



Exhibit A1  
Staff Report  
Wilsonville Planning Division  
SW Boeckman Road Building W5  
Development Review Board Panel 'A'  
Quasi-Judicial Public Hearing  
Amended and Adopted June 12, 2023  
Added language ***bold italics underline***  
Removed language ~~struck through~~

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<b>Hearing Date:</b>	June 12, 2023
<b>Date of Report:</b>	June 5, 2023
<b>Application No.:</b>	DB22-0004 SW Boeckman Road Building W5
<b>Request/Summary:</b>	The requests before the Development Review Board include a Stage 1 Preliminary Plan Modification, Stage 2 Final Plan Modification, Site Design Review, Type C Tree Plan, Standard SROZ Map Verification, and Standard SRIR Review.
<b>Location:</b>	9600 SW Boeckman Road. The property is specifically known as Tax Lots 202 and 204, Section 14B, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon
<b>Owner/Applicant:</b>	W-5 LLC (Contact: Mac Martin)
<b>Authorized Representative:</b>	Lance Mueller & Associates (Contact: Bob Wells)
<b>Comprehensive Plan Designation:</b>	Industrial
<b>Zone Map Classification:</b>	PDI (Planned Development Industrial)
<b>Staff Reviewers:</b>	Cindy Luxhoj AICP, Associate Planner Amy Pepper, Development Engineering Manager Kerry Rappold, Natural Resources Program Manager
<b>Staff Recommendation:</b>	<b><u>Approve with conditions</u></b> the requested Stage 1 Preliminary Plan Modification, Stage 2 Final Plan Modification, Site Design Review, Type C Tree Plan, Standard SROZ Map Verification, and Standard SRIR Review.

**Applicable Review Criteria:**

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

## Vicinity Map:



## Background:

Initial development of the subject property occurred in the 1970s with construction of an industrial building – Building W4 – and associated improvements on the eastern part of the subject site. It is unclear in the City record whether a Stage 1 Preliminary Plan was prepared at the time anticipating that a second building would be constructed on the treeless western part of the site in a future development phase.

Since its construction, Building W4 has served a number of industrial users including a publishing plant (RFD Publications), a warehouse for doors and other building materials (OrePac), and, currently, DWFritz Automation. Substantial custom architectural renovations to the existing Building W4 occurred in 2016-2017 to consolidate DWFritz’s local operations in one building for their world headquarters. The renovation included many structural and architectural enhancements, as well as a change of use from warehouse to industrial office/manufacturing, and additional parking to serve the building. The Transportation Impact Analysis (TIA) prepared in August 2017 (Exhibit A3) as part of the DWFritz site modifications analyzed traffic associated with renovation of the existing 155,000-square-foot building and addition of a second building

sometime in the future (future building) that was anticipated to include 70,000 square feet of high-tech manufacturing and 4,000 square feet in a sit-down restaurant. While included in the TIA, no land use applications for the future building as described in the TIA was ever submitted. The current application proposes to construct the second building anticipated in the 2017 TIA; however, rather than including the mix of uses evaluated in that analysis, the new building is proposed to be an 80,446-square-foot office/manufacturing building without the previously anticipated restaurant space. The new Building W5 is proposed to be located west of the existing Building W4 on the northern vacant portion of the subject site. As described by the applicant, the new Building W5 provides manufacturing space for hi-tech industrial operations. Substantial portions of the Building W5 site will remain as treed natural area, including SROZ and wetland designated areas.

Staff notes that Tax Lot 202, on which Building W4 is located, was partitioned in 2021 to create Tax Lot 204, where Building W5 is proposed to be constructed. While the new Building W5, associated improvements, and some parking will be located on Tax Lot 204, the majority of parking that serves the new building is proposed to be located between it and Building W4. Staff also notes that 11 parking spaces serving Building W4 will be relocated and two (2) new spaces added to accommodate development of the southeast parking area serving Building W5 (see Sheet A1.0 in Exhibit B2). The two buildings will share access to SW Boeckman Road and internal circulation within the centrally located parking area, however, the Code standards related to parking and loading, landscaping, mixed solid waste/recycling storage, etc., are addressed individually for Building W5 to demonstrate compliance as a stand-alone development.

## **Summary:**

### Stage 1 Preliminary Plan Modification

Prior Stage I Preliminary Plan approvals covering the property show the site of the proposed building (building site) as undeveloped. No prior phasing or potential use of the building site has been approved. The Stage 1 Preliminary Plan is thus modified to identify the site of the proposed new industrial building containing office and manufacturing space and associated improvements. The proposed use of the building site is consistent with the Planned Development Industrial (PDI) zone.

### Stage 2 Final Plan Modification

The Stage 2 Final Plan Modification builds on the Stage 1 Preliminary Plan modification and reviews the function and design of the proposed new office/manufacturing building and related site improvements. In addition to laying out the function and design of the previously undeveloped portions of the site, the Stage 2 Final Plan modification includes reconfiguring a portion of the Building W4 parking area to accommodate one (1) of the parking areas serving the new building (see Sheet A1.0 in Exhibit B2). The Stage 2 review assures the proposal meets all the performance standards of the PDI zone. The overall site is conceived as a heavily treed campus where, for efficiency, the two (2) buildings share the existing driveways on SW Boeckman Road,

vehicle circulation drives, and some of the centrally located parking area, while the building lobbies have a pedestrian and visual connection, but separate service areas.

### Site Design Review

The applicant used appropriate professional services and quality materials to design the proposed Building W5 and associated improvements. The configuration of the development allows for preservation and enhancement of existing natural features, such as the SROZ west and south of the proposed building, and preservation of valuable trees.

### Type C Tree Removal Plan

Trees are located in the SROZ west and south of the proposed Building W5 and in the new parking areas to the southeast. Proposed tree removal and replacement/mitigation is discussed in the Discussion Points – Verifying Compliance with the Standards section, below.

## **Public Comments and Responses:**

One public comment, from DWFritz Automation, was received during the comment period for the project (Exhibit D1). DWFritz Automation is the tenant of Building W4 on the subject site. The comment raises concerns about the location of the new building and associated parking and loading in relation to existing parking and internal circulation, and employee safety, for Building W4. Concern also is expressed about the number of parking spaces proposed for Building W5 and that there may not be sufficient parking for the size of the proposed building.

## **Discussion Points – Verifying Compliance with Standards:**

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

### Traffic Impacts and Concurrency

Prior Stage 2 Final Plan approvals did not approve any trips for the western portion of the subject site where Building W5 is proposed. However, the Transportation Impact Analysis prepared in August 2017 (2017 TIA; see Exhibit A3) as part of the DWFritz site modifications analyzed traffic associated with addition of a potential future 74,000-square-foot building on the building site of the currently proposed Building W5. This potential future building referenced in the 2017 TIA was never applied for or approved. Discussion of the building in the Trip Generation Memo (see Exhibit B1) is just for the purpose of connecting back to the 2017 TIA. All trips connected with the current proposal, referred to as “Current Proposed Land Use” in the Trip Generation Memo are new trips and do not represent any reduction of traffic from prior land use approvals. The current proposal is estimated to generate 54 PM Peak Hour trips and 414 Weekday trips. This is less trips

than the 2017 TIA assumed and all intersections impacted by the proposed development are expected to operate above the City’s acceptable level of service (LOS) D.

LAND USE (ITE CODE)	SIZE <sup>a</sup>	TRIP TYPE	PM PEAK HOUR			WEEKDAY
			IN	OUT	TOTAL	
<i>CURRENT PROPOSED LAND USE</i>						
MANUFACTURING (140)	80 KSF	Vehicle	17	37	54	414

### Industrial Performance Standards

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

### Pedestrian Access and Circulation

Pedestrian access is provided from the public sidewalk in SW Boeckman Road on both the west and east sides of the entry driveway to the main entrance at the northeast corner of Building W5. Internal pedestrian circulation is located on the north, east, and south sides, and at the southwest corner of the building, as well as throughout parking areas serving the building.

### Vehicular and Bicycle Parking

The proposed Building W5 requires a minimum of 151 vehicle parking spaces and, as it contains a manufacturing component, there is no maximum limit on the number of spaces. The applicant proposes 297 stalls, substantially exceeding the minimum amount required. Parking is located along the north and east sides and at the southwest corner, as well as in two (2) lots southeast of the building.

As the commercial office space occupies more than 20% of the building, required bicycle parking is calculated as the sum of the requirements for the individual primary uses, resulting in a minimum of 10 required spaces. The applicant proposes 11 bicycle parking spaces, two (2) in a rack outside the main building entrance and nine (9) interior to the building at its southwest corner.

### Tree Removal and Retention/Protection

Building W5 is proposed on the undeveloped northern portion of the site, which is treeless and vegetated with grasses. Existing trees on the site are located in the SROZ west and south of the proposed building and in the new parking areas to the southeast. Of 173 trees inventoried for the

current application, 72 trees are proposed for removal and 101 trees will be preserved and protected, including 21 “situational” trees that may need to be removed in the future if their health declines as a result of fill placement despite installation of an aeration system over their root systems. The applicant has taken tree preservation into consideration, and has limited tree removal to what is necessary for development. The applicant proposes planting 65 trees in parking areas and on the building perimeter and 328 trees in the SROZ as mitigation, thus substantially exceeding the replacement requirements, including for “situational” trees.

#### Standard SROZ Map Verification and SRIR Review

The applicant conducted a detailed site analysis consistent with the requirements of the SROZ ordinance, which the City’s Natural Resources Manager reviewed and recommends approval of by the Development Review Board. The applicant’s standard Significant Resource Impact Report (SRIR) delineated specific resource boundaries and analyzed the impacts of exempt development within the SROZ. The applicant’s SRIR contained the required information, including an analysis and development recommendations for mitigating impacts.

#### **Discussion Points – Discretionary Review:**

This section provides a discussion of discretionary review requests that are included as part of the proposed applications. The most typical type of discretionary review is waiver requests. The application proposes no waivers or other requests subject to discretionary review.

## Conclusion and Conditions of Approval:

Staff reviewed the applicant's analysis of compliance with the applicable criteria. The Staff report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, staff recommends that the Development Review Board approve, with the conditions below, the proposed application (DB22-0004) for Stage 1 Preliminary Plan Modification, Stage 2 Final Plan Modification, Site Design Review, Type C Tree Removal Plan, Standard SROZ Map Verification, and Standard SRIR Review.

### Planning Division Conditions:

#### Request A: Stage 1 Preliminary Plan Modification (STG122-0004)

<b>PDA 1.</b> <b>General:</b> Minor changes in an approved Stage 1 Preliminary Plan may be approved by the Planning Director through the Class 1 Administrative Review Process if such changes are consistent with the purposes and general character of the development plan. All other modifications, including extension or revision of the staged development schedule, shall be processed in the same manner as the original application and shall be subject to the same procedural requirements.
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#### Request B: Stage 2 Final Plan Modification (STG222-0004)

<b>PDB 1.</b> <b>General:</b> The approved Stage 2 Final Plan, as modified by Conditions of Approval, shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved preliminary or final development plan may be approved by the Planning Director through the Class 1 Administrative Review Process if such changes are consistent with the purposes and general character of the development plan. All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements.
<b>PDB 2.</b> <b>Prior to Temporary Occupancy and Ongoing:</b> The applicant proposes standard parking spaces that are at least nine 9 feet long and compact spaces that are at least 7.5 feet long. However, the dimension of some parking spaces adjacent to landscape areas includes one (1) to two (2) feet of landscape area in the length calculation. To ensure adequate clearance in the affected spaces, landscaping shall be limited to groundcover within the bumper overhang area. See Finding B30.
<b>PDB 3.</b> <b>Prior to Temporary Occupancy:</b> A parking easement shall be provided over the parking area located on Tax Lot 202 that serves the new building on Tax Lot 204. See Finding B33.
<b>PDB 4.</b> <b>Prior to Non-Grading Building Permit Issuance:</b> Applicant shall provide a detail of the proposed interior long-term bicycle parking/storage spaces. See Finding B52.
<b>PDB 5.</b> <b>Prior to Final Occupancy:</b> All exterior, roof and ground mounted, mechanical and utility equipment shall be screened from ground level off-site view from adjacent streets or properties. See Finding B67.



Request C: Site Design Review (SDR22-0004)

<p><b>PDC 1.</b> <u>General:</u> Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents as modified by Conditions of Approval. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding C14.</p>
<p><b>PDC 2.</b> <u>Prior to Temporary Occupancy:</u> All landscaping required and approved by the Board shall be installed prior to issuance of any occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding C32.</p>
<p><b>PDC 3.</b> <u>Ongoing:</u> The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville's Development Code. See Finding C33.</p>
<p><b>PDC 4.</b> <u>Ongoing:</u> All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered as allowed by Wilsonville's Development Code. See Findings C34 and C35.</p>
<p><b>PDC 5.</b> <u>Prior to Temporary Occupancy:</u> The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"><li>• Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch.</li><li>• Native topsoil shall be preserved and reused to the extent feasible.</li><li>• Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings.</li><li>• All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10" to 12" spread.</li><li>• Shrubs shall reach their designed size for screening within three (3) years of planting.</li></ul>

	<ul style="list-style-type: none"> <li>• Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum.</li> <li>• No bare root planting shall be permitted.</li> <li>• Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting.</li> <li>• Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.</li> <li>• Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding C41.</li> </ul>
PDC 6.	<b><u>Prior to Temporary Occupancy:</u></b> All trees shall be balled and burlapped and conform in grade to "American Standards for Nursery Stock" current edition. Tree size shall be a minimum of 2-inch caliper. See Finding C42.
PDC 7.	<b><u>Prior to Temporary Occupancy:</u></b> Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. See Finding C47.
PDC 8.	<b><u>Prior to Building Permit Issuance:</u></b> Final review of the proposed building lighting's conformance with the Outdoor Lighting Ordinance will be determined at the time of Building Permit issuance. See Findings C50 through C58.

Request D: Type C Tree Plan (TPLN22-0003)

PDD 1.	<b><u>General:</u></b> This approval for removal applies only to the 72 trees identified in the applicant's submitted materials. All other trees on the property shall be maintained unless removal is approved through separate application.
PDD 2.	<b><u>General:</u></b> Of 101 preserved trees on the subject property, 21 have been identified as "situational", which are likely to be retained with planned installation of an aeration system over their roots before fill is placed to assist with long-term survival. These trees will be re-evaluated at the time of site clearing to assess suitability for preservation and will be monitored during construction to minimize root zone impacts. If, as a result of construction, one (1) or more of the trees is determined to be no longer sustainable, the applicant may seek written authorization from the City for removal and appropriate mitigation. See Finding D6.
PDD 3.	<b><u>Prior to Grading Permit Issuance:</u></b> The applicant shall submit an application for a Type 'C' Tree Removal Permit on the Planning Division's Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the applicant shall provide the City's Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff.

<p><b>PDD 4. <u>Prior to Temporary Occupancy/Ongoing:</u></b> The permit grantee or the grantee’s successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees for two (2) years after the planting date. A “guaranteed” tree that dies or becomes diseased during the two (2) years after planting shall be replaced. See Finding D10 and D11.</p>
<p><b>PDD 5. <u>Prior to Commencing Site Grading:</u></b> Prior to site grading or other site work that could damage trees, the applicant/owner shall install 6-foot-tall chain-link fencing around the drip line of preserved trees. Removal of the fencing around the identified trees shall only occur if it is determined the trees are not feasible to retain. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. Protective fencing shall not be moved or access granted within the protected zone without arborist supervision and notice of the City of the purpose of proposed movement of fencing or access. See Finding D13.</p>

**Request E: Standard SROZ Map Verification (SROZ22-0003)**

No conditions for this request.

**Request F: Standard SRIR Review (SRIR22-0001)**

No conditions for this request.

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

**Engineering Division Conditions:**

<p><b>PF 1. <u>Ongoing:</u></b> Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1.</p>
<p><b>PF 2. <u>Prior to Issuance of Public Works Permit:</u></b> Submit site plans to Engineering showing all stormwater quality facilities, sewer, water, and storm connections, driveway approach reconstruction, defective sidewalk repairs, and pavement restoration associated with utility connection disturbances. All existing defective sidewalks along the project frontage shall be repaired as part of the Public Works Permit.</p>

PF 3.	<b><u>With Public Works Permit:</u></b> The construction drawings shall show all necessary temporary water line looping to avoid long dead-end water lines. All water meters shall be located in the public right-of-way and not on private property. All new public water mains shall be located in an exclusive 15-foot easement.
PF 4.	<b><u>Prior to the Issuance of Public Works Permit:</u></b> A final stormwater report shall be submitted for review and approval. The stormwater report shall include information and calculations to demonstrate how the proposed development meets the treatment, flow control, and source control requirements.
PF 5.	<b><u>Prior to the Issuance of Public Works Permit:</u></b> Applicant shall obtain an NPDES 1200C permit from the Oregon Department of Environmental Quality and a Local Erosion Control Permit from the City of Wilsonville. All erosion control measures shall be in place prior to starting any construction work, including any demolition work. Permits shall remain active until all construction work is complete and the site has been stabilized.
PF 6.	The site is impacted by a Significant Resource Overlay Zone (SROZ). <b><u>Prior to Final Building Certificate of Occupancy:</u></b> The applicant shall dedicate a conservation easement over all SROZ areas on the site.
PF 7.	<b><u>Prior to Issuance of Any Occupancy Permits:</u></b> All public infrastructure improvements including but not limited to street, stormwater drainage, water quality and flow control, sanitary sewer, and water facilities shall be substantially complete with approval from the Community Development Director pursuant to Section 4.220 of the Development Code.
PF 8.	<b><u>Prior to Issuance of Any Occupancy Permits:</u></b> All necessary easements shall be recorded with the County, including any necessary public water line, private stormwater access and maintenance easements, and conservation easements.
PF 9.	<b><u>Prior to Any Paving:</u></b> Onsite stormwater facilities must be constructed and vegetated facilities planted. <b><u>Prior Issuance of Final Building Certificate of Occupancy:</u></b> The applicant must execute and record with the County a Stormwater Maintenance and Access Easement Agreement with the City.

**Natural Resources Division Conditions:**

NR1.	Natural Resource Division Requirements and Advisories listed in Exhibit C2 apply to the proposed development.
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## Master Exhibit List:

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case File DB22-0004. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

### Planning Staff Materials

- A1. Staff Report and Findings (this document)
- A2. Staff's Presentation Slides for Public Hearing (to be presented at Public Hearing)
- A3. DW Fritz Transportation Impact Analysis, Dated August 14, 2017 – *Available Under Separate Cover*

### Materials from Applicant

- B1. **Applicant's Narrative and Materials** – *Available Under Separate Cover*
  - Part 1 Application and Narrative
  - Part 2 Applicant's Reports and Exhibits
- B2. **Applicant's Drawing Package** – *Available Under Separate Cover*
- B3. **Applicant's Supplemental Information and Plan Corrections** – *Available Under Separate Cover – Note: Plan Sheets A1.0, A1.2, C1.30, TR-1 and TR-2 supersede corresponding Plan Sheets in Exhibit B2; Storm Drainage Report supersedes corresponding Report in Exhibit B1. Part 2.*
- B4. Response to Incomplete Notice, Dated July 8, 2022
- B5. Response to Complete Notice, Dated March 15, 2023
- B6. Applicant's 120-day Waiver Request 1
- B7. Applicant's 120-day Waiver Request 2
- B8. Applicant's 120-day Waiver Request 3
- B9. *Applicant's Response to K. Bryant Comment, Dated June 9, 2023*

### Development Review Team Correspondence

- C1. Public Works Plan Submittal and Other Engineering Requirements
- C2. Natural Resources Findings & Requirements

### Other Correspondence

- D1. K. Bryant, DW Fritz, Comment, Dated June 2, 2023

## Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The application was received on February 9, 2022. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on March 11, 2022. The applicant submitted additional materials on July 11, 2022. Staff conducted a second completeness review within the statutorily allowed 30-day review period and found the application to be complete on August 8, 2022. Based on the August 8, 2022 completeness date, the City was required to render a final decision for all requests, including any appeals, by December 6, 2022. However, the applicant requested that the 120-day review period be extended, first to April 5, 2023, then to August 8, 2023, to allow time to process their application. Therefore, the City must render a final decision for all requests, including any appeals, by August 8, 2023.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	PDI	Industrial
East:	PDI / FDAH-I	Industrial
South:	PDI	Industrial
West:	FDAH-I	Natural Area/SROZ

3. Previous Planning Approvals:

74RZ09 – Zone Change from RA-1 to Industrial91PC13 – Stage 1 Modification, Stage 2 - Parking Addition

91DR06 – Landscape, Parking Addition

AR05-0104 – Class 1 Review – Tree removal from approved landscape plan

AR06-0028 – Class 1 Review – New truck/warehouse door and driveway

AR14-0006 – Class 2 Review – Exterior canopy less than 1,250 square feet

AR16-0015 – Class 2 Review – Tentative Partition Plat and SROZ Map Verification

AR16-0032 – Class 1 Review – Final Partition Plat

AR16-0063 – Class 2 Review – Architectural changes and minor grading

AR17-0041 – Class 2 Review – Building entry modification

AR17-0053 – Class 1 Review – Addition of awnings

DB17-0008–DB17-0010 – Stage 2 Final Plan Modification, Site Design Review, Type C Tree Plan for Site Modifications

AR18-0020 – Class 1 Review – Landscape plan revision

AR20-0044 – Class 2 Review – Tentative Partition Plat

AR21-0039 – Class 1 Review – Final Partition Plat

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

## Findings of Fact:

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

### General Information

#### Application Procedures-In General

Section 4.008

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

#### Initiating Application

Section 4.009

The application has the signature of Mac Martin, an authorized signer for the property owner, W-5 LLC.

#### Pre-Application Conference

Subsection 4.010 (.02)

The City held a pre-application conference on May 13, 2021 (PA21-0010) in accordance with this subsection.

#### Lien Payment before Approval

Subsection 4.011 (.02) B.

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

#### General Submission Requirements

Subsection 4.035 (.04) A.

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

#### Zoning-Generally

Section 4.110

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



## Request A: Stage 1 Preliminary Plan Modification (STG122-0004)

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

### Planned Development Regulations

#### Planned Development Purpose & Lot Qualifications

Subsections 4.140 (.01) and (.02)

- A1.** The property is of sufficient size to be developed in a manner consistent the purposes and objectives of Section 4.140. The subject property is greater than two (2) acres and is designated for industrial development in the Comprehensive Plan. The property will be developed as a planned development in accordance with this subsection.

#### Ownership Requirements

Subsection 4.140 (.03)

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

#### Professional Design Team

Subsection 4.140 (.04)

- A3.** As can be found in the applicant's submitted materials, appropriate professionals have been involved in the planning and permitting process. Bob Wells with Lance Mueller & Associates is the applicant's representative.

#### Planned Development Permit Process

Subsection 4.140 (.05)

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

#### Comprehensive Plan Consistency

Subsection 4.140 (.06)

- A5.** The proposed project, as described elsewhere in this report, complies with the Planned Development Industrial (PDI) zoning designation, which implements the Comprehensive Plan designation of Industrial for this property.

#### Application Requirements

Subsection 4.140 (.07)

- A6.** Review of the proposed Stage 1 Preliminary Plan Modification has been scheduled for a public hearing before the Development Review Board, in accordance with this subsection, and the applicant has met all the applicable submission requirements as follows:
- The property affected by the Stage 1 Preliminary Plan Modification is under the sole ownership of W-5 LLC and the application has been signed by Mac Martin who is

authorized to sign on behalf of the owner.

- The application for a Stage 1 Preliminary Plan Modification has been submitted on a form prescribed by the City.
- The professional design team and coordinator have been identified. See Findings A3 and B3.
- The applicant has stated the various uses involved in the Stage 1 Preliminary Plan Modification and their locations.
- The boundary affected by the Stage 1 Preliminary Plan Modification has been clearly identified and legally described.
- Sufficient topographic information has been submitted.
- Information on the land area to be devoted to various uses has been provided.
- Any necessary performance bonds will be required.

## **Planned Development Industrial (PDI) Zone**

### Purpose of PDI Zone

Subsection 4.135 (.01)

**A7.** The uses proposed within the PDI zone are limited to industrial uses, supporting the purpose stated in this subsection.

### Uses Typically Permitted

Subsection 4.135 (.03)

**A8.** The proposed development consists of an industrial building where the intended uses are expected to include commercial office, manufacturing/processing, research and development and similar uses, to be further defined when a tenant is secured. These uses are consistent with the uses typically permitted and are allowed outright within the PDI zone.

### Prohibited Uses

Subsection 4.135 (.04)

**A9.** No prohibited uses are proposed by the applicant. Performance standards will be required to be met as part of the Stage 2 Final Plan Modification review.

### Block and Access Standards

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

**A10.** The drawings submitted by the applicant show development on the subject property providing adequate pedestrian and vehicle connectivity along SW Boeckman Road. No changes to blocks or access spacing are proposed.

## **PDI Performance Standards**

### Industrial Performance Standards

Subsections 4.135 (.06) A. through N.

**A11.** The Stage 1 Preliminary Plan Modification enables conformance with the Industrial Performance Standards. Final compliance will be reviewed with the Stage 2 Final Plan Modification. See Finding B23.

## **Other Standards for PDI Zone**

### Lot Size

Subsections 4.135 (.07) A.

**A12.** Nothing in the Stage 1 Preliminary Plan Modification would prevent lot size requirements from being met.

### Setbacks

Subsections 4.135 (.07) C. through E.

**A13.** Nothing in the Stage 1 Preliminary Plan Modification would prevent setback requirements from being met.

## **Request B: Stage 2 Final Plan Modification (STG222-0004)**

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

## **Planned Development Regulations-Generally**

### Planned Development Purpose & Lot Qualifications

Subsection 4.140 (.01) and (.02)

**B1.** The proposed Stage 2 Final Plan Modification for development of the subject property is consistent with the Planned Development Regulations purpose statement.

### Ownership Requirements

Subsection 4.140 (.03)

**B2.** The subject parcels are under the ownership of W-5 LLC, for whom an authorized signer, Mac Martin, signed the application.

### Professional Design Team

Subsection 4.140 (.04)

**B3.** As can be found in the applicant's submitted materials, appropriate professionals have been involved in the planning and permitting process. Bob Wells with Lance Mueller & Associates is the applicant's representative.

## Stage 2 Final Plan Submission Requirements and Process

### Stage 2 Submission Within 2 Years of Stage 1

Subsection 4.140 (.09) A.

- B4.** The applicant is requesting approval of both Stage 1 Preliminary Plan Modification and Stage 2 Final Plan Modification, together with Site Design Review, as part of this application. The Stage 2 Final Plan Modification provides sufficient information regarding conformance with both the Stage 1 Preliminary Plan Modification and Site Design Review.

### Development Review Board Role

Subsection 4.140 (.09) B.

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

### Stage 1 Conformance, Submission Requirements

Subsection 4.140 (.09) C.

- B6.** The Stage 2 Final Plan Modification conforms to the proposed Stage 1 Preliminary Plan Modification. The applicant's submitted drawings and other documents show all the additional information required by this subsection.

### Stage 2 Final Plan Detail

Subsection 4.140 (.09) D.

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

### Submission of Legal Documents

Subsection 4.140 (.09) E.

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

### Expiration of Approval

Subsection 4.140 (.09) I. and Section 4.023

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

Consistency with Plans  
Subsection 4.140 (.09) J. 1.

**B10.** The site's zoning, Planned Development Industrial (PDI), is consistent with the Industrial designation in the Comprehensive Plan. The Transportation System Plan calls for no additional frontage or road improvements.

Traffic Concurrency  
Subsection 4.140 (.09) J. 2.

**B11.** The City's traffic consultant, DKS Associates, calculates that the proposed 80,446-square-foot office/manufacturing building will generate 54 PM peak hour trips and 414 weekday trips. All intersections impacted by the proposed development are expected to operate above the City's acceptable level of service (LOS) D.

Facilities and Services Concurrency  
Subsection 4.140 (.09) J. 3.

**B12.** Facilities and services, including utilities in SW Boeckman Road, are available and sufficient to serve the proposed development.

Adherence to Approved Plans  
Subsection 4.140 (.10) A.

**B13.** A condition of approval ensures adherence to approved plans except for minor revisions approved by the Planning Director.

**Standards Applying in All Planned Development Zones**

Underground Utilities  
Subsection 4.118 (.02)

**B14.** The applicant's plans show all utilities underground.

Waivers  
Subsection 4.118 (.03)

**B15.** The applicant does not request any waivers.

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

**B16.** Staff does not recommend any additional requirements or restrictions pursuant to this subsection.

Impact on Development Cost  
Subsection 4.118 (.04)

**B17.** In staff’s professional opinion, the determination of compliance or attached conditions do not unnecessarily increase the cost of development, and no evidence has been submitted to the contrary.

Requiring Tract Dedications  
Subsection 4.118 (.05)

**B18.** Staff does not recommend any additional tract dedication for recreational facilities, open space, or easements for orderly extension of public utilities consistent with this subsection.

Habitat Friendly Development Practices  
Subsection 4.118 (.09)

**B19.** The applicant will implement habitat-friendly development practices to the extent practicable. Grading will be limited to that needed for the proposed improvements, no significant native vegetation would be retained by an alternative site design, the City’s stormwater standards will be met, thus limiting adverse hydrological impacts on water resources, and no impacts on wildlife corridors or fish passages have been identified.

**Planned Development Industrial (PDI) Zone**

Purpose of PDI Zone  
Subsection 4.135 (.01)

**B20.** The stated purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses. The proposed development includes an industrial building and associated site improvements consistent with the purpose stated in this subsection.

Typically Permitted Uses  
Subsection 4.135 (.03)

**B21.** The uses proposed in the Stage 2 Final Plan Modification are consistent with the Stage 1 Preliminary Plan. The proposed development consists of an industrial building where the intended uses are expected to include commercial office, manufacturing/processing, research and development and similar uses, to be further defined when a tenant is secured. These uses are consistent with the uses typically permitted and are allowed outright within the PDI zone.

Block and Access Standards  
Subsections 4.131.05 (.07) and 4.131 (.03)

**B22.** The proposal requests no changes to blocks or access spacing.

## Industrial Performance Standards

### Industrial Performance Standards

Subsection 4.135 (.05)

**B23.** The proposed project meets the performance standards of this subsection as follows:

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

## On-site Pedestrian Access and Circulation

### Continuous Pathway System

Subsection 4.154 (.01) B. 1.

**B24.** As shown on the applicant's site plan in Exhibit B2, the proposed pathway system will provide pedestrian access between the existing public sidewalk along SW Boeckman Road and the main entrance at the northeast corner of the building. The pathway system extends

throughout the development site, on the north, east, and south sides and at the southwest corner of the building, providing internal connections to parking and service/utility areas, as well as to Building W4 to the east.

#### Safe, Direct, Convenient Pathways

Subsection 4.154 (.01) B. 2.

**B25.** Proposed pedestrian pathways are safe, direct and convenient. Most are concrete or asphalt surface; however, soft paths are used in a few locations where a pathway weaves among established existing trees in the parking area. The park-like setting bordering the SROZ and natural area includes meandering driveways that are safe for bicyclists and pedestrians.

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

Subsection 4.154 (.01) B. 3.

**B26.** The proposed design of pedestrian pathways provide for vertical separation from vehicle circulation areas.

#### Crosswalks Clearly Marked

Subsection 4.154 (.01) B. 4.

**B27.** As shown on the applicant's site plan in Exhibit B2, the primary circulation system pathways are at least five (5) feet wide and marked using crosswalk striping at drive aisles crossings and internally in parking areas.

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

Subsection 4.154 (.01) B. 5.

**B28.** The applicant proposes pathways at least five (5) feet wide in a combination of concrete surface and contrasting paint on asphalt throughout the site. As noted earlier, some pathways are proposed to be soft surface; however, these are supplementary to the hard surface circulation system proposed throughout the site.

### **Parking Area Design Standards**

#### Minimum and Maximum Number of Parking Spaces

Subsections 4.155 (.03) G., Table 5

**B29.** The proposed Building W5 requires a minimum of 151 passenger vehicle parking spaces and, as manufacturing use is included, there is no limit on the number of spaces allowed. The applicant proposes 297 parking spaces, which substantially exceeds the minimum off-street parking requirements. Calculation of parking spaces is as follows:



Use and Parking Standard	Square Feet	Minimum Off-street Spaces Required	Maximum Off-street Spaces Allowed	Proposed Off-street Spaces	Minimum Bicycle Parking Spaces	Proposed Bicycle Parking Spaces
Office or flex space (except medical and dental)	20,000 sf	2.7 per 1,000 = 54	4.1 per 1,000 = 82	--	1.0 per 5,000 (min 2) = 4	--
Manufacturing	60,446 sf	1.6 per 1,000 = 97	No limit		1.0 per 10,000 (min 6) = 6	
<b>Total</b>	<b>80,446 sf</b>	<b>151</b>	<b>No limit</b>	<b>297</b>	<b>10</b>	<b>11</b>

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

**B30.** The applicable parking designs standards are met as follows:

Standard	Met	Explanation
Subsection 4.155 (.02) General Standards		
B. All spaces accessible and usable for parking	☒	The applicant proposes standard parking spaces that are at least nine 9 feet by 18 feet and compact spaces that are at least 7.5 feet by 15 feet, and 24-foot-wide drive aisles, meeting the Development Code standards. Staff notes that the dimension of some standard and compact spaces adjacent to landscape areas includes one (1) to two (2) feet of landscape area in the length calculation; this is acceptable so long as landscaping in these areas is limited to groundcover that will not interfere with bumper overhang. A condition of approval ensures the standard is met.
J. Sturdy bumper guards of at least 6 inches to prevent parked vehicles crossing property line or interfering with screening or sidewalks.	☒	The applicant's plans show walkways dimensioned to accommodate bumper overhang; therefore, bumper guards are not necessary.
K. Surfaced with asphalt, concrete or other approved material.	☒	Surfaced with asphalt.
Drainage meeting City standards	☒	Drainage is professionally designed and being reviewed to meet City standards
L. Lighting does not shine into adjoining structures or into the eyes of passers-by.	☒	Lighting is proposed to be shielded and meet the City's Outdoor Lighting Standard.

N. No more than 40% of parking compact spaces.	<input checked="" type="checkbox"/>	Ninety-four (94) of the 297 parking spaces, or 31.6%, are compact, which is below the maximum of 40%.
O. Where vehicles overhang curb, planting areas at least 7 feet in depth.	<input checked="" type="checkbox"/>	The narrowest planting area adjacent to parking spaces meets or exceeds the 7-foot depth requirement.
<b>Subsection 4.155 (.03) General Standards</b>		
A. Access and maneuvering areas adequate.	<input checked="" type="checkbox"/>	Access drive and drive aisle are 24 feet or more, providing an adequate 12-foot travel lane each direction.
A.1. Loading and delivery areas and circulation separate from customer/employee parking and pedestrian areas.	<input checked="" type="checkbox"/>	The proposal includes two (2) dock-high and one (1) on-grade drive-in loading berths, which exceeds the requirement.
Circulation patterns clearly marked.	<input checked="" type="checkbox"/>	The proposed design is typical of industrial/commercial parking lots with circulation patterns clearly delineated.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	<input checked="" type="checkbox"/>	The plans clearly delineate and separate vehicle and pedestrian traffic areas, except for crosswalks.
C. Safe and Convenient Access, meet ADA and ODOT Standards.	<input checked="" type="checkbox"/>	The proposed parking and access enable the meeting of ADA and ODOT standards.
For parking areas with more than 10 spaces, 1 ADA space for every 50 spaces.	<input checked="" type="checkbox"/>	The proposal provides eight (8) ADA parking spaces for 297 parking spaces, meeting the standard. The ADA spaces are located in the parking area on the east side of the building nearest to the main entrance.
D. Where possible, parking areas connect to adjacent sites.	<input checked="" type="checkbox"/>	The southeast parking area is proposed to be shared between Building W4 (existing) and W5 (new) and is centrally located to serve both buildings. There is not an opportunity to connect to parking on adjacent properties.
Efficient on-site parking and circulation	<input checked="" type="checkbox"/>	The careful and professional design of the parking provides for safety and efficiency and is a typical design with standard parking space and drive aisle size and orientation.

**Other Parking Standards and Policies and Procedures**

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

**B31.** The applicant has not requested variances or waivers pursuant to this subsection.

## Multiple Use Parking Calculations

Subsection 4.155 (.02) D.

**B32.** The review considers all proposed uses including commercial office and manufacturing for the purpose of parking calculations.

## Shared Parking

Subsection 4.155 (.02) E.

**B33.** Although the parking requirements for Building W4 (existing on Parcel 1, Tax Lot 202) and Building W5 (new on Parcel 2, Tax Lot 204) are individually met, the majority of parking designed to serve Building W5 is located on Parcel 1 between the buildings. Because the site is intended to function as a campus, the centrally located parking can be shared by users of both buildings; however, because the parking requirements for each use are individually met, no shared parking as described by this subsection is proposed with the current application. However, a future parking easement for the portion of the parking area located on the Tax Lot 202 is shown on the applicant's plan Sheet A1.0 (Exhibit B2) and this would be required if, in the future, Tax Lot 204 is sold to another owner; a condition of approval ensures an easement is provided.

## Off-Site Parking Allowance

Subsection 4.155 (.02) G.

**B34.** No off-site parking was used for calculating the parking spaces provided.

## Non-Parking Use of Parking Areas

Subsection 4.155 (.02) H.

**B35.** All parking areas are expected to be maintained and kept clear for parking unless a temporary use permit is granted or the Stage 2 Final Plan Modification approval is revised. Particularly no container or other storage is permitted in the parking areas.

## Parking for Uses Not Listed

Subsection 4.155 (.02) M.

**B36.** The parking calculation is based on the listed uses of commercial office and manufacturing.

## On-Street Parking for Parking Calculations

Subsection 4.155 (.03) F.

**B37.** The parking calculations do not include any on-street parking.

## Electrical Vehicle Charging Stations

Subsection 4.155 (.03) H.

**B38.** The applicant does not propose electrical charging stations. However, as required by the Building Code under Oregon Administrative Rules (OAR) 918-460-0200, the applicant has included electric vehicle charging infrastructure adjacent to 13 parking spaces in the North

Lot and 37 spaces in Southeast 1 Lot for this purpose (see Sheet CS-2 in Exhibit B2). Compliance with applicable Building Code will be verified during Building plan review.

Substituting Motorcycle Parking for Vehicle Parking  
Subsection 4.155 (.03) I.

**B39.** The applicant does not propose motorcycle parking.

### **Parking Area Landscaping**

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

**B40.** The applicant proposes landscaping throughout the parking area helping to minimize the visual dominance of the paved parking area.

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

**B41.** The applicant's plan Sheets L1.1 and L1.2 (Exhibit B2) identify five (5) parking areas within the site, including North (15,150 square feet (sf)), West (1,654 sf), East (1,925 sf), Southeast 1 (24,451 sf) and Southeast 2 (37,913 sf). As shown on the plans, these parking areas include a total of 81,093 sf of paved area, which requires 8,109 sf (10%) of landscaped area. The applicant proposes 16,077 square feet (19.8%) of landscaped area in the five (5) areas combined, exceeding the overall requirement. The minimum is exceeded in each distinct parking area within the site as well, as follows: North (3,013 sf; 19.9%), West (470 sf; 28.4%), East (284 sf; 14.8%), Southeast 1 (8,489 sf; 34.7%) and Southeast 2 (3,821 sf; 10.1%).

Landscape Screening of Parking  
Subsection 4.155 (.03) B. 1.

**B42.** The proposed design screens the parking area from adjacent properties, adjacent rights-of-way, and the SROZ on the north and south sides of proposed Building W5 by landscaping as required by the standards. There is no parking on the south side of the building. The east parking area is contiguous with the parking area for Building W4 and parking further south is not visible from the right-of-way or adjacent properties; therefore, landscape screening is not necessary. The design does not warrant additional screening meeting a specific City screening standard.

Tree Planting Area Dimensions  
Subsection 4.155 (.03) B. 2.

**B43.** Landscape tree planting areas meet or exceed the minimum dimensional standards of eight (8) feet by eight (8) feet, and are spaced every six (6) spaces or an equivalent aggregated amount throughout the parking areas as required for parking areas with more than 200 spaces.

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

**B44.** The proposed site plan includes 297 surface parking spaces, requiring 50 parking area trees at ratio of one (1) tree for every six (6) spaces or an equivalent aggregated amount. The applicant proposes to plant 37 trees in landscape tree planting areas and at the perimeter of the parking areas and to use 49 tree credits for mature trees preserved within the parking areas (see Finding C45), for a total of 86 trees, thus exceeding the minimum requirement.

Parking Area Landscape Plan  
Subsection 4.155 (.03) B. 2. a.

**B45.** The applicant's landscape plan Sheets L1.1 and L1.2 (Exhibit B2) include the proposed parking areas and required landscape area calculations.

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

**B46.** The applicant will maintain all trees listed for planting in the parking area and expected to overhang the parking areas to provide a seven (7)-foot vertical clearance.

**Parking Area of More Than 200 Spaces**

Required Trees  
Subsection 4.155 (.03) B. 3. a. and b.

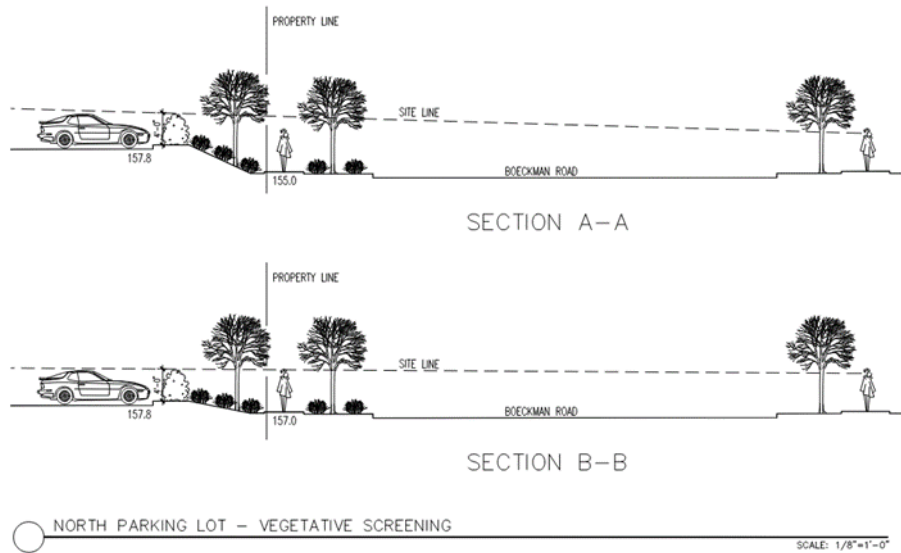
**B47.** The current application proposes a total of 297 parking spaces to serve new Building W5, therefore, the standards of this section apply. As shown on the applicant's plan Sheets L1.1 and L1.2, one tree is proposed to be planted for every six parking spaces or fraction thereof with at least 25% of the required trees planted in the interior of the parking areas. The applicant has elected to apply 49 eligible tree credits for mature trees preserved within the Southeast 1 and Southeast 2 parking areas to satisfy part of the requirement (see Findings B44 and C45). Existing mature trees are located both within the parking areas and along the perimeter and these will be supplemented with newly planted trees that, in combination, will provide a minimum of 40% of the canopy dripline expected to shade or overlap the parking area.

Internal Pedestrian Walkway for Every Six Aisles  
Subsection 4.155 (.03) B. 3. c.

**B48.** None of the new parking areas serving Building W5 have six (6) parking aisles, as the parking is dispersed in five (5) distinct area. However, parking areas are designed with an internal pedestrian walkway with minimum five (5)-foot clearance to provide pedestrian access to parking areas, minimize travel among vehicles, and channel pedestrians to the front entrance of the building.

Minimum 12-foot Landscaped Buffer at Right-of-Way  
Subsection 4.155 (.03) B. 3. e.

**B49.** A minimum 12-foot landscaped buffer extends from the edge of the property lines at the SW Boeckman Road right-of-way to the edge of spaces in the North parking area. Because the parking area is at a higher elevation than the adjacent right-of-way, landscaping to the low screen standard is provided along the north side of this parking area, as illustrated below. Landscaping is designed to buffer and soften the view of vehicles to the extent possible. Other parking areas are located at a distance, are not visible from the right-of-way, and are landscaped to the General Landscape standard.



Landscape Buffer to Include Stormwater Treatment Where Feasible  
Subsection 4.155 (.03) B. 3. f.

**B50.** Stormwater treatment is provided in rain gardens at the perimeter of parking areas and will be constructed to Public Works Standards as required.

### Bicycle Parking

Required Bicycle Parking  
Section 4.155 (.04) A. 1. and 3.

**B51.** As shown in the table in Finding B29, Building W5 is proposed to include 20,000 square feet of commercial office use and 60,446 square feet of manufacturing use. Commercial office uses require one (1) bicycle parking space per 5,000 square feet or a minimum of two (2) bicycle parking spaces. Manufacturing uses require one (1) bicycle parking space per 10,000 square feet or a minimum of six (6) bicycle parking spaces. Therefore, the requirement for the commercial office portion of the site is four (4) bicycle spaces, and for the manufacturing portion of the site is six (6) bicycle spaces, for a total of 10 spaces. The applicant proposes one (1) bicycle rack that accommodates two (2) bicycle spaces outside the main entrance of

the building and indoor storage for an additional nine (9) bicycles for a total of 11 bicycle parking spaces, thus meeting the requirement.

### Bicycle Parking Standards

Section 4.155 (.04) B.

**B52.** The applicant's plans show one (1) short-term bicycle parking rack that can accommodate two (2) bicycles within 30 feet of the main entrance to the building. The applicant's plan Sheet A1.1 Detail A (Exhibit B2) shows that clearance for the bicycle parking spaces will comply with the two (2)-foot width and six (6)-foot length requirement. The applicant's plan Sheet A1.0 indicates the proposed general location for nine (9) long-term bicycle parking/storage spaces within the building at the southwest corner. A detail of the short-term bicycle parking rack is included in the applicant's materials (Exhibit B1). However, no detail is provided of the proposed long-term parking/storage spaces, and a condition of approval ensures the standard is met.

### Other Parking Standards

#### Minimum Off-Street Loading Requirements

Section 4.155 (.05)

**B53.** The proposed building is 80,446 square feet in floor area, requiring two (2) loading/unloading berths. The proposal includes two (2) dock-high loading berths at the southwest corner of the building and one (1) on-grade drive-in loading berth with a drive-in door at the southeast corner of the building, which exceeds the requirement.

#### Carpool and Vanpool Parking Requirements

Section 4.155 (.06)

**B54.** The proposed development includes over 75 parking spaces; therefore, at least five percent (5%), but no fewer than two (2), spaces must be designated for exclusive carpool/vanpool parking. Of the 297 proposed spaces, at least 15 carpool/vanpool spaces are required. The applicant's plan Sheet CS-2 (Exhibit B2) identifies 15 carpool/vanpool spaces in the North parking area near the main building entrance, meeting the requirement.

### Other Development Standards

#### Access, Ingress, and Egress

Section 4.167

**B55.** Site access is via an existing private access drive located between Buildings W4 and W5 with a driveway on SW Boeckman Road. An additional existing access point, also with driveway access to SW Boeckman Road, is located roughly 400 feet to the east at the eastern end of the Building W4 parking area.

## Natural Features and Other Resources

### Section 4.171

**B56.** The Building W5 location (Tax Lot 204) is currently undeveloped and includes substantial area within the SROZ in its west and south portions. The new Building W5 is proposed on the northern part of the property in an open fill area vegetated with field grass. The Building W5 parking area is mostly located in a heavily treed portion of the Building W4 property (Tax Lot 202) between the buildings. The applicant's narrative recognizes that the site contains natural features worthy of preservation, and minimizes disturbance and strives to protect these features to the extent practicable.

## Access Drives and Travel Lanes

### Subsection 4.177 (.01) E.

**B57.** The design of the access drives provides clear travel lanes, free from obstructions. The design shows all drive aisles as asphalt, and a condition of approval will ensure they are capable of carrying a 23-ton load. Emergency access lanes are improved to a minimum of 12 feet and the development is being reviewed and approved by Tualatin Valley Fire and Rescue.

## Outdoor Lighting

### Sections 4.199.20 through 4.199.60

**B58.** The outdoor lighting standards apply to the proposal. See Request C, Findings C50 through C58.

## Underground Installation of Utilities

### Sections 4.300-4.320

**B59.** All existing utilities in the SW Boeckman Road right-of-way are undergrounded and new utilities on site will be installed underground.

## Public Safety and Crime Prevention

### Design for Public Safety, Surveillance and Access

#### Subsections 4.175 (.01) and (.03)

**B60.** The proposed development is designed to a reasonable extent to deter crime and ensure public safety. It includes security cameras, separated staff and visitor parking areas, and, as security fence and/or gates are not proposed, will be easily accessible by law enforcement.

## Addressing and Directional Signing

### Subsection 4.175 (.02)

**B61.** Addressing will meet public safety standards. The building permit process will ensure conformance.



Lighting to Discourage Crime  
Subsection 4.175 (.04)

**B62.** Lighting design is in accordance with the City’s outdoor lighting standards, which will provide sufficient lighting to discourage crime.

**Landscaping Standards**

Landscaping Standards Purpose  
Subsection 4.176 (.01)

**B63.** In complying with the various landscape standards in Section 4.176 the applicant has demonstrated the Stage 2 Final Plan Modification is in compliance with the landscape purpose statement.

Landscape Code Compliance  
Subsection 4.176 (.02) A.

**B64.** The applicant requests no waivers or variances to landscape standards. All landscaping and screening must comply with standards of this section.

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

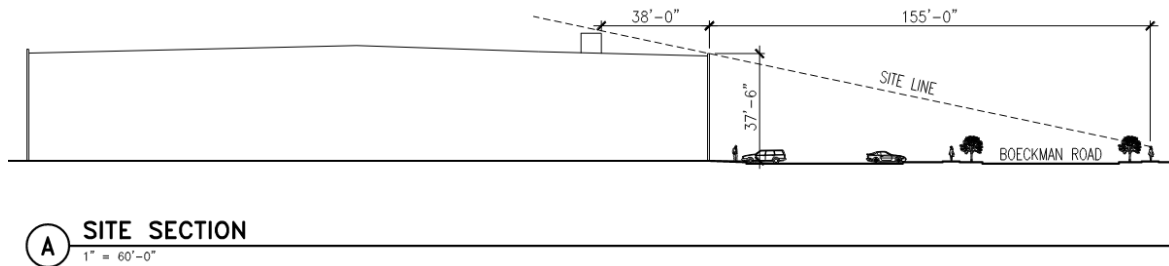
**B65.** The applicant’s planting plan implements the landscaping standards and integrates general and low screen landscaping throughout the site, consistent with professional landscaping and design best practices. Plantings meeting the low screen standard will be utilized along the periphery of the parking area visible from the SW Boeckman Road right-of-way. The applicant’s narrative notes that a 30-foot wide utility easement for the Willamette Water Supply Project (WWSP) is located along the north part of the site. This area includes parking spaces and landscaping, of which the latter is subject to plant materials limitations compatible with the WWSP pipeline. Therefore, plant materials shown on the applicant’s plan Sheet L1.1 (Exhibit B2) may need be modified based on ongoing discussions with WWSP after approval of the current application. Such modification is subject to additional review as defined in the conditions of approval.

Landscape Area and Locations  
Subsection 4.176 (.03)

**B66.** The proposed development will exceed the 15% landscaping requirement. As shown in the table on the applicant’s plan Sheet A0 (Exhibit B2), the subject property is 437,610 square feet in size. Of this area, 315,925 square feet (72.1%) is either SROZ or formal landscaped area, substantially exceeding the requirements. Plantings are proposed along the entire frontage of SW Boeckman Road to soften the appearance of the new building, as well as in the parking areas. The landscaping will include trees, shrubs, ground cover and grasses planted in parking areas, general landscape areas, stormwater facilities, and within the SROZ.

Buffering and Screening  
Subsection 4.176 (.04)

**B67.** The subject property is zoned PDI and borders PDI zoning to the north, east, and south. To the west, the property is bordered by FDAH-I zoned property, on the west side of SW Kinsman Road, which contains natural area/open space uses. This lower intensity use is screened from development on the subject property by trees and vegetation in the SROZ along the western part of the site. There are no residential areas adjacent to the subject property, no outdoor storage areas are proposed, and all exterior, roof and ground mounted, mechanical and utility equipment will be screened from ground level off-site view from adjacent streets or properties as shown in the detail drawing on the applicant’s plan Sheet A2.2 (Exhibit B2) and included below. A condition of approval ensures that the utility equipment screening requirement is met.



Landscape Plan Requirements  
Subsection 4.176 (.09)

**B68.** The applicant’s submitted landscape plans are drawn to scale and show the type, installation size, number and placement of materials. Plans include a plant material list identifying plants by both their scientific and common names. A note on the applicant’s plan Sheet L1.0 (Exhibit B2) indicates that the project will be irrigated by an automatic underground system, and the plant schedule on Sheet L1.1 indicates water usage for all proposed plantings.

**Mixed Solid Waste and Recyclables Storage**

DRB Review of Adequate Storage Area, Minimum Storage Area  
Subsections 4.179 (.01), (.03) and (.07)

**B69.** The storage area calculation is based on the predominant use(s) of the building. If a building has more than one (1) use and that use occupies more than 20% of the floor area of the building, then the storage area requirement for the whole building is the sum of the requirement for the area of each use. As described by the applicant and shown in the table below, Building W5 is proposed to include 20,000 square feet (sf) of commercial office use (24.9% of total area) and 60,446 sf of manufacturing use (75.1% of total area), for a total of 80,446 sf. Therefore, the building requires provision 453 sf of mixed solid waste and recycling storage area. As shown in the table on the applicant’s plan Sheet A0 (Exhibit B2)

and the detail on Sheet A1.2, the applicant proposes an exterior enclosure in the parking/utility area at the building’s southwest corner with dimensions of 20 feet by 12 feet containing two (2) 6.9-foot tall containers, providing 415 sf of storage area. In addition 85 sf in interior containers near the loading dock area is proposed for cardboard recycling. Thus, a total of 500 sf of storage area is proposed, which exceeds the minimum requirement.

Building	Use	Area of Use (% of Total)	Minimum Storage Area
W5	Commercial Office	20,000 sf (24.9%)	10 sf + 4 sf/1,000 sf = 90 sf
W5	Manufacturing	60,446 sf (75.1%)	6 sf/1,000 sf = 363 sf
<b>Total</b>		<b>80,446 sf</b>	<b>453 sf</b>

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

**B70.** A letter from Republic Services, the franchise hauler, is included in the applicant’s materials (Exhibit B1) indicating coordination with the franchised hauler and that the proposed storage area and site plan meets Republic Services requirements.

**Request C: Site Design Review (SDR22-0004)**

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

**Site Design Review**

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

- C1.** Staff summarizes compliance with this subsection as follows:
- **Excessive Uniformity:** The proposed development is unique to the particular development context and does not create excessive uniformity.
  - **Inappropriate or Poor Design of the Exterior Appearance of Structures:** The applicant used appropriate professional services to design structures on the site using quality materials and design. The new Building W5 as proposed is attractively designed utilizing precast concrete walls with a neutral stain finish, vegetated green walls, insulated glass, metal finishes, and clear anodized storefront to add visual interest.
  - **Inappropriate or Poor Design of Signs:** The current application does not include a sign plan and the applicant indicates that this will be a separate application once a tenant is secured for the building. It is expected that appropriate professionals will be engaged to design signs meeting City sign standards compatible with the architecture of the building.

- **Lack of Proper Attention to Site Development:** The applicant employed the skills of the appropriate professional services to design the site, demonstrating attention to site development.
- **Lack of Proper Attention to Landscaping:** The applicant proposes landscaping exceeding the area requirements that is professionally designed by a landscape architect, incorporating a variety of plant materials, demonstrating attention to landscaping.

## Objectives of Site Design Review

### Proper Functioning of the Site

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

- C2. The applicant's plans are designed in a manner that insures proper functioning of the site.

### High Quality Visual Environment

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

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

### Encourage Originality, Flexibility, and Innovation

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

- C4. The applicant proposes a building, landscaping, and other site elements that are professionally designed specifically for the site, demonstrating originality, flexibility, and innovation.

### Discourage Inharmonious Development

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

- C5. The professional unique design of the proposed Building W5 and other site elements harmonize with the existing Building W4 and support a high quality visual environment, thus preventing monotonous, drab, unsightly, dreary development.

### Proper Relationships with Site and Surroundings

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

- C6. The applicant prepared a professional site-specific design that carefully considers the relationship of the building, landscaping, and other improvements with the SROZ and existing Building W4, demonstrating proper relationships with the site and its surroundings.

### Attention to Exterior Appearances

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

- C7. The applicant used appropriate professional services to design the exterior of the building, demonstrating attention to exterior appearances.

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

- C8. The proposal adds future jobs to the City and enhances the appeal of SW Boeckman Road with an attractive, professionally design hi-tech industrial building.

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

- C9. Development of this site on SW Boeckman Road will add services and amenities with a quality design, which adds value to this street and prevents blight on the property.

Adequate Public Facilities  
Subsection 4.400 (.02) G. and Subsection 4.421 (.03)

- C10. As found in the Stage 2 Final Plan Modification review (see Request B), adequate public facilities serve the site.

Pleasing Environments and Behavior  
Subsection 4.400 (.02) H. and Subsection 4.421 (.03)

- C11. The proposed development provides a clearly defined layout and is designed in a configuration that meets defensible space guidelines such as the inclusion of clear sightlines that allow for surveillance and clearly identified structures. See Finding B56 for additional information.

Civic Pride and Community Spirit  
Subsection 4.400 (.02) I. and Subsection 4.421 (.03)

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

Favorable Environment for Residents  
Subsection 4.400 (.02) J. and Subsection 4.421 (.03)

- C13. Constructing a new, high-quality building on an undeveloped parcel in a predominantly industrial area of the City will provide a favorable environment to residents and potential employees.

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

Development Must Follow DRB Approved Plans  
Section 4.420

- C14. A condition of approval ensures construction, site development, and landscaping are carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents.

## Design Standards

### Preservation of Landscaping

Subsection 4.421 (.01) A.

- C15.** Overall, a substantial portion of the subject property will be preserved in a natural state, with disturbance limited to those areas necessary to construct the proposed building and other site improvements. The development area for the proposed building is vegetated in grasses, which will be removed and replaced with landscaping and other site improvements. Existing plantings in the public right-of-way of SW Boeckman Road north of the building will be retained, as will trees and native vegetation in the SROZ west and south of the building. Trees are proposed to be removed for parking area improvements; however, the applicant proposes to preserve and protect several mature trees, including Oregon white oak and Ponderosa pine, in parking areas by carefully locating the improvements to avoid the critical root zones of the trees.

### Harmony of Proposed Buildings to Environment

Subsection 4.421 (.01) B.

- C16.** The applicant used appropriate professional services to design the exterior of the building to ensure harmony with the environment and to blend with the natural features of the site. The campus appearance is of two large buildings (W5 and existing W4) placed in the clearing that fronts SW Boeckman Road and intertwined with a significant established treed natural area to the south and west. Landscaping is used to enhance the appearance of the building and associated improvements while also softening and blending them with the natural setting of the site and its industrial surroundings.

### Drives, Parking, and Circulation

Subsection 4.421 (.01) C.

- C17.** All access points are existing and meet City standards. The applicant does not propose changes to the existing circulation areas, but proposes to extend circulation around the new Building W5 and parking areas between it and Building W4. The interior circulation is at least 24 feet wide and the design separates pedestrian and vehicle circulation except at necessary cross walks. The new parking areas are safe, conveniently located for access to the building, provide adequate area for safe maneuvering, and are designed to be screened from off-site view either with landscaping or by distance from the public right-of-way.

### Special Attention to Surface Water Drainage

Subsection 4.421 (.01) D.

- C18.** The proposed development provides parking areas which will contain water quality features consistent with City standards. These features are dispersed throughout the developed area, will help improve water quality throughout the property, and will not adversely affect neighboring properties.

Harmonious Above Ground Utility Installations, Indication of Sewage Disposal  
Subsection 4.421 (.01) E.

**C19.** No above ground utility installations are proposed. All sewage disposal will be through standard sewer connections to City sewer lines found to be adequate to serve the site as part of the Stage 2 Final Plan Modification.

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

**C20.** Advertising features will be reviewed separately from the current application, once a tenant is secured for the space, and to ensure they are sized and located appropriately to not detract from the design of the existing structure and surrounding properties.

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

**C21.** The applicant does not propose any special features requiring additional screening or buffering.

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

**C22.** The applicant's design considers the design standards for all buildings, structures, and other features.

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

**C23.** Staff does not recommend any additional conditions of approval to ensure the proper and efficient functioning of the development.

Color or Materials Requirements  
Subsection 4.421 (.06)

**C24.** As shown in the applicant's plan Sheet A3.0 (Exhibit B2) and described in the narrative and materials (Exhibit B1), a range of materials, such as cast concrete, metal and glass, in neutral colors of silver, bronze, and semi-transparent stain, are proposed for Building W5. These colors and materials are appropriate for the industrial setting. Staff does not recommend any additional requirements or conditions related to colors and materials.

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

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

**C25.** The proposal provides an exterior storage area for solid waste and recyclables located at the southwest corner of the proposed building, combined with interior space for cardboard recycling.

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

**C26.** The applicant proposes a single, visible, exterior location southwest of the building. The enclosure is appropriately screened. Review of the Building Permit will ensure that the building and fire code standards are met.

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

**C27.** The letter from Republic Services included in the applicant's materials (Exhibit B1) indicates the location and arrangement is accessible to collection vehicles. The location of the storage area does not impede sidewalks, parking area aisles, or public street right-of-way.

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

**C28.** Pursuant to the letter from Republic Services, the dimensions are adequate to accommodate the planned containers.

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

**C29.** The solid waste and recyclables storage area is enclosed by an eight (8)-foot concrete tilt wall with two (2) 10-foot-wide gates, which meets the minimum standards.

**Site Design Review Submission Requirements**

Submission Requirements  
Section 4.440

**C30.** The applicant submitted a site plan drawn to scale and a detailed landscape plan.

**Time Limit on Site Design Review Approvals**

Void after 2 Years  
Section 4.442

**C31.** The applicant acknowledges that Site Design Review approval is void after two (2) years unless a building permit has been issued and substantial development pursuant thereto has taken place or the City grants an extension.



## **Installation of Landscaping**

### Landscape Installation or Bonding

Subsection 4.450 (.01)

- C32.** A condition of approval will assure installation or that appropriate security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy.

### Approved Landscape Plan Binding

Subsection 4.450 (.02)

- C33.** A condition of approval will ensure that substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan will not be made without official action of the Planning Director or Development Review Board and provide ongoing assurance the criterion is met.

### Landscape Maintenance and Watering

Subsection 4.450 (.03)

- C34.** A condition of approval will ensure landscaping is continually maintained in accordance with this subsection.

### Limitation to Modifications of Landscaping

Subsection 4.450 (.04)

- C35.** A condition of approval will provide ongoing assurance that this criterion is met by preventing modification or removal of landscaping without appropriate City review.

## **Natural Features and Other Resources**

### Protection

Section 4.171

- C36.** The proposed design of the site provides for protection of natural features and other resources, specifically the SROZ areas on the west and south parts of the site, and trees in the new parking areas southeast of the new building, consistent with the proposed Stage 2 Final Plan Modification and the purpose and objectives of Site Design Review.

## **Landscaping**

### Landscape Standards Code Compliance

Subsection 4.176 (.02) B.

- C37.** No waivers or variances to landscape standards have been requested; thus all landscaping and screening must comply with the standards of this section.

## Intent and Required Materials

Subsections 4.176 (.02) C. through I.

- C38.** The minimum or higher standard has been applied throughout different landscape areas of the site and landscape materials are proposed to meet each standard in the different areas. Site Design Review is being reviewed concurrently with the Stage 2 Final Plan Modification, which includes a thorough analysis of the functional application of the landscaping standards.

## Landscape Area and Locations

Subsection 4.176 (.03)

- C39.** As indicated in the applicant's narrative and plan set the site contains 72.1% landscaped area, exceeding the 15% requirement. Additionally, 19.8% of the overall parking area is dedicated to landscaping, exceeding the 10% requirement.

## Buffering and Screening

Subsection 4.176 (.04)

- C40.** Consistent with the proposed Stage 2 Final Plan Modification, adequate screening is proposed.

## Shrubs and Groundcover Materials

Subsection 4.176 (.06) A.

- C41.** All of the proposed shrubs in the applicant's landscape plans (Exhibit B2) meet or exceed the required two (2)-gallon minimum. A condition of approval will require that the detailed requirements of this subsection are met.

## Plant Materials-Trees

Subsection 4.176 (.06) B.

- C42.** All trees in the applicant's landscape plans are proposed to be two (2)-inch caliper (deciduous) or six (6) feet in height (coniferous) consistent with the requirements of this subsection. A condition of approval will require all trees to be balled and burlapped (B&B), well-branched and typical of their type as described in current American Association of Nurserymen (AAN) Standards.

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

Subsection 4.176 (.06) C.

- C43.** The proposed building is 39 feet tall to the top of the roof parapet and exceeds 50,000 square feet in footprint area, which meets the threshold for requiring larger or more mature plant materials as defined by this subsection. However, the design provides architectural interest by using a variety of materials in landscape areas surrounding the building, as well as vine covered green walls on the north, east, and south sides of the building to soften the façade and give it a natural appearance that blends with the surrounding environment. Numerous

preserved trees, as well as newly planted trees in the parking areas and preservation of large areas of SROZ will also soften views of the building from surrounding areas. It is staff's professional opinion that larger or more mature plant materials are not needed to achieve the intent of this subsection.

**Types of Plant Species**

Subsection 4.176 (.06) E.

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

**Tree Credit**

Subsection 4.176 (.06) F.

**C45.** As shown in the table below and in the calculations on the applicant's plan Sheet L1.1 (Exhibit B2), the current application requires 50 trees in landscape islands and on the perimeter of parking areas. The applicant proposes to plant 37 new trees in parking areas throughout the site and to apply 49 eligible tree credits for mature trees preserved within the Southeast 1 and Southeast 2 parking areas. The total of 86 trees exceeds the minimum requirement.

Existing Trunk Diameter	Number of Tree Credits	Southeast 1 Lot	Southeast 2 Lot
18 to 24 inches	3	--	2 trees x 3 cr/tree = 6 cr
25 to 31 inches	4	--	2 trees x 4 cr/tree = 8 cr
32 inches or greater	5	6 trees x 5 cr/tree = 30 cr	1 tree x 5 cr/tree = 5 cr
<b>Total</b>		<b>30 cr</b>	<b>19 cr</b>

**Exceeding Plant Standards**

Subsection 4.176 (.06) G.

**C46.** The selected landscape materials do not violate any height or vision clearance requirements.

**Landscape Installation and Maintenance**

Subsection 4.176 (.07)

**C47.** The installation and maintenance standards are or will be met by conditions of approval as follows:

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

Landscape Plans  
Subsection 4.176 (.09)

C48. The applicant's submitted plans provide the required information.

Completion of Landscaping  
Subsection 4.176 (.10)

C49. The applicant has not requested to defer installation and, thus, must install landscaping prior to occupancy.

**Outdoor Lighting**

Applicability of Outdoor Lighting Standards  
Sections 4.199.20 and 4.199.60

C50. An outdoor lighting system is being installed for the proposed new development. The Outdoor Lighting standards thus apply.

Outdoor Lighting Zones  
Section 4.199.30

C51. The subject property is within LZ2 and the proposed outdoor lighting systems will be reviewed under the standards of this lighting zone.

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

C52. The applicant has elected to comply with the prescriptive method.

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

C53. The applicant's narrative states that the proposed luminaires comply with the maximum luminaire lamp wattage and shielding requirements within Table 7. The luminaire cutsheets are included in Exhibit B1.

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

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

C54. The applicant will demonstrate compliance with the Oregon Energy Efficiency Code, Exterior Lighting prior to construction.

### Mounting Height

Subsection 4.199.40 (.01) B. 3.

C55. All exterior mounted lighting on the building and pole-mounted lighting is less than 40 feet high, and thus complies with Table 8. A condition of approval will ensure the requirements of the Outdoor Lighting Ordinance are met at the time of building permit issuance.

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

### Luminaire Setback

Subsection 4.199.40 (.01) B. 4.

C56. The subject property is bordered by the same base zoning and the same lighting zone on all sides. Staff understands the three (3) times mounting height setback to only apply where the property abuts a lower lighting district. A condition of approval will ensure the requirements of the Outdoor Lighting Ordinance are met at the time of building permit issuance.

### Lighting Curfew

Subsection 4.199.40 (.01) D.

C57. The applicant proposes the standard LZ 2 curfew of 10 PM.

### Standards and Submittal Requirements

Sections 4.199.40 and 4.199.50

C58. All required materials have been submitted.

## Request D: Type C Tree Removal Plan (TPLN22-0003)

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

### Type C Tree Removal-General

#### Tree Related Site Access

Subsection 4.600.50 (.03) A.

D1. It is understood the City has access to the property to verify information regarding trees.

## Review Authority

Subsection 4.610.00 (.03) B.

**D2.** The requested removal is connected to Site Design Review by the Development Review Board for new development. The tree removal is thus being reviewed by the Development Review Board.

## Conditions of Approval

Subsection 4.610.00 (.06) A.

**D3.** No additional conditions are recommended pursuant to this subsection.

## Completion of Operation

Subsection 4.610.00 (.06) B.

**D4.** It is understood the tree removal will be completed prior to construction of the proposed building, which is a reasonable time frame for tree removal.

## Security for Permit Compliance

Subsection 4.610.00 (.06) C.

**D5.** No bond is anticipated to be required to ensure compliance with the tree removal plan as a bond is required for overall landscaping.

## Tree Removal Standards

Subsection 4.610.10 (.01)

**D6.** The standards of this subsection are met as follows:

- Standard for the Significant Resource Overlay Zone: Ten (10) trees in poor condition within the SROZ are proposed for removal (see applicant's plan Sheet TR-1 in Exhibit B2). These trees meet the criteria for removal within the SROZ due to their condition and mitigation plantings are proposed.
- Preservation and Conservation. The applicant has taken tree preservation into consideration, and has limited tree removal to trees that are necessary to remove for development. Of the 173 trees inventoried on the site, 101 trees are proposed for retention/preservation and 72 are proposed to be removed. Of the 101 preserved trees, 21 have been identified as "situational", which are likely to be retained with planned installation of an aeration system over their roots before fill is placed to assist with long-term survival. These trees will be re-evaluated at the time of site clearing to assess suitability for preservation and will be monitored during construction to minimize root zone impacts. If, as a result of construction, one (1) or more of the trees is determined to be no longer sustainable, the applicant may seek written authorization from the City for removal and appropriate mitigation. A condition of approval is included specific to the 21 "situational" trees to ensure the evaluation and approval process is followed. Trees within the SROZ, except as noted above, will be preserved.
- Development Alternatives: Proposed tree removal has been minimized to the extent possible in order to develop the proposed building and associated improvements. The

applicant has preserved several mature trees and provided a pedestrian path through a grove of preserved trees in the southeast parking area, redesigned a rain garden at the perimeter of this parking area to preserve an Oregon white oak previously proposed for removal, and proposes to install an aeration system over the roots of 21 mature trees that could be impacted by fill placement during construction to increase the likelihood of long-term survival.

- Land Clearing: Land clearing and grading is proposed and will be limited to areas necessary for construction of the proposed building, structures, and other site improvements.
- Compliance with Statutes and Ordinances: The necessary tree replacement and protection is planned according to the requirements of the tree preservation and protection ordinance.
- Limitation: Tree removal is limited to where it is necessary for construction or to address nuisances or where the health of the trees warrants removal.
- Additional Standards: A tree survey has been provided, and no utilities are proposed to be located where they would cause adverse environmental consequences.

#### Review Process

Subsection 4.610.40 (.01)

**D7.** The plan is being reviewed concurrently with the Stage 2 Final Plan Modification.

#### Tree Maintenance and Protection Plan

Section 4.610.40 (.02)

**D8.** The applicant has provided information on tree maintenance and protection in plan Sheets TR-1 and TR-2 (Exhibit B2). Tree protection fencing is shown on Sheets C1.01, C1.20, and C1.21 (Exhibit B2) around preserved trees.

### **Replacement and Mitigation**

#### Tree Replacement Requirement

Subsection 4.620.00 (.01)

**D9.** As shown in the table below, 173 trees were inventoried for the current application. Of these, 101 trees are proposed for retention/preservation and 72 are proposed to be removed. It also is possible that one (1) or more of the 21 “situational” trees, as noted above, may need to be removed in the future (see Finding D6). Trees within the SROZ, except as noted above, will be preserved. The applicant proposes planting 65 trees in parking areas and on the building perimeter, as well as 328 trees in the SROZ as mitigation (see Exhibit B1), thus substantially exceeding the replacement requirements, including for “situational” trees.

#### Basis for Determining Replacement and Replacement

Subsection 4.620.00 (.02) and (.03)

**D10.** Replacement trees will meet the minimum caliper and other replacement requirements.

Replacement Tree Stock Requirements  
Subsection 4.620.00 (.04)

**D11.** The planting notes on the applicant's plan Sheet L2.1 (Exhibit B2) indicate the appropriate quality.

Replacement Trees Locations  
Subsection 4.620.00 (.05) A.

**D12.** The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development.

**Protection of Preserved Trees**

Tree Protection During Construction  
Section 4.620.10

**D13.** Tree protection is required. All trees required to be protected must be clearly labeled as such, and suitable barriers to protect remaining trees must be erected, maintained, and remain in place until the City authorizes their removal or issues a final certificate of occupancy. Any adjustments to tree protection fencing, work within the tree protection fencing within the root protection zone of protected trees, or pruning of the roots or overstory (canopy and branches) of protected trees must be supervised by the project arborist. A condition of approval will ensure the applicable requirements of this section are met.

**Request E: Standard SROZ Map Verification (SROZ22-0003)**

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

**SROZ Map Verification**

Requirements and Process  
Section 4.139.05

**E1.** Consistent with the requirements of this section, a verification of the SROZ boundary is required as the applicant requests a land use decision. The applicant conducted a detailed site analysis consistent with the requirements of this section, which the City's Natural Resources Manager reviewed and recommends approval of.



## Request F: Standard SRIR Review (SRIR22-0001)

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

### Findings of Fact:

1. Pursuant to Section 4.139.05 (Significant Resource Overlay Zone Map Verification), the map verification requirements shall be met at the time an applicant requests a land use decision. The applicant conducted a detailed site analysis consistent with code requirements, which the Natural Resources Manager reviewed and approved.
2. The property is comprised of mixed conifer and broadleaf forest (Site ID Number 4.01), grass/lawn areas, and three delineated wetlands (i.e., Wetlands A, B and C). The wetlands are associated with an old stormwater facility and a drainage ditch near the western boundary.
3. Vegetation within the forests and wetlands consists of native plant species such as Oregon ash, bigleaf maple, Douglas fir, Oregon white oak, red alder, red osier dogwood, wild rose, snowberry, trailing blackberry, Pacific ninebark, and common camas. In addition, there are invasive plant species, such as sweet cherry, reed canarygrass, Himalayan blackberry, poison hemlock, and English ivy.
4. 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, Metro Title 13 Nature in Neighborhoods, and Statewide Planning Goal 5. All significant natural resources have an Impact Area. Development or other alteration activities may be permitted within the SROZ and its associated Impact Area through the review of a Significant Resource Impact Report (SRIR). The primary purpose of the Impact Area is to insure that development does not encroach into the SROZ.
5. 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.
6. The applicant's standard Significant Resource Impact Report (SRIR) delineated specific resource boundaries and analyzed the impacts of non-exempt and exempt development within the SROZ. The applicant's SRIR contained the required information, including an analysis and development recommendations for mitigating impacts.

## Background/Discussion

The SRIR assessed three (3) wetlands (Figure 4, Existing Conditions, in Attachment A of the applicant's SRIR; see Exhibit B1): Wetland A (shallow basin and forested wetland), Wetlands B and C (drainage ditch along the western boundary of property). Within the SRIR, a significance determination, based on the approved wetland delineation and updated Oregon Freshwater Wetland Assessment Methodology (OFWAM), was completed for the wetlands.

**Wetland A** (1.46 acres) is located in a large, fairly shallow basin that was excavated decades ago as a stormwater facility. The hydrology of the wetland is dependent on direct precipitation and runoff from adjacent impermeable surfaces. A seasonally high water table may also be present. The dominant vegetation includes Oregon ash, English hawthorn, sweet briar rose, common camas, reed canarygrass, and spreading rush.

**Wetlands B and C** (0.09 acre and 0.09 acre) are located in a drainage ditch oriented north to south and located near the western boundary of the property. These wetlands mainly receive runoff from upslope areas as well as groundwater. Vegetation consists of Oregon ash, salmonberry, velvet grass, reed canarygrass, bird's-foot trefoil, yellow glandweed, lemon balm, and spreading rush.

In regards to the City's Natural Resources Inventory (circa 1992-93), a wetland determination, based on OFWAM, provided preliminary boundaries of wetlands in Wilsonville. The mapped boundaries for the wetland determinations relied on aerial photographs, topographic maps, Clackamas County soil survey, and limited field reconnaissance. In contrast to the wetland determination, the state approved wetland delineation, submitted by the applicant, identifies the precise boundaries, location and current condition of the wetlands on the property. The wetland delineation incorporated observations of on-site hydrology, soils and vegetation. In accordance with the Corps of Engineers Wetlands Delineation Manual, Pacific Habitat Services delineated the wetland locations and boundaries.

To be deemed a locally significant wetland (and included in the SROZ), as specified in the City of Wilsonville Natural Resource Inventory, a wetland must satisfy the Oregon Freshwater Wetland Assessment Methodology (OFWAM). As documented in the applicant's report, Wetlands A and C satisfy the OFWAM criteria, but Wetland B does not. Staff concurs with the applicant's wetland delineation and determination of local significance. Pursuant to Section 4.139.09(.01) (D), the applicant has demonstrated compliance with the provisions of the SROZ map refinement process for the wetland area.

## Description of Request

The applicant is requesting approval of a standard Significant Resource Impact Report (SRIR) for proposed development that is located within the Significant Resource Overlay Zone (SROZ) and its associated Impact Area.

## Summary of Issues

Within the SROZ, the applicant's proposed (non-exempt) development includes a portion of the new building and access road. Pursuant to Section 4.139.00 and Section 4.139.06(.03), no development is allowed within the SROZ unless it is located within an ALCU. Within the designated ALCU on the property, approximately 340 square feet (0.01 acre) will be developed.

Proposed exempt development in the SROZ and its associated Impact Area include the following:

1. Fire access road;
2. Two stormwater facilities (i.e., rain gardens);
3. Sewer line extension; and
4. Stormwater outfalls – installation of pipe and outfall structure.

## Exempt Uses in the SROZ

### Use and Activities Exempt from These Regulations

Subsection 4.118 (.03) A. and 4.130.04

**F1.** Proposed exempt development in the SROZ and its associated Impact Area complies with the following exemptions.

#### 1. Fire access road

**Subsection 4.139.04 (.08) exempts the following use/activity:** The construction of new roads, pedestrian or bike paths into the SROZ in order to provide access to the sensitive area or across the sensitive area, provided the location of the crossing is consistent with the intent of the Wilsonville Comprehensive Plan. Roads and paths shall be constructed so as to minimize and repair disturbance to existing vegetation and slope stability.

**Finding:** The proposed fire access road is a requirement of the fire district.

#### 2. Two stormwater facilities (i.e., rain gardens)

**Subsection 4.139.04 (.13) exempts the following use/activity:** Enhancement of the riparian corridor or wetlands for water quality or quantity benefits, fish, or wildlife habitat as approved by the City and appropriate regulatory agencies

**Finding:** Due to the current condition of the open space area, the placement and operation of the proposed stormwater facilities will provide a water quality and habitat benefit through the planting of stormwater facility vegetation and the installation of soil media.

#### 3. Sewer line extension, and 4. Stormwater outfalls - installation of pipe and outfall structure:

**Subsection 4.139.04 (.18) exempts the following use/activity:** Private or public service connection laterals and service utility extensions.

**Finding:** The stormwater pipes and outfalls are necessary for conveying treated and controlled runoff to the wetlands. The sewer line extension is necessary for serving the new building.

## **Standard SRIR Requirements**

### Site Development Permit Application Requirement

Subsection 4.139.06 (.01) A.

**F2.** The applicant has submitted a land use application in conformance with the Planning and Land Development Ordinance.

### Outline of Existing Features

Subsection 4.139.06 (.01) B.

**F3.** Preliminary plans have been submitted which include all of the proposed development.

### Location of Wetlands or Water Bodies

Subsection 4.139.06 (.01) C.

**F4.** Staff concurs with the applicant's wetland delineation and determination of local significance.

### Tree Inventory Requirement

Subsection 4.139.06 (.01) D.

**F5.** The preliminary plans include a tree inventory.

### Location of SROZ and Impact Area Boundaries

Subsection 4.139.06(.01) E.

**F6.** The SROZ and Impact Area boundaries have been identified on the preliminary plans.

### Slope Cross-Section Measurements

Subsection 4.139(.01) F.

**F7.** A slope analysis was included in the SRIR.

### Metro Title 3 Boundary Delineation

Subsection 4.139(.01) G.

**F8.** The SRIR includes a delineation of the Metro Title 3 Water Quality Resource Area boundary.

### Photos of Site Conditions

Subsection 4.139(.01) H.

**F9.** The SRIR includes representative site photographs.

Narrative Describing Impacts  
Subsection 4.139(.01) I.

**F10.** The proposed development impacts have been documented in the SRIR, and the SRIR includes a mitigation plan.

Standard SRIR Review Criteria  
Section 4.139.06 (.03)

**F11.** 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;

**Finding:** Only non-exempt development is proposed within the Area of Limited Conflicting Use.

**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;

**Finding:** The proposed exempt development is allowed within Metro’s Title 3 Water Quality Resource Areas boundary, and the non-exempt development is not within the Title 3 Water Quality Resource Areas boundary.

**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;

**Finding:** The applicant has identified the proposed non-exempt development within the Area of Limited Conflicting Use, and calculated the percentage for this development. The following information has been provided for the Area of Limited Conflicting Use (ALCU):

Total ALCU	=	140,301 square feet
Allowed Impact (5%)	=	7,015 square feet
Proposed Impact	=	340 square feet (0.24%)

- 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;

**Finding:** The proposed mitigation is consistent with the development code provisions. The mitigation will provide an enhancement to the upland forest through the planting of native trees and shrubs.

- 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;

**Finding:** The impacts to the SROZ are the minimum necessary for addressing Public Works Standards and development code requirements.

- 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;

**Finding:** Impacts to the SROZ will be mitigated for on-site.

- G. Non-structural fill used within the SROZ area shall primarily consist of natural materials similar to the soil types found on the site;

**Finding:** Non-structural fill will consist of natural materials similar to the soil types found on the site.

- H. The amount of fill used shall be the minimum required to practically achieve the project purpose;

**Finding:** The amount of fill has been minimized to the extent practicable.

- 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;

**Finding:** 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-CN Erosion Control Permit. Stream turbidity is regulated under the City’s Grading and Erosion Control Permit.

- 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 of State Lands in any jurisdictional wetlands or water of the United States or State of Oregon, respectively.

**Finding:** The applicant has not proposed impacts to Wetlands A, B and C, which are regulated by the Oregon Department of State Lands and the U.S. Army Corps of Engineers.