F74. The three access drives (to park & ride, transit center and maintenance facility) will be improved to at least the minimum 24-foot width as required for two-way traffic. The access drives will be surfaced to support loads associated with buses. All access drives will be free of any obstructions and will not include parking. Tualatin Valley Fire & Rescue has reviewed the proposed site plan. The bus access is approximately 50 feet wide and the maintenance facility and park & ride accesses are a minimum of 24 feet wide, consistent with the standards of the Wilsonville Code and the Tualatin Valley Fire District.

I. Corner or clear vision area.

- 2. Vision clearance areas shall be established by the triangular area formed by the intersection of the street right-of-way line and any driveway or street, and a straight line adjoining said line through points twenty (20) feet from their point of intersection. However, said area shall be adjusted as follows:
 - a. Single-family driveways - 10 feet****

- b. Alleys - 10 feet
- c. Railroad crossing (unsignalized) - 30 feet
- d. As necessary to comply with the City's Public Works Standards for vision clearance.

F75. Vision clearance areas shall comply with the City's Public Works standards. Clear vision areas shall be maintained as required for the triangular area formed by the intersection of all access driveways with the street right-of-way line and the railroad crossing. In addition, the DKS Transportation Impact Study (Section 3, Attachment D) recommends that sight distance at the project access points be verified. Documentation stamped by a registered professional engineer shall be provided to the City for approval prior to occupancy as a condition of approval.

J. Vertical clearance - a minimum clearance of 12 feet above the pavement surface shall be maintained over all streets and access drives.

F76. The project plans do not indicate any vertical impediments. The minimum vertical clearance shall be maintained over all streets and access drives.

Section 4.178 Sidewalk and Pathway Standards

(.01) Sidewalks. All sidewalks shall be concrete and a minimum of five (5) feet in width, except where the walk is adjacent to commercial storefronts. In such cases, they shall be increased to a minimum of ten (10) feet in width.

F77. All sidewalks will be a minimum of five (5) feet in width and will be constructed of concrete. Walkways internal to the park & ride lot are six (6) feet in width. Attachment A, Sheets A4 and A5 show the proposed sidewalk constructed along one side of the access drive leading from the Barber Street frontage into the park & ride lot. (Sidewalks will be installed along the Barber Street frontage as part of the City's public improvement project.) The sidewalk also circles the transit center and flows into the plaza area and further to the station platform area. The plaza is by design of varying widths, all of which are greater than five (5) feet. The plan sheets indicate the sidewalk system is to be built to City standards. This standard is met.

(.05) Bicycle and pedestrian paths shall be located to provide a reasonably direct connection between likely destinations. A reasonably direct connection is a route which minimizes out-of-direction travel considering terrain, physical barriers, and safety. The objective of this standard is to achieve the equivalent of a 1/4 mile grid of routes.

- A. Bicycle and pedestrian paths shall be as short as possible and, where possible, straight enough to allow one end of the path so be seen from the other.
- B. Bicycle and pedestrian paths shall be lighted either by street lights on adjacent streets or pedestrian scale lighting along the accessway. Lighting shall not shine into adjacent residences.

F78. The application states, "*The plan sheets in Attachment A (Sheets A3 – A5) illustrate the details of the pedestrian circulation system. The pedestrian paths have been located to provide visible, direct and convenient connections to link the sidewalks along the public streets (existing and planned) with the on-site pedestrian circulation system. Additionally, the sidewalks connect the park & ride lot, the transit center and the commuter rail station platform. Pedestrian scale lighting is provided in the station, plaza, and transit center areas [(See the lighting plan in*

Attachment D. Cut sheets are provided in Attachment F)]. *Sidewalks in the park & ride lot are illuminated by the parking lot lights. All of the pedestrian paths are free of physical barriers and accommodate full ADA access.*" No bicycle paths are proposed.

(.07) Construction standards.

A. When required, concrete paths shall be constructed in accordance with City sidewalk standards.

F79. As noted in the civil key notes on Sheet A3, all sidewalks are to be constructed to the City of Wilsonville sidewalk standards (Standard 1080).

Section 4.179 Mixed Solid Waste and Recyclables Storage in New Multi-Unit Residential and Non-Residential Buildings

(.01) All site plans for multi-unit residential and non-residential buildings submitted to the Wilsonville Development Review Board for approval shall include adequate storage space for mixed solid waste and source separated recyclables. [Amended by Ordinance No. 538, 2/21/02.]

F80. The application indicates that the final design of the maintenance facility building will be developed in partnership with a Construction Manager/General Contractor process. However, the preliminary floor plan (see Sheet G7) shows a refuse and recycling area is planned for mixed solid waste and recyclables storage. The storage area will be readily accessible via the loading dock. A recommended condition of approval will require TriMet to coordinate with United Disposal Services to demonstrate that the proposed solid waste storage areas will be adequate to accommodate the operations of the proposed facility.

SUMMARY FINDING FOR REQUEST F:

F81. The proposed Site Design can be made to meet all applicable Code standards and criteria through required conditions of approval. Recommendation to the Board is for approval.

REQUEST G – SI06-0005 – SRIR REVIEW

Description of Request:

The applicant is requesting approval of a Significant Resource Impact Report (SRIR) for non-exempt development that is located within the Significant Resource Overlay Zone and its associated 25 foot Impact Area.

Summary of Issues/Background:

The proposed non-exempt development will encroach into the Significant Resource Overlay Zone and its associated 25 foot Impact Area. All non-exempt development will occur within the 50-foot Title 3 wetland vegetated corridor for the creek and its associated 25 foot Impact Area. The impacted area totals 2,465 square feet and is situated along the northerly edge of the park and ride lot. The impact to the SROZ is necessary to accommodate a landscaped embankment, which is 425 feet long and approximately six (6) feet wide.

Proposed exempt development in the SROZ and its associated 25 foot Impact Area includes the following:

- 5) Improvements to the railroad tracks to access the new maintenance facility; and**
- 6) A flow spreader to maximize the dispersion of treated stormwater runoff in the adjacent wetland area.**

Section 4.139.04 Use and Activities Exempt from These Regulations

Proposed exempt development in the SROZ and its associated 25 foot Impact Area comply with the following exemptions:

- (.09) Maintenance and repair of existing railroad tracks and related improvements.
- G1. The proposed improvements to the railroad tracks include grading, new tracks and culvert installation within the creek and the 50-foot vegetated corridor (Metro Title 3 Water Quality Resource Area boundary). This work is necessary to provide access to the maintenance facility, and is consistent with the requirements of this exemption.**
- (.12) Grading for the purpose of enhancing the Significant Resource as approved by the City.
- (.13) Enhancement of the riparian corridor or wetlands for water quality or quantity benefits, fish, or wildlife habitat as approved by the City and other appropriate regulatory authorities.
- G2. The proposed flow spreader will allow treated stormwater to be infiltrated and dispersed, which will maintain adequate hydrology for the existing wetlands. It will be located within the 50-foot vegetated corridor (Metro Title 3 Water Quality Resource Area boundary) for the wetland. The grading and installation of the flow spreader is consistent with the intent of these exemptions.**

Section 4.139.03 SRIR Review Criteria:

In addition to the normal Site Development Permit Application requirements as stated in the Planning and Land Development Ordinance, the following standards shall apply to the issuance of permits requiring an SRIR. The SRIR must demonstrate how these standards are met in a manner that meets the purposes of this Section.

A. Except as specifically authorized by this code, development shall be permitted only within the Area of Limited Conflicting Use (see definition) found within the SROZ;

G3. The proposed non-exempt development is not within the Area of Limited Conflicting Use found within the SROZ. However, pursuant to Section 4.139.09.01 (C), the applicant has been granted an exemption to this requirement. All other encroachments within the SROZ or its associated Impact Area have been deemed exempt or proposed only within the Impact Area.

B. Except as specifically authorized by this code, no development is permitted within Metro's Urban Growth Management Functional Plan Title 3 Water Quality Resource Areas boundary;

G4. The proposed development will be located within Metro's Title 3 Water Quality Resource Areas boundary, including development deemed exempt from the Significant Resource Overlay Zone Ordinance but not subject to SRIR review. However, as previously mentioned the proposed encroachment is exempt from these requirements. The applicant has identified and mapped the Title 3 boundaries in the SRIR.

C. No more than five (5) percent of the Area of Limited Conflicting Use (see definition) located on a property may be impacted by a development proposal. On properties that are large enough to include Areas of Limited Conflicting Use on both sides of a waterway, no more than five (5) percent of the Area of Limited Conflicting Use on each side of the riparian corridor may be impacted by a development proposal. This condition is cumulative to any successive development proposals on the subject property such that the total impact on the property shall not exceed five (5) percent;

G5. The applicant is not required to comply with these requirements as they relate to the Area of Limited Conflicting Use (ALCU). Pursuant to Section 4.139.09.01 (D) - Map Refinement Process, the proposed impact area within the Significant Resource Overlay Zone will be part of a group of map refinements processed with a future SROZ map revision. The proposed impact area is no longer deemed significant because it does not have function ratings rated as "high".

D. Mitigation of the area to be impacted shall be consistent with Section 4.139.06 of this code and shall occur in accordance with the provisions of this Section;

G6. The applicant has demonstrated compliance with the provisions of Section 4.139.06. Refer to findings under this section.

E. The impact on the Significant Resource is minimized by limiting the degree or magnitude of the action, by using appropriate technology or by taking affirmative steps to avoid, reduce or mitigate impacts;

G7. The impact to the SROZ will be from the encroachment of a landscaped embankment for the park and ride lot. The encroachment into the SROZ is necessary for achieving the layout of the park and ride facility. In consultation with city staff, adjustments were made to the park and ride

design to minimize impacts to trees and avoid the placement of impervious surfaces in the SROZ. The grading and erosion control plan will ensure areas within the SROZ are protected during construction activities. All stormwater runoff entering the SROZ will be treated through a bio-swale.

- F. The impacts to the Significant Resources will be rectified by restoring, rehabilitating, or creating enhanced resource values within the “replacement area” (see definitions) on the site or, where mitigation is not practical on-site, mitigation may occur in another location approved by the City;
- G8. Rehabilitating and enhancing resource values within the replacement area are the primary objectives of the mitigation plan. The applicant proposes the planting of native plants, and the removal of non-native invasive plant species. Refer to the findings under Section 4.139.06.
- G. Non-structural fill used within the SROZ area shall primarily consist of natural materials similar to the soil types found on the site;**
- G9. Natural materials similar to the soil types found on site will be used within the SROZ and will allow for successful plant growth. Soil amendments will be added to facilitate the growth of the native plant material.
- H. The amount of fill used shall be the minimum required to practically achieve the project purpose;
- G10. The proposed fill will be the minimum necessary to prepare the site. As discussed above, the amended topsoil will avoid or reduce the impact to the SROZ.
- I. Other than measures taken to minimize turbidity during construction, stream turbidity shall not be significantly increased by any proposed development or alteration of the site;
- G11. All proposed grading activities on-site will be managed pursuant to guidelines established and identified in the applicant’s approved Erosion Control Plan and a 1200-C Erosion Control Permit issued by the Oregon Department of Environmental Quality. Stream turbidity is regulated under the City’s Grading and Erosion Control Permit and the DEQ’s 1200-C Erosion Control Permit. No stormwater runoff will directly enter the existing wetlands.
- J. Appropriate federal and state permits shall be obtained prior to the initiation of any activities regulated by the U.S. Army Corps of Engineers and the Oregon Division [Department] of State Lands in any jurisdictional wetlands or water of the United States or State of Oregon, respectively.*
- G12. TriMet has received permit approvals from the Corps of Engineers and the Oregon Department of State Lands for fill-removal activities associated with the entire Commuter Rail project.

Section 4.139.06 Mitigation Standards

- (.01) The applicant shall review the appropriate Goal 5 Inventory Summary Sheets for wildlife habitat (i.e. upland) contained in the City of Wilsonville Natural Resource Inventory and Goal 5/Title 3/ESA Compliance and Protection Plan (“Compliance and Protection Plan”- May 2000) to determine the resource function ratings at the time the inventory was conducted.**

G13. The applicant in cooperation with city staff has reviewed the appropriate Wetland Summary Sheets (4.02d, 4.03 and 4.04). Wetland 4.02d as identified in the city's LWI was a 4.72 acre wet meadow area, and wetlands 4.03 and 4.04 were associated with the middle tributary of Coffee Lake Creek.

(.02) The applicant shall prepare a Mitigation Plan document containing the following elements:

A. The Mitigation Plan shall contain an assessment of the existing natural resource function ratings at the time of the proposed encroachment for the site compared to the function ratings recorded in the Compliance and Protection Plan.

G14. The applicant in cooperation with city staff has addressed the resource function ratings for the impact area and also correctly documented the resource function ratings in the Compliance and Protection Plan. The impact area has a low function rating due to invasive non-native plant species, and the lack of habitat diversity. These function ratings have been used to determine the appropriate mitigation ratio for Subsection 4.139.06(.02)(D).

B. The Mitigation Plan shall contain an assessment of the anticipated adverse impacts to significant wildlife habitat resources. The impact assessment shall discuss impacts by resource functions (as listed in the Compliance and Protection Plan, May 2000) for each resource type, and shall map the area of impact (square feet or acres) for each function.

G15. The applicant in cooperation with city staff has determined the impact to the significant resource area based on the resource functions. As listed under Subsection 4.139.05(.03)(C), the applicant has calculated the square feet of the impact to the Significant Resource. The applicant's site plan in the SRIR depicts the area of impact.

C. The Mitigation Plan shall present a proposed mitigation action designed to replace the lost or impacted resource functions described in Subsection B, above. The mitigation plan shall be designed to replace lost or impacted functions by enhancement of existing resources on, or off the impact site, or creation of new resource areas.

G16. The applicant has submitted a mitigation plan designed to replace lost or impacted functions through enhancement of existing resources. The mitigation will occur on-site, and within close proximity to the areas of impact. The area proposed for mitigation is approximately 9,860 square feet, which exceeds the mitigation ratio (2:1) required in Section 4.139.06(.02) (D).

D. For mitigation projects based on resource function enhancement, the area ratios presented in Table NR - 2 shall be applied. These ratios are based on the resource function ratings at the time of the proposed action, as described in Subsection A, above. The mitigation action shall be conducted on the appropriate size area as determined by the ratios in Table NR - 2.

- G17. The applicant has estimated the resource function ratings for the “impact site”, “existing rating at mitigation site” and “proposed rating at mitigation site.” These function ratings (pursuant to Table NR-2) are:

Existing Function Rating at Impact Site: L (low)
Existing Function Rating at Mitigation Site: L (low)
Proposed Function Rating at Mitigation Site: M (medium)

Based on the function ratings, an area ratio of 2:1 is required for mitigation. The applicant’s submitted mitigation plan (4:1 mitigation ratio) exceeds the required mitigation ratio. The applicant proposes the enhancement of 9,860 square feet within the 50-foot vegetated corridor. The applicant proposes an array of native trees and shrubs appropriate for the area. The mitigation proposed by the applicant is sufficient to offset the impacts to the SROZ.

- (.03) Proposals for mitigation action where new natural resource functions and values are created (i.e. creating wetland or wildlife habitat where it does not presently exist) will be reviewed and may be approved by the Development Review Board or Planning Director if it is determined that the proposed action will create natural resource functions and values that are equal to or greater than those lost by the proposed impact activity.**

- G18. No new habitat would be created as part of the mitigation plan. The proposed mitigation will enhance existing habitat.

- (.04) Mitigation actions shall be implemented prior to or at the same time as the impact activity is conducted.**

- G19. The Natural Resources Program Manager’s Condition of Approval #NRG1 requires the mitigation actions to be implemented prior to or at the same time as the impact activity is conducted.

- (.05) Mitigation plans shall have clearly stated goals and measurable performance standards.**

- G20. The applicant has specified goals for the proposed mitigation site, which include the establishment of a diverse native plant understory and reducing the coverage of nuisance plants. The proposed performance standard is 80% survival rate of native trees and shrubs during the five year maintenance and monitoring period. This performance standard will ensure the proper functioning condition of the mitigation site is achieved.

- (.06) All mitigation plans shall contain a monitoring and maintenance plan to be conducted for a period of five years following mitigation implementation. The applicant shall be responsible for ongoing maintenance and management activities, and shall submit an annual report to the Planning Director documenting such activities, and reporting progress towards the mitigation goals. The report shall contain, at a minimum, photographs from established photo points, quantitative measure of success criteria, including plant survival and vigor if these are appropriate data. The Year 1 annual report shall be submitted one year following mitigation action implementation. The final annual report (Year 5 report) shall document successful satisfaction of mitigation goals, as per the stated performance standards. If the ownership of the mitigation site**

property changes, the new owners will have the continued responsibilities established by this section.

- G21. The applicant has submitted information regarding monitoring and maintenance of the proposed mitigation. The Natural Resources Program Manager's Condition of Approval #NRG2 requires the applicant to submit a monitoring and maintenance report to be conducted for a period of five years following mitigation implementation.
- (.07) The Mitigation Plan document shall be prepared by a natural resource professional.**
- G22. Natural resource professionals have prepared the mitigation plan. The applicant's team has the necessary credentials to implement a mitigation plan for the proposed impacts.
- (.08) Prior to any site clearing, grading or construction, the SROZ area shall be staked, and fenced per approved plan. During construction, the SROZ area shall remain fenced and undisturbed except as allowed by an approved development permit.**
- G23. The Natural Resources Program Manager's Condition of Approval #NRG3 requires the SROZ to be fenced and prohibits exempt or non-exempt construction activities until the decision is finalized. The decision will be final with the closing of the appeal period.
- (.09) For any development which creates multiple parcels intended for separate ownership, the City shall require that the SROZ areas on the site be encumbered with a conservation easement or tract.**
- G24. A conservation easement is not required for the SROZ areas on the site.
- (.10) The City may require a conservation easement over the SROZ that would prevent the owner from activities and uses inconsistent with the purpose of this Section and any easements therein. The purpose of the conservation easement is to conserve and protect resources as well as to prohibit certain activities that are inconsistent with the purposes of this section. Such conservation easements do not exclude the installation of utilities.**
- G25. A conservation easement is not required for the SROZ due to the public ownership of the property.
- (.11) At the Planning Directors discretion, mitigation requirements may be modified based on minimization of impacts at the impact activity site. Where such modifications are granted by the Planning Director, the Director shall clearly indicate the reasons for doing so in the record, citing the relevant information relied upon in reaching the decision.**
- G26. The applicant has not requested a modification of mitigation requirements.
- (.12) The Director may study the possibility of a payment-in-lieu-of system for natural resource impact mitigation. This process would involve the public acquisition and management of natural resource properties partially funded by these payments.**
- G27. The applicant has not requested a payment-in-lieu.

SUMMARY FINDINGS FOR REQUEST G:

- G28. The area designated Significant Resource Overlay Zone (SROZ) includes wetlands and the south tributary to Coffee Lake Creek (Local Wetlands Inventory - LWI - site number 4.03 and 4.04). The wetland is situated on the west side of the property within a wet meadow previously used for pasture (LWI - site number 4.02d). Both the wetland area and the creek have a designated 50-foot Title 3 wetland vegetated corridor.
- G29. The wetland area is dependent on groundwater as a source of hydrology. Vegetation includes tall fescue, common velvetgrass, red fescue, meadow foxtail, white clover, and other grasses and herbaceous plants. The perennial creek is approximately three to five (3-5) feet wide, with an average depth of four (4) feet. In the northwestern portion of the site there is an emergent wetland (with shallow inundation) associated with the creek.
- G30. A wetland delineation prepared by Pacific Habitat Services, and approved by the Oregon Department of State Lands, refined the boundary of the wetland and the SROZ. A portion of the pasture not included in the city's LWI met the criteria for designation as a jurisdictional wetland and has been added to the SROZ. The SROZ map will be amended, pursuant to Section 4.139.09.01 (D), as part of the land use approval for the Commuter Rail Station.
- G31. The Significant Resource Overlay Zone ordinance prescribes regulations for development within the SROZ and its associated 25 foot Impact Area. Setbacks from significant natural resources implement the requirements of Metro Title 3 Water Quality Resource Areas and Statewide Planning Goal 5. Wetlands, streams and riparian corridors shall have at least a minimum 50-foot buffer, but buffers may extend to the top of the slope for riparian corridors. All significant natural resources have a 25 foot Impact Area. Development or other alteration activities may be permitted within the SROZ and its associated 25 foot Impact Area through the review of a Significant Resource Impact Report (SRIR).
- G32. Pursuant to the city's SROZ ordinance, development is only allowed within the Area of Limited Conflicting Use (ALCU). The ALCU is located between the riparian corridor boundary, riparian impact area or the Metro Title 3 Water Quality Resource Area boundary, whichever is furthest from the wetland or stream, and the outside edge of the SROZ, or an isolated significant wildlife habitat (upland forest) resource site.
- G33. Pursuant to Section 4.139.09.01 (C), "if the application of this Section [i.e. the SROZ regulations] would prohibit a development proposal by a public agency or public utility, the agency or utility may apply for an exception pursuant to this Section. The hearing body shall use the SRIR review criteria identified within this section." TriMet qualifies for this exception as a public agency and has submitted an SRIR to document the impacts to the SROZ and identify the proposed mitigation.
- G34. The applicant's Significant Resource Impact Report delineated specific resource boundaries and analyzed the impacts of development within the SROZ. The applicant's SRIR contained all the required information, including an ecological analysis, development recommendations for mitigating impacts, and a mitigation and enhancement proposal for the proposed impacts to the SROZ.

ATTACHMENT A

Station Site Plan

Pedestrian Crossings at Tracks

