

**DEVELOPMENT REVIEW BOARD MEETING**

**MONDAY, JANUARY 22, 2024**

**6:30 PM**

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Public Hearing:

5. **Resolution No. 427. Wilsonville Transit Oriented Development.** The applicant is requesting approval of a Stage I Preliminary Plan, Stage 2 Final Plan, Site Design Review, Type C Tree Removal Plan, Tentative Partition Plat, Master Sign Plan, and Waiver for development of an 121-unit apartment building with retail on the ground floor adjacent to Trimet WES Station and the Wilsonville Transit Center along SW Barber Street just west of Kinsman Road.

Case Files:

- DB23-0011 Wilsonville Transit Oriented Development
- Stage 1 Preliminary Plan (STG123-0004)
- Stage 2 Final Plan (STG223-0006)
- Site Design Review (SDR23-0007)
- Type C Tree Removal Plan (TPLN23-0003)
- Tentative Partition Plat (PART23-0002)
- Master Sign Plan (MSP23-0001)
- Waiver (WAIV23-0004)

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 427**

**A RESOLUTION ADOPTING FINDINGS AND CONDITIONS OF APPROVAL, APPROVING A STAGE 1 PRELIMINARY PLAN, STAGE 2 FINAL PLAN, SITE DESIGN REVIEW, TYPE C TREE REMOVAL PLAN, TENTATIVE PARTITION PLAT, MASTER SIGN PLAN AND WAIVER FOR DEVELOPMENT OF AN 121-UNIT APARTMENT BUILDING WITH RETAIL ON THE GROUND FLOOR ADJACENT TO TRIMET WES STATION AND THE WILSONVILLE TRANSIT CENTER ALONG SW BARBER STREET JUST WEST OF KINSMAN ROAD.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted by Robert Gibson with Palindrome Communities LLC, Applicant, in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the subject site is located at 9749 SW Barber Street, Taxlot 703, Section 14B, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated January 12, 2024, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B at a scheduled meeting conducted on January 22, 2024, at which time exhibits, together with findings and public testimony were entered into the public record, and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated January 12, 2024, attached hereto as Exhibit A1, with findings and recommendations contained therein, approving the requests with conditions, and authorizes the Planning Director to issue permits consistent with the Development Review Board approval for:

The Wilsonville Town Center Mixed Use Development (DB23-0011): Stage 1 Preliminary Plan (STG123-0004), Stage 2 Final Plan (STG223-0006), Site Deigns Review (SDR23-0007), Waivers (WAIV23-0004), Class 3 Master Sign Plan (MSP23-0001), and Type C Tree Removal Plan (TPLN23-0003) Tentative Partition Plat (PART23-0002).

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 22nd day of January, 2024, and filed with the Planning Administrative Assistant on \_\_\_\_\_. This resolution is final on the 15<sup>th</sup> calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the Council in accordance with *WC Sec 4.022(.03)*.

\_\_\_\_\_  
Rachelle Barrett, Acting Chair - Panel B  
Wilsonville Development Review Board

Attest:

\_\_\_\_\_  
Shelley White, Planning Administrative Assistant



Exhibit A1  
Staff Report  
Wilsonville Planning Division  
Wilsonville Transportation Oriented Development  
Development Review Board Panel 'B'  
Quasi-Judicial Public Hearing

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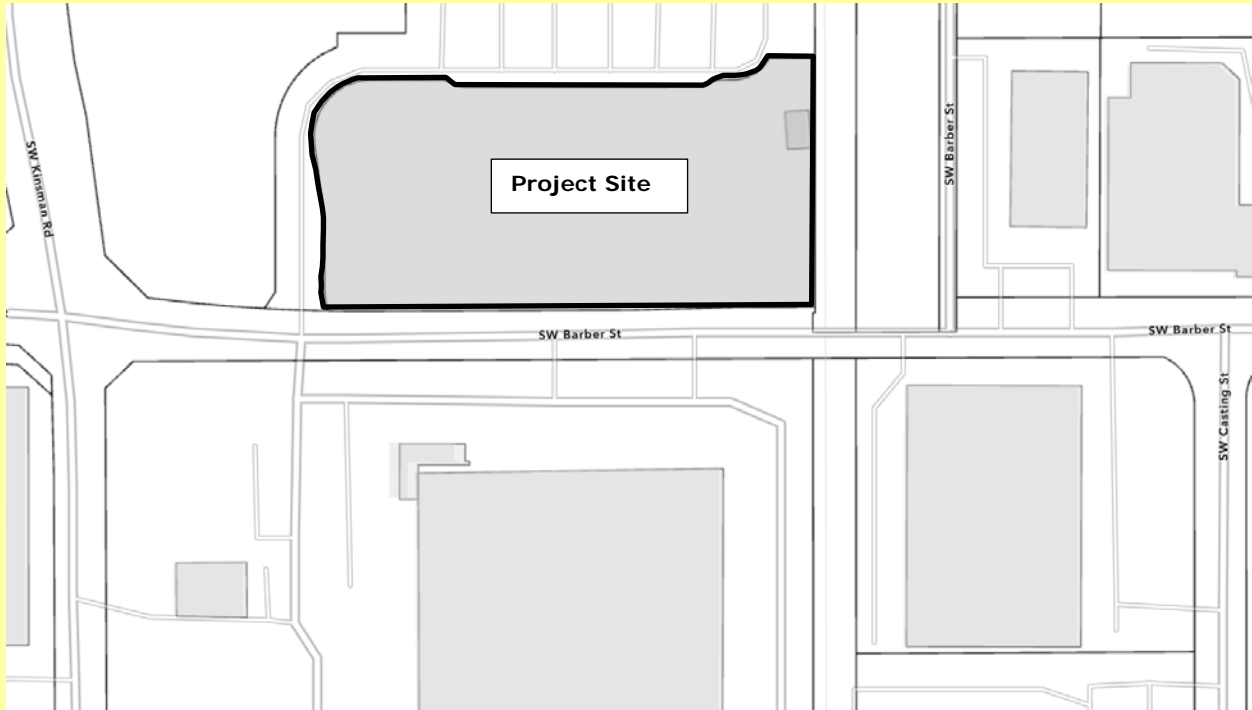
<b>Hearing Date:</b>	January 22, 2024
<b>Date of Report:</b>	January 12, 2024
<b>Application No.:</b>	DB23-0011 Wilsonville Transportation Oriented Development
<b>Request/Summary:</b>	The requests before the Development Review Board include a Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review, Type C Tree Plan, Tentative Partition Plat, and Waiver.
<b>Location:</b>	9749 SW Barber. The property is specifically known as Tax Lot 703, Section 14B, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.
<b>Owner:</b>	City of Wilsonville
<b>Applicant:</b>	Palindrome Communities LLC (Robert Gibson)
<b>Authorized Representative:</b>	YBA Architects (Tim Schneider)
<b>Comprehensive Plan Designation:</b>	Industrial
<b>Zone Map Classification:</b>	PDI (Planned Development Industrial)
<b>Staff Reviewers:</b>	Georgia McAlister, Associate Planner Amy Pepper, Development Engineering Manager

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

**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 4.113	Standards Applying to Residential Development in Any Zone
Section 4.117	Standards Applying to Industrial Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.133 through 4.133.05	
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 4.156.01-4.156.11	Sign Regulations
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.179	Mixed Solid Waste and Recycling
Sections 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.200 through 4.290	Land Divisions
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600 through 4.640.20	Tree Preservation and Protection
<b><u>Other Planning Documents:</u></b>	
Wilsonville Comprehensive Plan	
Previous Land Use Approvals	
Transportation System Plan	
<b><u>Oregon State Statute:</u></b>	
ORS 197.308	Affordable Housing Allowed Outright

## Vicinity Map:



## Background:

The City of Wilsonville owns the subject site, which is located between SW Barber Street and the area used for bus stops/turn around at the Wilsonville Transit Center. Adjacent to the north of the bus turn around is the park and ride and the Westside Express Service (WES) commuter rail station

In 2020, City Council adopted the Equitable Housing Strategic Plan (EHSP) (Resolution No. 2820), which serves as a framework to organize the City's future efforts to promote equitable housing outcomes, including provision of affordable housing. The Plan includes five prioritized actions for the City to begin to implement in the first two years after Plan adoption, as well as additional actions for the City to consider in the long term. Implementation Action 1A. from the EHSP is to explore the implementation of transit oriented development (which would include affordable housing on top of a non-residential use) at City-owned Wilsonville Transit Center property. In support of this implementation action the City issued an Request for Proposal (RFP) for a development partner to help build the desired transit-oriented development, including the associated housing. After reviewing a number of proposal, the City selected Paladrome as the development partner. Since their selection, Paladrome has worked with the City to development the project that is now before the Development Review Board for review.

## Summary:

### Stage 1 Preliminary Plan

The Stage 1 Preliminary Plan proposes a new apartment building with ground floor commercial use. While not what would typically be expected in an industrial zone, the proposed use is allowed in the Planned Development Industrial Zone (PDI). The allowance is based on both a limited allowance of uses allowed in the City's Planning Development Commercial (PDC) zone as well as special provisions in State Statute that allow for affordable housing on certain publically-owned land. The proposed ground-floor commercial is within the 5,000 square foot for retail uses allowed in the PDI zone. The authority to develop affordable housing in areas not zoned for residential use in certain circumstances is described Oregon Revised Statute (ORS ) 197.308. Under the ORS, when a property is owned by a public body, is located in an industrial area, not slated for heavy industrial use, and adjacent to existing residential development, residential development is an outright allowed use when the resulting housing is affordable housing. As an affordable housing development on a property owned by the City, not designated for heavy industrial use, adjacent to the Villebois Neighborhood, with only preserved wetlands in between, the proposed development is an allowed use under this Statute.

### Stage 2 Final Plan

The Stage 2 Final Plan proposes approximately 128,675 square feet of residential use comprised of 121-units and 4,900 sq ft of commercial use on the ground floor of the building allocated between three tenants. The proposal also includes parking, usable open space, circulation areas, pedestrian connection, and landscaping meeting or exceeding City standards. All utilities and services are available for the site or will be with conditions of approval.

### Site Design Review

The applicant used appropriate professional services to design the proposed 121-Unit Residential Mixed-Use building using quality materials and design. The proposed modern-design building uses natural wood and colors throughout the façade reflecting nature. The configuration of the site will allow for the retention of three significant Douglas fir trees identified as a City Council priority through the initial planning stages of the project. Landscaping is incorporated throughout the site providing shade, stormwater mitigation and aesthetic value. Special attention has been paid to usable outdoor space.

### Type C Tree Removal Plan

The applicant proposes the removal of twenty-four (24) trees on the proposed development site. The tree species on site are a mix of native and non-native trees including Douglas fir, sweet tree, Zelkova, English-hawthorn, red pine, and Norway maple. The trees proposed for removal are not high quality trees and removal is necessary for the development of the site. The applicant proposes replanting 36 new trees on the subject property, which is in excess of the 1:1 mitigation ratio as required by the development code.

## Master Sign Plan

The subject development proposes commercial tenant spaces on the North, South, East and West sides of the building. Three tenant spaces with four entrances are provided requiring a Master Sign Plan for the development. The Master Sign Plan provides guidance on location, size, materials, colors and finishes of the future signs in compliance with the Development Code. Since tenants have not been determined at this time, specific sign copy and design will be approved through subsequent Class 1 sign permits.

## Tentative Partition Plat

The proposed tentative plat meets technical platting requirements and demonstrates consistency with the Stage 2 Final Plan. The partition will legally separate the proposed mixed-use residential development from the existing adjacent bus stops and turnaround to the north and east.

## Waiver

The applicant requests to waive the 30 foot required setback at the front, rear, and side lot lines. The setbacks were set in the code with more traditional industrial development in mind. Due to the limited size of the property, unique shape, and goals to both preserve the three mature Douglas fir trees on site while providing as much affordable housing as possible, the required 30' setback on all sides is too limiting. The setback reduction will result in improved function of the site and will meet the Planned Development Regulations in Section 4.140 without negatively impacting the surrounding area or future residents. In addition, the setbacks will not bring the building close to adjoining buildings or industrial uses the site is bounded by the transit center and SW Barber Street. Across Barber Street is the parking and office component of Swire Coca-Cola. This is a component of the industrial use that does not merit special distancing or buffering from or to the proposed residential/commercial uses.

## **Public Comments and Responses:**

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

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

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

## Residential and Commercial Uses in the Planned Development Industrial Zone

While not what would typically be expected in an industrial zone, the proposed use is allowed in the Planned Development Industrial Zone (PDI). The allowance is based on both a limited allowance of uses allowed in the City's Planning Development Commercial (PDC) zone as well



as special provisions in State Statute that allow for affordable housing on certain publically-owned land. The proposed ground-floor commercial is within the 5,000 square foot for retail uses allowed in the PDI zone. The authority to develop affordable housing in areas not zoned for residential use in certain circumstances is described Oregon Revised Statute (ORS ) 197.308. Under the ORS, when a property is owned by a public body, is located in an industrial area, not slated for heavy industrial use, and adjacent to existing residential development, residential development is an outright allowed use when the resulting housing is affordable housing. As an affordable housing development on a property owned by the City, not designated for heavy industrial use, adjacent to the Villebois Neighborhood, with only preserved wetlands in between, the proposed development is an allowed use under this Statute.

### Vehicular Parking

Pursuant to Oregon Administrative Rules (OAR) 660-012-0440, parking mandates, or the minimum vehicle parking requirements in Section 4.155 Table 5, are not applicable to the proposed development due to the site being within 1/2 mile of SMART Routes 2X and 4, which are considered the City's most frequent transit routes, and within 1/4 mile of the WES Station. **The Development Review Board does not have authority, nor is allowed under State law, to consider the amount of vehicle parking provided in reviewing this application.** The City can still consider the design of individual parking spaces and areas that are proposed by developer as it relates to established clear and objective criteria, but cannot connect this consideration to the amount of parking.

### Traffic

The City's traffic consultant, DKS Associates, calculates that the proposed five story 121 unit 133,575 mixed-use apartment building will generate 71 new daily PM peak hour trips (45 in, 26 out). Five intersections were assessed including Barber St/Kinsman Rd, Wilsonville Rd/Boones Ferry Rd, Wilsonville Rd/Kinsman Rd, Barber St/Boones Ferry Rd, and Barber St/Driveway. Of the 71 new trips 60% will be through the I-5/Wilsonville Road Interchange area. Traffic operations at the five intersections studied as part of the traffic impact analysis are shown to continue meeting or exceed the LOS D standard.

### Trees Retained as Council Priority

The preservation of three high quality Douglas fir trees is identified as a Council priority for the implementation of the proposed project. The trees will provide aesthetic, environmental and recreational benefits to future tenants and visitors of the transit-oriented development. Significant thought and care for the preservation of the trees is clear in the final proposed design of the project. The trees are incorporated into the open space so they can be enjoyed by future residents and activate the spaces. An elevated deck will maximize the open space amenity while protecting the roots of the trees. Any work within the root zone will be conducted under the supervision of a certified arborist. The project arborist developed a work plan that focuses on how to safely develop around the trees while avoiding cutting any major roots.

## Transportation Oriented Development and Affordable Housing

In concert with efforts around the Region, and the State, Wilsonville has been working on addressing the lack of affordable housing. The City adopted the Equitable Housing Strategic Plan (EHSP) in 2020 after extensive research into the current state of housing in the City, public outreach, and work sessions with community housing experts. The EHSP created a list of specific implementation actions aiming to generate more affordable and equitable housing opportunities. The proposed transit-oriented development was “Implementation Action 1A” of the plan. As the first transit-oriented development of its kind in Wilsonville the apartments will provide the unique opportunity for residents to live in a suburban community without having to own a car to access more urban communities or to commute throughout Wilsonville. The free bus system, SMART, and WES Commuter rail, bike and pedestrian networks will provide convenient multi-model transportation access for residents at this site. In addition to providing accessible housing, the development will include ground floor commercial tenant space. One of the proposed tenants is Wilsonville Community Sharing, a local non-profit service agency operating food banks and connecting families in needs with a variety of resources.

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

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

#### Setback Waiver

The applicant requests a waiver to the 30 foot setback required within the Planned Development Industrial zone. The review of this waiver request will be discretionary. Waiving the setbacks will allow for the best use of a small parcel fitting 121-units of affordable housing and supporting commercial and site improvement. With the proposed residential use of the new development the required 30’ setback is not necessary to separate intensive or industrial uses from commercial or residential use. Conversely, the 30’ setbacks are also not needed to separate the surrounding industrial uses from the residential use due to the low intensity of uses in the area. The use to the north and east are a transit hub and parking area. These uses will not have a negative impact on the residential use and in fact are an amenity for future residents and customers allowing easy access to public transportation. The uses are not typical industrial uses that may have negative impacts to surrounding properties. To the west of the development is a site used for mitigation by the City of Wilsonville. It is a natural area with native plantings and little activity. Again, the open space to the west is an additional amenity for future residents. To the south of the proposed development is the Swire Coca Cola plant. This is a more traditional industrial use, that buffering of some of its operations from a residential neighbor would be prudent. However, with SW Barber separating the two properties and the building location there is a 74’ separation between the proposed building and the property line of Coca Cola creating a significant distance between the two differing uses. Mature trees and fencing in front of Coca Cola also offer buffering. Additionally, the closest component of the large Coca Cola campus is the passenger vehicle parking and office. This is a component of the industrial use that does not merit special distancing

or buffering from or to the proposed residential/commercial uses like loading docks or machinery would.

## Conclusion and Conditions of Approval:

Staff reviewed the Applicant's analysis of compliance with the applicable criteria. The Staff report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, Staff recommends that the Development Review Board approve the proposed application (DB23-0011) with the following conditions:

### Planning Division Conditions:

#### Request A: Stage 1 Preliminary Plan (STG123-0004)

No conditions for this request
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#### Request B: Stage 2 Final Plan (STG223-0006)

<b>PDB 1. General:</b> The approved modified final plan shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved preliminary or final development plan may be approved by the Planning Director through the Administrative Review Process consistent with the authority granted in Wilsonville Code Subsection 4.030 (.01). All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. See Finding A5.
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<b>PDB 2. 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.
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#### Request C: Site Design Review (SDR23-0007)

<b>PDC 1. General:</b> Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Subsection 4.030 (.01). See Finding C15.
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<b>PDC 2. Prior to Temporary Occupancy:</b> 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 C37.
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<b>PDC 3.</b>	<b>Ongoing:</b> 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 C38.
<b>PDC 4.</b>	<b>Ongoing:</b> 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 C39 and C40.
<b>PDC 5.</b>	<b>Prior to Temporary Occupancy:</b> The following requirements for planting of shrubs and ground cover shall be met: <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> <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>
<b>PDC 6.</b>	<b>Prior to Temporary Occupancy:</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 C444.

**Request D: Type C Tree Plan (TPLN23-0003)**

<b>PDD 1.</b>	<b>General:</b> This approval for removal applies only to the 24 trees identified in the applicant’s submitted materials. All other trees on the property shall be maintained unless removal is approved through separate application.
<b>PDD 2.</b>	<b>Prior to Grading Permit Issuance:</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.
<b>PDD 3.</b>	<b>Prior to Temporary Occupancy / Ongoing:</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.
<b>PDD 4.</b>	<b>Prior to Commencing Site Grading:</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. 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 D6.

**Request E: Tentative Partition Plat (PART23-0002)**

<b>PDE 1.</b>	<b>Prior to Final Plat Approval:</b> Any necessary easements or dedications shall be identified on the Final Subdivision Plat.
<b>PDE 2.</b>	<b>General:</b> The applicant / owner shall submit an application for Final Plat review and approval on the Planning Division Site Development Application and Permit form. The applicant/owner shall also provide materials for review by the City’s Planning Division in accordance with Section 4.220 of the City’s Development Code. The final plat shall be prepared in substantial accord with the tentative partition plat as approved by this action and as amended by these conditions, except as may be subsequently altered by minor revisions approved by the Planning Director.

**Request F: Master Sign Plan (MSP23-0001)**

<b>PDF 1.</b>	<b>General:</b> The applicant / owner shall submit and get approval of sign permits prior to the installation of any signs that are not exempt under Wilsonville’s sign regulations. Such review shall ensure conformance with the Master Sign Plan and other applicable regulations. The Master Sign Plan is binding upon the project unless modified using the processes defined in Wilsonville’s sign regulations.
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**Request G: Waiver (WAIV23-0004)**

No conditions for this request
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*The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City’s Community Development Department or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of*



plats, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.

**Engineering Division Conditions:**

Request: STG223-0006 Stage 2 Final Plan

PF 1.	Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1.
PF 2.	<b><u>Prior to the Issuance of the Public Works Permit:</u></b> Applicant shall apply for City of Wilsonville Erosion Control, Grading and Building Permits. Erosion control measures shall be installed, inspected and approved prior to any onsite work occurring.
PF 3.	<b><u>Prior to Issuance of the Public Works Permit:</u></b> Submit site plans to Engineering showing street improvements including pavement restoration, curb and gutter, stormwater planters, planter strip, street trees, and 6-foot wide sidewalk for Barber Street. Existing ADA ramps adjacent to the project site shall be brought to current ADA standards, if applicable. Street improvements shall be constructed in accordance with the Public Works Standards.
PF 4.	With the land use application, the stormwater report was reviewed for general conformance with the City standards. <b><u>Prior to the Issuance of Public Works Permit:</u></b> A final stormwater report shall be submitted for technical review and approval. The stormwater report shall include information and calculations to demonstrate how the proposed development meets the City’s stormwater requirements. <b><u>Prior to Final Approval of the Public Works Permit:</u></b> Storm facilities shall be constructed, inspected and approved by the City.
PF 5.	<b><u>Prior to issuance of any occupancy Permits:</u></b> The applicant shall provide a site distance certification by an Oregon Registered Professional Engineer for the new driveway per the Traffic Impact Study.
PF 6.	<b><u>Prior to the issuance of any occupancy permits:</u></b> All public improvements shall be constructed, inspected, approved and accepted by the City.
PF 7.	<b><u>Prior to the issuance of any occupancy permits:</u></b> The applicant shall record Stormwater Maintenance and Access Easements for all stormwater facilities, onsite and in the right-of-way.
PF 8.	<b><u>Prior to issuance of any occupancy permits:</u></b> Applicant shall record an additional 2-foot public utility easement along the Barber Street right-of-way.

## Master Exhibit List:

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case File DB23-0011. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

### Planning Staff Materials

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

### Materials from Applicant

- B1. Development Permit Application Form
- B2. Land Use Narrative  
Service Provider Letters
- B3. Construction Plan Set
- B4. Arborist Report
- B5. Geotechnical Report
- B6. Stormwater Report
- B7. Traffic Impact Analysis
- B8. Driveway Alignment Memo

### Development Review Team Correspondence

- C1. Engineering Division Conditions

## Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application for Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review, Type C Tree Plan, Tentative Partition Plat, and Waiver on August 21, 2023. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on September 20, 2023. The applicant submitted additional materials on December 12, 2023. Staff conducted a second completeness review within the statutorily allowed 30-day review period and deemed the application complete on December 14, 2023. The City must render a final decision for the request, including any appeals, by April 12, 2023.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
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North:	PDI	Wilsonville Transit Center
East:	N/A	Wilsonville Transit Center/ WES Station
South:	PDI	Barber Street/Industrial Manufacturing
West:	PDI	Wilsonville Transit Center/City Owned Natural Resource Mitigation Site

3. Previous Planning Approvals:

DB06-0076 Zone Map Amendment for Tri-Met Commuter Rail Station and SMART Bus Terminal

DB06-0078 Stage I Preliminary Plan Tri-Met Commuter Rail Station and SMART Bus Terminal

DB06-0079 Stage II Final Plan Tri-Met Commuter Rail Station and SMART Bus Terminal

DB06-0080 Master Sign Plan Tri-Met Commuter Rail Station and SMART Bus Terminal

DB06-0083 Type C Tree Removal Permit Tri-Met Commuter Rail Station and SMART Bus Terminal

DB06-0084 Site Design Review Tri-Met Commuter Rail Station and SMART Bus Terminal

SI06-0005 Significant Resource Impact Report

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

## Findings:

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

### General Information

#### Application Procedures-In General

Section 4.008

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

#### Initiating Application

Section 4.009

The application has the signature of Bryan Cosgrove, Wilsonville City Manager, an authorized signer for the property owner, the City of Wilsonville.

#### Pre-Application Conference

Subsection 4.010 (.02)

The City held a Pre-application conference on April 27, 2023 (PRE23-0006) in accordance with this subsection.

#### Lien Payment before Approval

Subsection 4.011 (.02) B.

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

#### General Submission Requirements

Subsection 4.035 (.04) A.

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

#### Zoning-Generally

Section 4.110

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

## Request A: Stage 1 Preliminary Plan (STG123-0004)

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

### Affordable Housing Allowed Outright

Allowing Affordable Housing in the Industrial Zone  
ORS 197.308 (2) and (3)

**A1.** The proposed Wilsonville Transportation Oriented Development will be a 121-unit affordable housing development with commercial development on the ground floor. The project site is zoned Planned Development Industrial. Commercial development under 5,000 sq ft is an allowed use in the PDI zone. Authority has been granted by the State to develop affordable housing in areas not zoned for residential use in certain circumstances as described in ORS 197.308. Under the ORS, when a property is owned by a public body, is located in an industrial area, not slated for heavy industrial use, and adjacent to existing residential development, residential development is an outright allowed use when the resulting housing is affordable housing. As an affordable housing development on a property owned by the City, not designated for heavy industrial use, adjacent to the Villebois Neighborhood, with only public roads and public open space intervening, the proposed residential portion of the development is an outright allowed use.

### Planned Development Regulations

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

**A2.** The property is of sufficient size, lot configuration, and topography and otherwise appropriate to be developed in a manner consistent the purposes and objectives of Section 4.140 for the proposed uses. While the subject site proposed for development is 1.39 acres, it is part of a larger transit campus well in excess of two acres that previously received a Stage I approval. This larger previous Stage I area includes parking and transit facilities that are complementary to the proposed use on the site. The site is zoned Planned Development Industrial which allows for the development to be completed as a planned development. The property will be developed as a planned development in accordance with this subsection.

Ownership Requirements  
Subsection 4.140 (.03)

**A3.** The land included in the proposed Stage 1 Preliminary Plan is under the single ownership of the City of Wilsonville and the application has been signed by the property owner's representative, City Manager, Bryan Cosgrove.

Professional Design Team  
Subsection 4.140 (.04)

**A4.** As can be found in the applicant’s submitted materials, appropriate professionals have been involved in the planning and permitting process. The project architect is Alex Yale with LRS Architecture, the landscape architect is Blaire Didway with Shapiro Didway and the civil engineer is Steve Hansen with Emerio Design.

**Application Requirements**  
Subsection 4.140 (.07)

- A5.** Review of the proposed revised Stage 1 Preliminary Plan has been scheduled for a public hearing before the Development Review Board, in accordance with this subsection, and the applicant has met all the applicable submission requirements as follows:
- The property affected by the revised Stage 1 Preliminary Plan is under the sole ownership of the City of Wilsonville and the application has been signed by Bryan Cosgrove, Wilsonville City Manager, authorized to sign on behalf of the City of Wilsonville.
  - The application for a Stage 1 Preliminary Plan has been submitted on a form prescribed by the City.
  - The professional design team and coordinator have been identified. See Finding A4.
  - The applicant has stated the various uses involved in the Preliminary Plan and their locations.
  - The boundary affected by the Stage 1 Preliminary Plan has been clearly identified and legally described.
  - Sufficient topographic information has been submitted.
  - Information on the land area to be devoted to various uses has been provided.
  - Any necessary performance bonds will be required.

**Planned Development Industrial (PDI) Zone**

**Uses Typically Permitted**  
Subsection 4.135 (.03)

**A6.** The proposed residential use for affordable housing is an outright allowed use for properties in the PDI zone owned by the City of Wilsonville or other governing body in accordance to ORS 197.139. See finding A1. Service commercial uses are permitted in the PDI zone, limited to 5,000 sq ft or less. The three commercial tenant spaces on the first floor of the development will total 4,900 sq ft falling slightly below the the 5,000 sq ft maximum service commercial allowance.

**Prohibited Uses**  
Subsection 4.135 (.04)

**A7.** No prohibited uses are proposed by the applicant.

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

**A8.** The proposed development will be accessed off of SW Barber St via a one-way drive/parking area. The entrance will come off the existing access drive to the Wilsonville Transit Center park and ride on the west side of the site and exit directly onto SW Barber St. SW Barber on the south side of the site. Location of the access has been approved by the City Engineer. See also Exhibit B8. Besides this one access to serve the site no changes to existing blocks or access or proposed or required.

### **Other Standards for PDI Zone**

#### Lot Size

Subsections 4.135 (.07) A.

**A9.** Nothing in the Stage 1 Preliminary Plan would prevent lot size requirements from being met.

#### Setbacks

Subsections 4.135 (.07) C. through E.

**A10.** The minimum setback in the PDI zone for the front, rear and sides of the lot is 30'. A request to waive the 30' setback standard has been submitted by the applicant. See Request G for details regarding the setback waiver.

### **Standards for Residential Development in Any Zone**

#### Outdoor Recreational Area and Open Space Land Area Requirements

Subsection 4.113 (.01)

**A11.** It is a requirement that open space is incorporated within any residential development at a minimum of 25% of the Gross Development area. The applicant proposes 20,518 sq ft of open space, approximately 33% of the Gross Development Area, exceeding the 25% requirement.

#### Open Space Area Required, Characteristics and Usable Space

Subsection 4.113 (.01) C and D

**A12.** Open space has been thoughtfully incorporated throughout the development. Approximately half of the provided space is usable open space comprising 14.9% of the gross development area. The useable open space includes ample space for a variety of recreation. Picnic tables, benches and seats are provided throughout the raised deck open space. The deck is in close proximity to the preserved Douglas fir trees taking advantage of the environmental amenities of the site. Adjacent to the two northern preserved trees area nature play structures and walking paths for the enjoyment of residents and visitors.

#### Other Standards

Subsections 4.113 (.03) through (.14)

**A13.** The applicant proposes meeting these standards as applicable. PDI setbacks apply to this development, however, the applicant requests a waiver to setbacks for the front, rear, and side lot lines. See Request B, Stage II Final Plan and Request G, Waiver Request.

### **Request B: Stage 2 Final Plan (STG223-0006)**

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 for development of the subject property is consistent with the Planned Development Regulations purpose statement and is of sufficient size to be developed in a manner consistent with the purposes and objectives of Section 4.140. The subject property is in a Planned Development zone and is designated for Industrial Development in the Comprehensive Plan. The proposed use is allowed as described in Finding A1. The property will be developed as a planned development in accordance with this subsection.

Ownership Requirements  
Subsection 4.140 (.03)

**B2.** The land included in the proposed Stage 2 Final Plan is under the single ownership of the City of Wilsonville and the application has been signed by the property owner's representative, City Manager, Bryan Cosgrove.

Professional Design Team  
Subsection 4.140 (.04)

**B3.** The applicant has utilized a professional design team from a variety of firms in accordance with this subsection. Tim Schneider, with YBA Architects 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 and Stage 2 Approval, together with Site Design Review, as part of this application. The final plan provides sufficient information regarding conformance with both the preliminary development plan and Site Design Review.

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

- 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 plans conforms to the concurrent Stage 1 Master Plan. 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 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. and ORS 197.308

- B10.** The site's zoning, Planned Development Industrial, is consistent with the Industrial designation in the Comprehensive Plan. The proposed project is not an industrial use. Instead a mixed-use building is proposed including residential and commercial use. The proposed use is allowed in accordance with ORS 197.308 which authorizes the development of affordable housing in areas not zoned residential when the property is owned by a public body.

The Transportation Systems Plan does not call for frontage and road improvements along Barber Street other than those required with the removal and reinstallation of the existing storm water and sidewalk facilities. Conditions of Approval will ensure the road improvements are constructed consistent with the Transportation Systems Plan and Public Works Construction Standards.

#### Traffic Concurrency

Subsection 4.140 (.09) J. 2.

**B11.** The City’s traffic consultant, DKS Associates, calculates that the proposed five story 121 unit 133,575 mixed-use apartment building will generate 71 new daily PM peak hour trips (45 in, 26 out). Five intersections were assessed including Barber St/Kinsman Rd, Wilsonville Rd/Boones Ferry Rd, Wilsonville Rd/Kinsman Rd, Barber St/Boones Ferry Rd, and Barber St/Driveway. Of the 71 new trips 60% will be through the I-5/Wilsonville Road Interchange area. Traffic operations at the five intersections studied as part of the traffic impact analysis are shown to continue meeting or exceed the LOS D standard.

#### Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

**B12.** Facilities and services, including utilities in SW Barber Street, are available and sufficient or will be installed with construction of the proposed development. Utilities proposed to be installed during construction include a sanitary sewer later, water lines and stormwater facilities with associated pipelines.

The new development has frontage along SW Barber St which has previously been improved to urban levels.

#### Adherence to Approved Plans

Subsection 4.140 (.10) A.

**B13.** Condition of Approval PDB 1 ensures adherence to approved plans except for minor revisions by the Planning Director.

### **General Residential Development Standards**

#### Effects of Compliance Requirements and Conditions on Cost of Needed Housing

Subsection 4.113 (.13)

**B14.** No parties have presented evidence nor has staff discovered evidence that provisions of this section are such that additional conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of housing or effectively excluding a needed housing type.

### **Standards Applying in All Planned Development Zones**

#### Underground Utilities

Subsection 4.118 (.02)

**B15.** All utilities will be installed underground.

#### Waivers

Subsection 4.118 (.03)

**B16.** The applicant requests a waiver to front, rear, and side setbacks in the PDI Zone. See Request G for more details.

#### Other Requirements or Restrictions



Subsection 4.118 (.03) E.

**B17.** Staff does not recommend any additional requirements or restrictions pursuant to this subsection.

#### Impact on Development Cost

Subsection 4.118 (.04)

**B18.** Implementation of standards and imposing conditions does not unnecessarily increase the cost of development. No evidence has been submitted to the contrary.

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

Subsection 4.118 (.05)

**B19.** 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)

**B20.** The applicant will implement habitat-friendly development practices to the extent practicable. Grading will be limited to that needed for the proposed improvements, 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. The site has been designed intentionally to preserve three mature Douglas fir trees.

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

#### Typically Permitted Uses

Subsection 4.135 (.03)

**B21.** Both residential and commercial uses are proposed with this development. While commercial uses are allowed in the PDI zone, residential uses are not typically permitted in the PDI zone. While not explicitly outright allowed in the Wilsonville Development Code, ORS 197.308 permits residential development as an outright allowed use in industrial zones when the property is publically owned and the constructed residential units are designated affordable housing. The proposed project is on city owned land and designated for affordable housing therefore it is an outright allowed use.

#### Block and Access Standards

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

**B22.** No change to existing blocks are proposed or required. Site access will be at points approved by the City Engineer.

### **Standards Applying in to Residential Development in Any Zone**

#### Required Open Space for Multi Family Development

Subsection 4.113 (.01) C.

**B23.** All multifamily developments are required to provide open space totaling at least 25% of the Gross Development Area. The applicant proposes 20,518 sq ft of open space, approximately 33% of the Gross Development Area, exceeding the 25% requirement.

#### Minimum Open Space Area Requirement

Subsection 4.113 (.01) D 1.

**B24.** The open space areas counted towards the 25% are at least 2,000 sq ft.

#### Open Space Characteristics

Subsection 4.113 (.01) D 2.

**B25.** The provided open space includes a raised deck with shared tables, benches, and chairs for leisure or outdoor workspace, nature play areas beneath the preserved Douglas fir trees, walking paths, and an additional open space with shared tables and seating located to the north of the building.

#### Usable Open Space

Subsection 4.113 (.01) D 3.

**B26.** The minimum open space required is 15,174 sq ft (applicant proposes 20,518 sq ft). 12.5% of the minimum open space must be useable open space. The applicant proposed 9,095 sq ft, or 12.5% of 15,174 sq ft, of usable open space designed by a professional landscape architect. As finding B22 describes, the useable open space has been designed for the use of all ages. Outdoor spaces have been designed to accommodate multi-level activities, including 2 outdoor, covered BBQ / eating spaces for residents, chess tables, charging stations, multiple seating forms and locations throughout the site, and a fenced trike track and natural play space for children that is visible and accessible from both the resident amenity space and from the outdoor dining space for the taproom / eatery. Special care has been taken around the existing Douglas fir trees to allow activity near the trees while protecting their root zones through the strategic placement of raised decking at the both of the southern outdoor dining spaces and the trike track; holding the majority of activity above the root zones and lessening the likelihood of extreme soil compaction over.

### **Standards Applying in to Commercial Development in Any Zone**

#### Enclosed Commercial Business

Subsection 4.116 (.5)

**B27.** All commercial uses will be conducted entirely within the proposed structure.

### **On-site Pedestrian Access and Circulation**

#### Continuous Pathway System

Subsection 4.154 (.01) B. 1.

**B28.** The proposed development provides pedestrian pathways throughout the site that connect all parking/loading and resident amenity areas while also connecting to adjacent sidewalks, to ensure adequate and safe connectivity for pedestrians crossing through/around this site.

#### Safe, Direct, Convenient Pathways

Subsection 4.154 (.01) B. 2.

**B29.** Proposed pedestrian pathways are flat, ADA compliant sidewalks constructed of stamped concrete or pavers. Where crossing the parking area, the applicant proposes a stamped concrete crossing that clearly distinguishes the crossing. The pathways provide direct access to the building from the parking area on all sides of the site. Pathways connect to all primary (and secondary) building entrances and existing sidewalks adjacent to the property.

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

Subsection 4.154 (.01) B. 3.

**B30.** The proposed design of pedestrian pathways provide for vertical separation from vehicle circulation areas by raising the pathways 6”.

#### Crosswalks Clearly Marked

Subsection 4.154 (.01) B. 4.

**B31.** The use of stamped concrete and pavers for the internal sidewalks and pathways clearly differentiates the pathways from the parking area.

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

Subsection 4.154 (.01) B. 5.

**B32.** The applicant proposes concrete pathways for pedestrian access throughout the site. Review at time of building permit will confirm all pathways are a minimum of five feet wide.

### **Parking Area Design Standards**

#### Minimum and Maximum Parking

Subsection 4.155 (.03) G.

**B33.** Pursuant to Oregon Administrative Rules (OAR) 660-012-0440 parking mandates, or the minimum vehicle parking requirements in Table 5, are not applicable due to the site being within 1/2 mile of SMART Routes 2X and 4, the City’s most frequent transit routes, as well as within 1/4 mile to the Wilsonville WES Station. With no minimum or maximum vehicle parking requirements, the number of total vehicle parking spaces is at the complete discretion of the applicant, so long as the total number of spaces does not exceed the maximum and other non-parking requirements are still met. In addition, for any vehicle parking spaces provided, the applicable design standards as well percentage and similar requirements for certain types of spaces still apply.

Other Parking Area Design Standards

Subsections 4.155 (.02) and (.03)

**B34.** The applicable standards are met as follows:

Standard	Met	Explanation
Subsection 4.155 (.02) General Standards		
B. All spaces accessible and usable for parking	<input checked="" type="checkbox"/>	Standard parking lot design
I. Parking lot screen of at least 6 feet adjacent to residential district.	<input checked="" type="checkbox"/>	The parking is not adjacent to a residential district.
J. Sturdy bumper guards or curbs of at least 6 inches to prevent parked vehicles crossing property line or interfering with screening or sidewalks.	<input checked="" type="checkbox"/>	The parking lot is surrounded by a six-inch curb.
K. Surfaced with asphalt, concrete or other approved material.	<input checked="" type="checkbox"/>	Surfaced with asphalt
Drainage meeting City standards	<input checked="" type="checkbox"/>	Drainage is professionally designed and being reviewed to meet City standards
L. Lighting will not shine into adjoining structures or into the eyes of passers-by.	<input checked="" type="checkbox"/>	Lighting is proposed to be fully shielded and subject to the City's Outdoor Lighting Ordinance.
N. No more than 40% of parking compact spaces.	<input checked="" type="checkbox"/>	5 of the 14 proposed parking spaces are compact spaces making 35% of the parking spaces compact meeting this standard.
O. Where vehicles overhand curb, planting areas at least 7 feet in depth.	<input checked="" type="checkbox"/>	All parking area planting areas are at least 7 feet in depth.
Subsection 4.155 (.03) General Standards		
A. Access and maneuvering areas adequate.	<input checked="" type="checkbox"/>	Access to the area is available to residents and customers. Maneuvering area is plentiful.
A.1. Loading and delivery areas and circulation separate from customer/employee parking and pedestrian areas.	<input checked="" type="checkbox"/>	No loading or delivery areas are proposed.
Circulation patterns clearly marked.	<input checked="" type="checkbox"/>	No markings needed to clarify circulation.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	<input checked="" type="checkbox"/>	Vehicle and pedestrian traffic are clearly delineated and separated except for crosswalks.
C. Safe and Convenient Access, meet ADA and ODOT Standards.	<input checked="" type="checkbox"/>	The proposed parking and access allow ADA and ODOT standards to be met.
For parking areas with more than 10 spaces, 1 ADA space for every 50 spaces.	<input checked="" type="checkbox"/>	The applicant proposes 2 ADA parking spaces and 12 standard spaces

D. Where possible, parking areas connect to adjacent sites.	☒	The new parking area is part of a single development.
Efficient on-site parking and circulation	☒	The proximity to the destination and pedestrian connections, and adequate maneuvering area make the circulation efficient.

## Other Parking Standards and Policies and Procedures

### Parking Variances and Waivers

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

**B35.** The applicant has not requested variances or waivers pursuant to this subsection.

### Non-Parking Use of Parking Areas

Subsection 4.155 (.02) H.

**B36.** All parking areas are expected to be maintained and kept clear for parking unless a temporary use permit is granted or the Stage 2 approval is revised. Particularly no container or other storage is permitted in the parking areas.

### Electrical Vehicle Charging Stations

Subsection 4.155 (.03) H.

**B37.** Accommodations for electric vehicle charging stations will be provided with the project in compliance with the CFEC ruling. Stations will likely be installed at a later date; however the applicant is deferring the decision to after building permit to respond to market demand. The planned landscape area provides sufficient room for future installation of charging infrastructure with screening.

## Parking Area Landscaping

### Minimizing Visual Dominance of Parking

Subsection 4.155 (.03) B.

**B38.** 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.

**B39.** According to the applicant's narrative the parking area is 8,294 square feet. 1090 square feet of the parking area is landscaped providing 13% of landscaped area. The landscape area provided is in excess of the 10% requirement.

### Landscape Screening of Parking

Subsection 4.155 (.03) B. 1.

**B40.** The proposed design screens the parking area from adjacent properties and adjacent rights-of-way by physical distance and proposed landscaping and vegetation. The low-screen standard is to be applied on south edge of the parking area to screen parking from the adjacent right of way. A mix of trees, shrubs, and ground cover provide an adequate landscape buffer along SW Barber Street.

#### Parking Area Internal Pedestrian Circulation

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

**B41.** Internal pedestrian walkways are provided throughout the parking area at a minimum of 5ft in width with safe connections to the building meeting this standard.

### **Bicycle Parking**

#### Required Bicycle Parking

Section 4.155 (.04) A. 1.

**B42.** Commercial uses require one bicycle parking space per 4,000 square feet or a minimum of two (2) bicycle parking spaces. With the proposed commercial spaces being 4,900 sq ft two bicycle spaces will be required for the commercial uses. Multifamily residential buildings require a minimum of one bicycle parking spaces per unit totaling 121 bicycle parking spaces for the proposed residential use. A total of 123 bicycle parking spaces are required for this development. 25 outdoor bicycle parking spaces are provided throughout the site near the entrances of commercial and residential spaces for the convenience of residents and customers. 130 bicycle spaces are provided within the building in bicycle storage room located on each floor of the building. The interior bicycle parking will provided security and convince for residents. The applicant has proposed a total of 155 bicycle parking spaces exceeding the required 123 spaces. More than 50% of the bicycle parking is long term parking.

#### Bicycle Parking Standards

Section 4.155 (.04) B.

**B43.** The applicant's plans show bicycle parking at the main entrance of the building and adjacent to the secondary entrance on the east side of the building. The applicant's narrative states that the bicycle parking spaces will comply with the 2' width and 6' length requirement with 5 feet of maneuvering space behind each space. Sheet A001 demonstrates compliance with this standard for the short and long term bicycle parking spaces.

### **Other Parking Standards**

#### Minimum Off-Street Loading Requirements

Section 4.155 (.05)

**B44.** Off-street loading areas are not required with the proposed uses.

### **Other Development Standards**

Access, Ingress, and Egress  
Section 4.167

- B45.** Site access is proposed off of the existing Wilsonville Transit Center park and ride access drive to the west side of site with a one way circulation pattern and egress onto SW Barber Street.

Natural Features and Other Resources Purpose  
Section 4.171 (.01)

- B46.** The proposed project has been designed to provide ample open space for recreation and landscaped area, to result in a site plan that is in harmony with the natural environment. The preservation of the large Douglas fir trees on site further the connection to the existing natural features, and makes them a prominent feature of the whole project and community as a whole.

Grading Limited to Protect Natural Features  
Section 4.171 (.02)C

- B47.** The grading of the site seeks to minimize soil disturbance and areas of cut and fill as much as possible, while accommodating the new building and access paths throughout the site. There will be some fill necessary along the northern frontage, as the existing grades show the middle of the site is sunken from the existing sidewalk, which will remain. Three large Douglas fir trees are being retained on the site and will be protected during construction. Grading within the protection zone of these trees (12x the diameter of the tree itself) will need to remain as close as possible to the existing grades, with no more than 4" of cut/fill allowed. The site design allows this, by preserving a landscape area around these trees, with a gravel path for access, allowing the existing grades to remain. The Grading Plan has been updated and tree protection notes have been added to sheet C2.00 to minimize grading around the three existing trees. An arborist's report has also been performed by Teragan & Associates and is included with this application.

Outdoor Lighting  
Sections 4.199.20 through 4.199.60

- B48.** The outdoor lighting standards apply to the proposal is required to meet the Outdoor Lighting Standards. See Request C, Findings C47 through C51.

Underground Installation of Utilities  
Sections 4.300-4.320

- B49.** All utilities are proposed to be underground.

**Public Safety and Crime Prevention**

Design for Public Safety, Surveillance and Access  
Subsections 4.175 (.01) and (.03)

**B50.** The proposed development is designed to ensure visibility to deter crime and ensure public safety. The proposed development includes lighting throughout the parking area. The site has been designed in such a way that visibility is clear throughout the site.

#### Addressing and Directional Signing

Subsection 4.175 (.02)

**B51.** Addressing will meet public safety standards. The building permit process will ensure conformance.

#### Lighting to Discourage Crime

Subsection 4.175 (.04)

**B52.** 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)

**B53.** In complying with the various landscape standards in Section 4.176 the applicant has demonstrated the Stage 2 Final Plan is in compliance with the landscape purpose statement.

#### Landscape Code Compliance

Subsection 4.176 (.02) B.

**B54.** 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.

**B55.** 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 south perimeter of the parking areas.

#### Landscape Area and Locations

Subsection 4.176 (.03)

**B56.** The proposed development will exceed the 15% landscaping requirement. The subject property is 60,695 square feet and provides 13,627 square feet of landscaping which is 22.4% of the site. Plantings are proposed along all perimeters of the development site. Landscaped open space areas are incorporated within the interior of the site tucked in to the south of the northeast portion of the building and to the northeast of the parking area. Landscaping is provided throughout the parking area. The landscaping will include trees, shrubs, ground cover and grasses planted in parking areas, general landscape areas, and stormwater facilities.



## Buffering and Screening

Subsection 4.176 (.04)

**B57.** The subject property is zoned PDI and borders PDI zoning to the north, east, and south and west. Low-screen standards will be met on the perimeter of the parking areas on the south property line to shield the parking area from public view and the right of way.

## Landscape Plan Requirements

Subsection 4.176 (.09)

**B58.** The applicant's submitted landscape plans are drawn to scale and show the type, installation size, number and placement of materials. Plans include a plant material list identifying plants by both their scientific and common names. A note on the landscape plan indicates the irrigation method.

## Street Improvement Standards

### Development and Associated Improvement Standards

Subsection 4.177 (.01) and 4.262 (.01)

**B59.** The Transportation Systems Plan does not call for additional frontage and road improvements along Barber Street triggered by this project. Right-of-way improvements will be limited to those associated with the removal and reinstallation of storm water facilities and sidewalks.

### Street Design Standards

Subsection 4.177 (.02) and 4.262 (.01)

**B60.** Conditions of Approval will ensure the road improvements are constructed consistent with the Public Works Construction Standards.

### Sidewalks

Subsection 4.177 (.03) and 4.262 (.03)

**B61.** A sidewalk meeting Public Works Construction Standards and ADA Standards is proposed along the south property line adjacent to SW Barber Street.

### Bicycle Facilities

Subsection 4.177 (.04) and 4.262 (.0)

**B62.** Existing bike lanes will serve the proposed development.

### Transit Improvements

Subsection 4.177 (.06)

**B63.** The proposed development is immediately adjacent to existing bus stops and near an existing transit rail station, ensuring it is well served by transit.

### Access Drives and Driveway Approaches

Subsection 4.177 (.08)

**B64.** The design of the access drive provides clear travel lanes, free from obstructions. The design shows the drive aisles as asphalt. The development shall take access via the existing Wilsonville Transit Center park and ride access drive.

**Mixed Solid Waste and Recyclables Storage**

DRB Review of Adequate Storage Area, Minimum Storage Area  
Section 4.179

**B65.** The proposed development includes one combined solid waste and recyclable storage area within the building. The enclosure is shown on Sheets A001 and in Exhibit B2. The trash enclosure on the ground floor is 545 square feet with smaller 70 sq ft waste and recycling storage rooms on floor providing a total of 825 sq ft of waste storage. The minimum requirement for the site is 654 square feet based on the following calculations:

<b>Building</b>	<b>Use</b>	<b>Size</b>	<b>Min. Storage</b>
<b>Residential Units</b>	Residential	121 units	50+5 per unit over 10 (111)=605 square feet
<b>Commercial Tenant Spaces</b>	Service Commercial	4,900 square feet	10 square feet per 1,000 square feet=49 square feet
		<b>Total</b>	<b>654 square feet</b>

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

**B66.** The applicant’s Exhibit B1 contains a letter from Republic Services indicating coordination with the franchised hauler, and that the proposed storage area and site plan meets Republic Services requirements.

**Request C: Site Design Review (SDR23-0007)**

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 the compliance with this subsection as follows:
  - Excessive Uniformity:** The proposed development is unique to the particular development context and does not create excessive uniformity.
  - Inappropriate or Poor Design of the Exterior Appearance of Structures:** The building has a unique architectural expression, taking inspiration from modern vernacular and public

transit design to create a striking piece of architecture that seeks to create a sense of place and destination in this light-industrial part of the city, centered around public transit. High-quality materials are proposed on the exterior, including standard and glazed brick, and metal panel arranged in a stylized pattern designed to invoke movement and visual interest.

**Inappropriate or Poor Design of Signs:** The proposed master sign plan has been designed to be aesthetically pleasing and fit with the look of the overall development.

**Lack of Proper Attention to Site Development:** The applicant employed the skills of the appropriate professional services to design the site, demonstrating appropriate attention to site development. The proposed development offers a mix of uses, including 121 affordable housing units, commercial retail space and a transit welcome center. Being a transit-oriented development, the architectural design takes inspiration from modern vernacular and transit design, and provides a high-quality architectural landmark within this industrial area of the City.

**Lack of Proper Attention to Landscaping:** The applicant proposes landscaping exceeding the area requirements professionally designed by a landscape architect, incorporating a variety of plant materials, as well as retaining three significant Douglas fir trees demonstrating appropriate attention to landscaping.

## **Objectives and Standards of Site Design Review**

### Proper Functioning of the Site

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

- C2.** The professionally designed site demonstrates significant thought to make the site functional and safe. A one way drive aisle, standard size parking stalls, a complete pathway network, and access meeting City standards are among the site design features contributing to functionality and safety.

### High Quality Visual Environment

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

- C3.** The project includes professionally designed building, landscaping and a professional, site specific, layout supports a quality visual environment. Careful attention has been made to provide distinct pedestrian paths through and around the parking lot that link pedestrians to all main entrances of the building and the adjacent sidewalks at the perimeter of the site. Landscaping is thoughtfully planted throughout the site in abundance providing great aesthetic value and enhancing the livability of the site which plantings on all property lines, adjacent to the building and throughout the open space.

### Encourage Originality, Flexibility, and Innovation

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

- C4.** The applicant proposes buildings, landscaping, and other site elements professionally designed specifically for the site. The proposed development offers a mix of uses, including 121 affordable housing units, commercial retail space and a transit welcome center.

Sufficient flexibility exists to fit the planned development within the site. The transit oriented design is the first of its kind within Wilsonville.

#### Discourage Inharmonious Development

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

- C5. As indicated in Findings C1, C3, and C8 the architectural design of the proposed project offers a unique and exciting visual character, which draws inspiration from modern design and the idea of create movement within a static architectural form thus preventing monotonous, drab, unsightly, dreary development. A variety of materials are used throughout the façade.

#### 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 other improvements on and adjacent to the site, existing and planned. The development seamlessly integrates with the existing WES Station and Wilsonville Transit Center, using similar colors and materials. The movement and fluidity of the façade is reflective of the energy generated by the nearby transit hub.

#### Regard to Natural Aesthetics

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

- C7. Three Douglas fir trees were identified as a council priority to retain with the development of this site. The applicant has designed the development around the three Douglas fir trees both integrating them into the site without impacting the trees extensively. A children's play area has been designed to make use of the natural area at the base of the trees, to further integrate these valued trees into the design and everyday functioning of the project. A deck is proposed to be built adjacent to the trees. The architect has designed the deck to be elevated in order to protect the roots of the trees while further immersing visitors and residents in the natural features. Much of the site has been designed as new planted areas, to further ground the architecture in the natural environment.

#### Attention to Exterior Appearances

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

- C8. The applicant used appropriate professional services to design the exterior of the building. The majority of the façade is a deep blue comprised of both glazed bricks and metal paneling. The blue façade is broken up with contrasting materials including composite wood plank in light natural wood coloring, as well as black and grey segments of brick veneer, metal paneling and stamped concrete. Use of long lasting materials as well as landscaping will make the site more harmonious with adjacent and nearby development.



VIEW FROM SOUTHEAST CORNER



VIEW FROM NORTHEAST



VIEW FROM NORTHWEST

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

- C9.** The proposed development includes a Café/taproom, which provides a great amenity to draw people in and make this a new destination hub within the City, which did not exist before. The developments convenient access to public transit will further the ability of this

project to act as a destination, thereby promoting future investment and occupancy in business, commercial and industrial purposes.

#### Stabilize Property Values/Prevent Blight

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

**C10.** The high-quality architectural design and materials, as well as the additional commercial functions of the Café/Taproom, Community Food Bank and Transit Welcome Center will improve property values and, thus, increase tax revenues while promoting future development and preventing blight.

#### Adequate Public Facilities

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

**C11.** As found in the Stage 2 Final Plan review, see Request B, adequate public facilities serve the site or will with conditions of approval.

#### Pleasing Environments and Behavior

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

**C12.** The proposed development, with the addition of 121 new dwelling units and commercial space, will provide significant surveillance opportunities to prevent crime. The open spaces throughout the site remain visually open and sight-obscuring fences and the creation of hidden spaces not easily surveilled has been avoided on this project. The exterior resident amenity and children’s play area features a fence that separates this area from the rest of the site and allows only residents entry. The fence will have visibility through it, and will help promote safety and security for residents and their children.

#### Civic Pride and Community Spirit

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

**C13.** As the first transit oriented development in Wilsonville the development creates a unique living opportunity for current and future residents of the City to live within a small community without needing a car. Additionally, the proposed project will offer affordable housing and social services to the City of Wilsonville, while featuring high-quality architectural and landscape design. By providing future residents new affordable housing opportunities, this will promote their sense of place and community and will help foster civic pride and community spirit.

#### Favorable Environment for Residents

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

**C14.** The proposed development will serve both future residents with housing opportunities as well as recreational and service opportunities with the inclusion of the Café/Taproom, Wilsonville Community Sharing, and Transit Welcome Center. The incorporation of the retained trees and thoughtful design of the open spaces will also be a welcomed addition to the Wilsonville community. The proposed project will offer attractive new affordable

housing opportunities for residents, fulfilling a significant demand during this current housing shortage. The project plays a key part of the City's Equitable Strategic Housing Plan and will offer new housing opportunities to those that have not had access to housing.

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

### **Development Must Follow DRB Approved Plans**

Section 4.420

- C15.** Condition of Approval PDC 1 ensures construction, site development, and landscaping are carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. The City will not issue any building permits for portions of the improvements requiring DRB review prior to DRB approval.

## **Design Standards**

### **Preservation of Landscaping**

Subsection 4.421 (.01) A.

- C16.** The proposed development aims to mitigate its impact on the existing landscaping and grading of the site in a number of ways. The building itself has been designed around the three large Douglas fir trees being maintained, and the building slabs are designed to follow the existing grades around the site as best possible, to reduce the necessary cut and fill. The area around the trees to remain needs to be as un-disturbed as possible, including any changes to grading, as any changes could affect the health of the trees. A raised, permeable deck is proposed around the trees to provide recreational and social opportunities for residents, and that is tied to the existing natural features of the site

### **Harmony of Proposed Buildings to Environment**

Subsection 4.421 (.01) B.

- C17.** The applicant used appropriate professional services to design the exterior of the building to ensure harmony with the environment. The area surrounding the subject property is unique with industrial development to the south, transit services adjacent to the north and east, and preserved natural areas to the west of the site. The applicant has utilized materials that relate to the existing WES Station and SMART Transit buildings adjacent to the site with a modern take. The deep blue color and natural wood incorporated throughout directly relates to the aesthetic of the existing building. A variety of materials creates visual interest. The applicant has utilized materials that are typically employed in industrial development, but has utilized a variety of colors, materials, and textures to add interest and create harmony with the adjacent environment. Condition of approval PDC 7 will ensure that the design of the building is enhanced. Landscaping is included around all structures to either enhance the appearance of or screen industrial uses.

### **Special Attention to Drives, Parking, and Circulation**

Subsection 4.421 (.01)

**C18.** A professional level of attention was paid to drives, parking, and circulation in preparation and review of the proposed design.

#### Special Attention to Surface Water Drainage

Subsection 4.421 (.01) D.

**C19.** All on-site impervious areas have been designed and graded to drain into new flow-through stormwater treatment planters. The five features are located along the south perimeter of the proposed development and will improve water quality throughout the property. The proposed improvements will not adversely affect neighboring properties through the storm drainage system. Condition of Approval PF 3 will ensure all stormwater facilities will be Public Work standards.

#### Indication of Sewage Disposal

Subsection 4.421 (.01) E.

**C20.** All sewage disposal will be via standard sewer connections to City sewer lines found to be adequate to serve the site as part of the Stage 2 Final Plan.

#### Advertising Features Do Not Detract

Subsection 4.421 (.01) F.

**C21.** The proposed Master Sign Plan has been designed so that the signs or advertising features will be in harmony with and not detract from the surrounding area.

#### Screening and Buffering of Special Features

Subsection 4.421 (.01) G.

**C22.** 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)

**C23.** The necessary design standards have been applied to all features of the site, including signs.

#### Conditions of Approval to Ensure Proper and Efficient Function

Subsection 4.421 (.05)

**C24.** 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)

**C25.** The colors and materials proposed by the applicant are appropriate. See finding C8 for more details regarding material and color choice.

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



Multi-Family and Commercial Mixed Solid Waste and Recycling Capacity  
Subsection 4.430 (.01) and Subsection 4.179 (.06)

**C26.** As a mixed-use development with both commercial and multi-family uses the proposed project requires waste storage capacity of 49 sq ft for the commercial spaces and 605 sq ft for the residential portion for a total of 654 sq ft of mixed solid waste and recycling storage capacity. The applicants plans show a 545 sq ft shared trash and recycling room on the ground floor. In addition to the single ground floor storage room 70 sq ft of waste and recycling storage are located on each residential floor. The total waste and recycling storage capacity for the proposed development will be 825 sq ft, exceeding the required 654 sq ft.

Mixed Solid Waste and Recycling Areas Colocation  
Subsection 4.430 (.02) A. and Section 4.179 (.06)

**C27.** The proposal provides an interior storage area for both solid waste and recyclables.

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

**C28.** The applicant proposes a single interior location. Review of the Building Permit will ensure meeting of building and fire code.

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

**C29.** The applicant has included a letter from Republic Services in Exhibit B1 which indicates the location and arrangement is accessible to collection vehicles. Waste bins will be rolled from the waste storage area to the parking area for pick up as is described in the Republic Services service provider letter. 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.

**C30.** Pursuant to a letter from Republic Services in Exhibit B1, the dimensions are adequate to accommodate the planned containers.

### **Site Design Review Submission Requirements**

Submission Requirements  
Section 4.440

**C31.** 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

C32. The Applicant plans to develop the proposed project within two years and understands that the approval will expire after two years unless the City grants an extension.

### **Installation of Landscaping**

#### Landscape Installation or Bonding

Subsection 4.450 (.01)

C33. Condition of Approval PDC 2 will assure installation or appropriate security.

#### Approved Landscape Plan Binding

Subsection 4.450 (.02)

C34. Condition of Approval PDC 3 provides ongoing assurance approved landscaping is installed and maintained.

#### Landscape Maintenance and Watering

Subsection 4.450 (.03)

C35. Condition of Approval PDC 4 will ensure continual maintenance of landscaping in a substantially similar manner as originally approved by the Board.

#### Limitation to Modifications of Landscaping

Subsection 4.450 (.04)

C36. Condition of Approval PDC 4 provides ongoing assurance of conformance with this criterion by preventing modification or removal without the appropriate City review.

### **Landscaping Standards**

#### Shrubs and Groundcover Materials Requirements

Subsection 4.176 (.06) A.

C37. Condition of Approval PDC 5 requires meeting the detailed requirements of this subsection. Of particular note, the applicant's landscape plan, shows at least 2-gallon containers for shrubs and 1-gallon containers for groundcover. A diverse variety of shrubs species were selected for planting including Aztec pearl Mexican orange, Green spire Japanese euonymus, invincibelle wee white hydrangea, seaside serenade Martha's Vineyard hydrangea, Leafscape little flames leucothoe, cerise charm fringe flower, Suzanne fringe flower, Oregon grape, spft cares mahonia, ginger wine ninebark, otto luyken English laurel, snowball azalea, and double play big bang spirea. Ground cover plantings will include kinninnick, Japanese sedge varieties, fountain grass varieties, purple explosion lilyturf, northern lights tufted hair grass, creeping Oregon grape, breeze mat rush and Taiwan mondo grass.

#### Plant Materials Requirements-Trees

Subsection 4.176 (.06) B.

**C38.** As stated on the applicant's landscape plans, the plant material requirements for trees will be met as follows:

- Trees are B&B (Balled and Burlapped)
- Tree are 1.75-2" caliper.

A mix of nine different species of trees has been selected to be planted throughout the site in appropriate locations including Greencolumn black maple, spring flurry allegheny service berry, Tiny tower Italian cypress, Oregon ash, Moonglow sweetbay magnolia, Persian spire parrotia, douglas fir, streetspire oak and vine maples.

### Plant Species Requirements

Subsection 4.176 (.06) E.

**C39.** The applicant's landscape plan provides sufficient information showing the proposed landscape design meets the standards of this subsection related to use of native vegetation and prohibited plant materials.

### Landscape Installation and Maintenance Standards

Subsection 4.176 (.07)

**C40.** The installation and maintenance standards are met or will be met by Condition of Approval PDC 6 as follows:

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

### Landscape Plan Requirements

Subsection 4.176 (.09)

**C41.** The applicant's landscape plan shows all proposed landscape areas. The to-scale plans show the type, installation size, number and placement of materials. Plans include a plant material list. Plants identification is by both their scientific and common names.

### Completion of Landscaping

Subsection 4.176 (.10)

**C42.** 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

**C43.** The proposed development will install new lighting throughout the parking area and site for safety and function thus the outdoor lighting standards apply.

Outdoor Lighting Zones  
Section 4.199.30

**C44.** The subject property is within LZ2.

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

**C45.** The applicant has the option of the performance or prescriptive method. The applicant has selected to comply with the prescriptive method.

Maximum Lamp Wattage and Shielding  
Subsection 4.199.40 (.01) B. and Tables 7 and 8.

**C46.** The applicant has selected the prescriptive option for the project's outdoor lighting design. The applicant's narrative states that the proposed luminaires comply with the maximum wattage, shielding and mounting height requirements within Table 7 and 8. The proposed lights will meet the required setback standard of three times the mounting height of the light fixture or will meet expectation 3 or 4 for the prescriptive method through shielding.

Maximum Mounting Height Exceptions  
Subsection 4.199.40 (.01) B. 4.c.

**C47.** Nothing in the applicant's materials indicates the maximum mounting height will be surpassed.

Lighting Curfew  
Subsection 4.199.40 (.01) D.

**C48.** The applicant proposes the standard LZ 2 curfew of 10 PM.

**Request D: Type C Tree Removal Plan (TPLN23-0003)**

**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 plan review by the Development Review Board for new development. The tree removal is thus being reviewed by the Development Review Board.

Conditions of Approval  
Subsection 4.610.00 (.06) A.

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: No trees proposed for removal are located in the SROZ.
- Preservation and Conservation. The arborist report inventoried twenty-seven (27) trees located on the subject property. The tree species on site are a mix of native and non-native trees including Douglas fir, red pine, zelkova, Norway maple, sweet cherry, and English Hawthorn. The applicant proposes to preserve three (3) of the existing mature Douglas fir tree, which has been thoughtfully incorporated within the active open space area. Twenty-four (24) trees onsite are proposed for removal. The applicant proposes to plant thirty-six (36) new trees to mitigate for the twenty-four (24) trees proposed for removal, which exceeds the 1:1 mitigation requirement. Condition of approval PDD 4 will ensure that protective fencing is placed around the drip line of preserved trees prior to site grading or other site work that could damage the trees.
- Development Alternatives: The proposed tree removal has been minimized to the extent possible in order to redevelop the subject property. Three mature Douglas trees are proposed for retention. The site design was thoughtfully planned to avoid damaging the roots of the trees and allow them space to grow. An elevated deck will allow residents to use the open space adjacent to the trees while avoiding significant impacts during development.
- Land Clearing: Land clearing and grading is proposed and will be limited to areas necessary for construction of the proposed building, structures, and other site improvements.
- Compliance with Statutes and Ordinances: The necessary tree replacement and protection is planned according to the requirements of the tree preservation and protection ordinance.
- Limitation: Tree removal is limited to where it is necessary for construction (as discussed in Development Alternatives above) or to address nuisances or where the health of the trees warrants removal.

- Additional Standards: A tree survey has been provided, and no utilities are proposed to be located where they would cause adverse environmental consequences.

#### Review Process

Subsection 4.610.40 (.01)

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

#### Tree Maintenance and Protection Plan

Section 4.610.40 (.02)

**D8.** The applicant has provided information on tree maintenance and protection in Exhibit B1 sheet C2.11. The tree protection fencing shown indicates fencing around the three Douglas fir trees to be retained on site. The arborist report includes specific instructions and recommendations regarding how to safely move forward with construction while protecting the health of the trees proposed for retention.

### **Replacement and Mitigation**

#### Tree Replacement Requirement

Subsection 4.620.00 (.01)

**D9.** The applicant proposes removing twenty-four (24) trees and replanting thirty-six (36) trees as mitigation on the project site, exceeding a one-to-one ratio and the requirements of this subsection.

#### Basis for Determining Replacement and Replacement

Subsection 4.620.00 (.02) and (.03)

**D10.** Replacement trees will meet the minimum caliper and other replacement requirements. Tree species selected for replacement include including Greencolumn black maple, spring flurry allegheny service berry, tiny tower Italian cypress, Oregon ash, Moonglow sweetbay magnolia, Persian spire parrotia, Douglas fir, streetspire oak and vine maples. This mix of evergreen and deciduous trees are compatible for the function of the site while maintaining a diversity of species.

#### Replacement Tree Stock Requirements

Subsection 4.620.00 (.04)

**D11.** The planting notes on the applicant's Sheet L4 in 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. The removal of six native trees will be mitigated with six native trees on the northeast perimeter of the site.

### **Protection of Preserved Trees**

Tree Protection During Construction  
Section 4.620.10

**D13.** Condition of Approval PDD 4 ensures the applicable requirements of this section will be met.

**Request E: Tentative Partition Plat (PART23-0002)**

**Land Division Authorization**

Plat Review Authority  
Subsection 4.202 (.01) through (.03)

**E1.** The tentative partition plat is being reviewed by the Development Review board as is it is associated with a development proposal. The final plat will be reviewed by the Planning Division under the authority of the Planning Director to ensure compliance with the tentative partition plat.

Legally Lot Requirement  
Subsection 4.202 (.04) A.

**E2.** It is understood that no parcels will be sold or transferred until the final plat has been approved by the Planning Director and recorded.

Undersized Lots Prohibited  
Subsection 4.202 (.04) B.

**E3.** No parcels will be divided into a size smaller than allowed by the Planned Development Industrial Zone designation as there is no minimum lot size in the PDI zone. The resulting two parcels 1.39 acres (Parcel 1) and 1.97 acres (Parcel 2).

**Plat Application Procedure**

Pre-Application Conference  
Subsection 4.210 (.01)

**E4.** A pre-application conference (PRE23-0006) was held on April 27, 2023 in accordance with this subsection.

Tentative Plat Preparation  
Subsection 4.210 (.01) A.

**E5.** The applicant's Exhibit B2 includes a preliminary partition plat prepared in accordance with this subsection.

Tentative Plat Submission  
Subsection 4.210 (.01) B.

**E6.** The tentative partition plat has been submitted with the required information.

Phases to Be Shown  
Subsection 4.210 (.01) D.

E7. No phasing for development or improvements to the subject property has been submitted.

Remainder Tracts  
Subsection 4.210 (.01) E.

E8. All affected property has been incorporated into the tentative partition plat.

**Street Requirements for Land Divisions**

Adjoining Streets Relationship  
Subsection 4.236 (.02)

E9. No new streets are required or proposed related to the subject partition. However, improvements to Barber Street will be necessary due to construction. The existing sidewalk, storm water facility, curb and gutters, and planter strips will be removed to accommodate the new development. The applicant will restore the sidewalk, stormwater facilities, curb and gutters and planter strips to meet Public Works Standards as is required in Condition of Approval PF2.

**General Land Division Requirements- Easements**

Utility Line Easements  
Subsection 4.237 (.02) A.

E10. New utility line easements will be required for public water lines, sewer, stormwater and all private utilities. See Condition of Approval PF 6.

**General Land Division Requirements- Lot Size and Shape**

Lot Size and Shape Meet Zoning Requirements  
Subsection 4.237 (.05)

E11. The proposed parcels meet the requirements of the PDI zone, where there is no minimum lot size and shape requirements. See Finding E3. The proposed lot shapes are unique as the purpose of the partition is to separate the SMART Bus Turnaround from the proposed development.

On-Site Sewage Disposal  
Subsection 4.237 (.05) A.

E12. The property is will be served by public sewer; therefore an on-site sewage disposal permit is not required from the City. Sanitary sewer laterals are included on the utility plan showing how the development will be served by the public sewer.



Appropriate Commercial and Industrial Lots  
Subsection 4.237 (.05) B.

E13. As found in Request B above, the proposed parcels are sufficient size for applicable functional standards to be met including off-street service and parking.

Lot Size and Width for Planned Developments  
Subsection 4.237 (.05) C.

E14. The proposed partition will result in two (2) lots ranging in size from 1.39 acres to 1.97 acres. There is no minimum lot size in the PDI zone.

**General Land Division Requirements- Access**

Minimum Street Frontage  
Subsection 4.237 (.06)

E15. There is no minimum street frontage requirement in the PDI zone.

**Standards Applying to Planned Development Industrial Development**

Minimum Setbacks  
Subsection 4.135 (.06) C. and D.

E16. The minimum front, side, and rear setbacks are 30 feet. The applicant requests a waiver to all setbacks. The setback waiver will allow for the small 1.39 acre property to be developed as a 121-unit mixed use residential building. See request G for details regarding the waiver.

**General Land Division Requirements- Other**

Through Lots  
Subsection 4.237 (.07)

E17. No through lots are proposed with his partition.

Lot Side Lines  
Subsection 4.237 (.08)

E18. The objective of the partition is to separate the proposed development from the existing SMART bus turnaround, thus the resulting lots are irregularly shaped and achieving right angles is challenging for Parcel 1. The side lot lines of Parcel 1 are as perpendicular with the access roads to the east and west as possible with the existing site constraints. The side lot lines of Parcel 2 are perpendicular to the Railroad Right-of-Way.

Large Lot Divisions  
Subsection 4.237 (.09)

E19. There is no indication that the parcels created from this partition will be divided further.

Land for Public Purposes  
Subsection 4.237 (.12)

**E20.** No property reservation is recommended as described in this subsection.

Corner Lots  
Subsection 4.237 (.13)

**E21.** The resulting parcels will not be corner lots.

**Lots of Record**

Defining Lots of Record  
Section 4.250

**E22.** The existing parcel is a lot of record, and the resulting parcels will be of record.

**Request F: Master Sign Permit (MSP23-0001)**

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

**Sign Review and Submission**

Master Sign Plan DRB Review  
Subsection 4.031 (.01) M. and Subsection 4.156.02 (.03)

**F1.** The proposed development will include three commercial tenant spaces requiring a Master Sign Plan application subject to Development Review Board review.

Master Sign Plan Required  
Subsection 4.156.02 (.07)

**F2.** Master Sign Plans are required for new developments with three or more commercial tenants. The proposed development will include three ground floor commercial tenant spaces thus requiring a Master Sign Plan for the development.

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

**F3.** As indicated in the table below the applicant has satisfied the submission for Master Sign Plan, which includes the submission requirements for Class 2 sign and Class 3 sign permits:

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

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

### Master Sign Plan Review Criteria

Class 2 Sign Permit Review Criteria: Generally and Site Design Review  
 Subsection 4.156.02 (.05) F.

**F4.** As indicated in Findings below, the proposed signs will satisfy the sign regulations for the applicable zoning district and the relevant Site Design Review criteria.

Class 2 Sign Permit Review Criteria: Compatibility with Zone  
 Subsection 4.156.02 (.05) F. 1.

**F5.** The applicant is proposing a master sign plan for the three commercial tenant spaces. The master sign plan requires the signs are constructed of materials that are compatible with the buildings architectural character and materials. Selected colors shall also be representative of the Tenant logo while relating to the architecture and design of the building. The proposed Master Sign Plan standards are generally typical of, proportional to, and compatible with commercial development in mixed-use buildings. No evidence has been presented nor testimony received demonstrating the subject signs would detract from the visual appearance of the surrounding area.

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

**F6.** There is no evidence, and no testimony has been received, suggesting the proposed sign plan would create a nuisance or negatively impact the value of surrounding properties.

Class 2 Sign Permit Review Criteria: Items for Special Attention  
 Subsection 4.156.02 (.05) F. 3.

F7. The sign plan allows wall signage in appropriate locations in relation to existing architectural elements of the building.

#### Master Sign Plan Review Criteria: Consistent and Compatible Design

Subsection 4.156.02 (.07) B. 1.

F8. The applicant has designed a master sign plan that provides for consistent and compatible design of signs throughout the development. The master sign plan criteria intends to express a refined urban sophistication through the use of clean and cotemporary shapes and forms. The master sign plan outlines a range of acceptable locations, colors, materials, finishes and lighting as well as unacceptable locations colors, materials, fishes, and lighting for the tenant wall signs. The plan calls for all signs to relate to the architectural character and materials of the building. It is recommended that signs are constructed with the same materials utilized in the construction of the building for seamless integration. The guidelines provide numerous examples of 'clean and contemporary' signage, graphics, materials, and formats to meet a variety of commercial tenant and business needs and changes over time that remain consistent with the overall building character. The Master Sign Plan on Sheet A002 (Exhibit B2) shows all necessary information regarding the proposed signage.

#### Master Sign Plan Review Criteria: Consider Future Needs

Subsection 4.156.02 (.07) B. 2.

F9. The applicant proposes each tenant install signs in the same general location on the façade for each tenant space with the option for overhanging blade signs and wall mounted blade signs. The signs shall be installed in harmony with the buildings architecture. Additionally, guidance is provided regarding color, material, finishes, and lighting. By keeping consistent locations for each tenant space and providing guidelines for the design of the signs the applicant has proposed a Master Sign Plan that will provide a consistent look in the future should tenant spaces change over time.

### **Sign Measurement**

#### Measurement of Cabinet Signs

Subsection 4.156.03 (.01) A.

F10. The sign measurements use single rectangles, as allowed.

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

#### General Allowance

Subsection 4.156.08 (.01) A.

F11. No ground mounted or freestanding signs are proposed.

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

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

**F12.** All facades of the proposed building are sign eligible as follows:

Façade	Sign Eligible	Criteria making sign eligible
North	Yes	Public entrance
East	Yes	Public entrance
South	Yes	Frontage on a street, primary parking area, public entrance
West	Yes	Public entrance

Building Sign Area Allowed  
 Subsection 4.156.08 (.02) B.1

**F13.** The proposed building is anticipated to have up to three tenants and has three storefront entrances facing north, east, and south. The north façade of the building is 220' allowing for 108 sq ft of sign area. The east façade of the building is 130' allowing for 60 sq ft of sign area. The west façade of the building is 50' allowing for 36 sq ft of sign area. The south façade of the building is 175' allowing for 84 sq ft of sign area. The Master Sign Plan requires the standards of this subsection are met and therefore the total square footage of all tenant signs will not exceed 60 sq ft. No information was provided regarding the residential entrance signage. Prior to installation, a Class 1 Sign Permit must be submitted for approval. The general location of blade signs are addressed in the Master Sign Plan, limited to 6 sq ft as specified in this subsection.

Building Sign Length Not to Exceed 75 Percent of Façade Length  
 Subsection 4.156.08 (.02) C.

**F14.** The proposed building signs do not exceed 75% of the length of the façade.

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

**F15.** The proposed building signs are within a definable architectural feature and have a definable space between the sign and the top and bottom of the architectural feature.

Building Sign Types Allowed  
 Subsection 4.156.08 (.02) E.

**F16.** The proposed master sign plan allows blade signs and hanging signs, and prohibits signs that do not meet this standard.

**Site Design Review**

Excessive Uniformity, Inappropriate Design  
 Subsection 4.400 (.01)

**F17.** With quality materials and design, the master sign plan standards will not result in excessive uniformity, inappropriateness or poor design, and the proper attention has been paid to site development.

#### Purpose and Objectives

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

**F18.** The sign allowances are scaled and designed appropriately related to the subject site and the appropriate amount of attention has been given to visual appearance. The signs will provide local emergency responders and other individual's reference for the location of this development.

#### Design Standards

Subsection 4.421 (.01)

**F19.** The proposed location and approximate size of future signs are provided in the applicant's materials. Detail about design, color, texture, lighting, or materials are included in the master sign plan ensuring that the proposed signs would detract from the design of the surrounding properties.

#### Design Standards and Signs

Subsection 4.421 (.02)

**F20.** Design standards have been applied to the proposed signs, as applicable, see Findings F17-F19 above.

#### Color or Materials Requirements

Subsection 4.421 (.06)

**F21.** The master sign plan outlines a range of acceptable locations, colors, materials, finishes and lighting as well as unacceptable locations colors, materials, finishes, and lighting for the tenant wall signs. The plan calls for all signs to relate to the architectural character and materials of the building. The guidelines provide numerous examples of 'clean and contemporary' signage, graphics, materials, and formats to meet a variety of commercial tenant and business needs and changes over time that remain consistent with the overall building character.

#### Site Design Review-Procedures and Submittal Requirements

Section 4.440

**F22.** The applicant has submitted a sign plan as required by this section.

## Request G: Waivers (WAIV23-0001)

### Waiver to Setback Standards

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

**G1.** Pursuant to this subsection, the DRB may waive typical development standards in order to implement the purposes and objectives of Section 4.140, Planned Development Regulations. The applicant proposes a waiver to the required building setbacks in the Planned Development Industrial Zone for all setbacks, front, rear and sides. The applicant's materials demonstrate how waiving the 30' setbacks will allow the implementation of Planned Development Regulations.

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

**G2.** Pursuant to Subsection 4.118 (.03) A., waivers must implement or better implement the purpose and objectives listed in this subsection. The project is unique in that it is a mixed-use affordable housing development located in the Planned Development Industrial zone. The proposed project is possible due to the fact the project site is City owned as ORS 197.308 allows industrial land, publically, to be used for residential development as long as the resulting units are affordable housing units. The City of Wilsonville is utilizing this allowance to encourage housing production within the City consistent with Equitable Housing Strategic Plan. The undeveloped land to the south of the Wilsonville Transit Center and turnaround, owned by the City, offers a unique opportunity to build a compact residential building adjacent to a local and regional transit hub. The 1.39 acres available for development would be severely limited by the required 30' setbacks in the industrial zone.

Waiving the setbacks allows for the intent of the Planned Development Regulations to be met specifically in regards to flexibility. The proposed setbacks of 9' from the north property line, 5' from the west property line, 13.5' from the south property line and 5.5' from the eastern property line, allows for the proposed structure to be located on the northeast portion of the site, preserving the three Douglas fir trees, and allowing a small parking area and access for patrons of the commercial spaces.

The west, north and eastern frontages of the building sit within the required 30 foot rear and side yard setback. The western frontage consists of commercial space, while the northern frontage is primarily ground floor residential units, with a commercial space at the eastern edge. The eastern frontage consists of commercial spaces at each end of the building and active resident amenity spaces including a bike parking room and fitness room.

By design, the commercial spaces are located at key corners of the building, to provide visual emphasis and a slightly more urban character, as these are located along the bus

depot and turnaround. The architectural treatment at these areas features higher levels of glazing, promoting good visibility into and out of the tenant spaces. Locating these spaces closer to the property line is better from a retail perspective, as it assists with visibility and awareness, and promotes the long-term viability of these spaces from a tenant perspective. It also helps to make these areas appear more active and promote surveillance.

At the ground floor residential units along the north façade, careful attention has been given to properly screen these units from the sidewalk, via several layers of landscaping and a short 18" tall concrete wall in front of each unit. The windows are also recessed from the main façade to further provide a defensible space for residents.

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



Exhibit C1  
Public Works Plan Submittal Requirements  
and Other Engineering Requirements

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1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards - 2017.
2. Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:

<b>Coverage</b> ( <i>Aggregate, accept where noted</i> )	<b>Limit</b>
<b><u>Commercial General Liability:</u></b>	
▪ General Aggregate (per project)	\$3,000,000
▪ General Aggregate (per occurrence)	\$2,000,000
▪ Fire Damage (any one fire)	\$50,000
▪ Medical Expense (any one person)	\$10,000
<b><u>Business Automobile Liability Insurance:</u></b>	
▪ Each Occurrence	\$1,000,000
▪ Aggregate	\$2,000,000
<b><u>Workers Compensation Insurance</u></b>	\$500,000

3. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.
4. All public utility/improvement plans submitted for review shall be based upon a 22" x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.
5. Plans submitted for review shall meet the following general criteria:
  - a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms.
  - b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to review and approval by the City Building Department.
  - c. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print.



- d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
  - e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.
  - f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
  - g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible.
  - h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.
  - i. Erosion Control Plan that conforms to City of Wilsonville City Code Section 8.317.
  - j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
  - k. All engineering plans shall be printed to PDF, combined to a single file, stamped and digitally signed by a Professional Engineer registered in the State of Oregon.
  - l. All plans submitted for review shall be in sets of a digitally signed PDF and three printed sets.
6. Submit plans in the following general format and order for all public works construction to be maintained by the City:
- a. Cover sheet
  - b. City of Wilsonville construction note sheet
  - c. Land Use Conditions of Approval sheet
  - d. General construction note sheet
  - e. Existing conditions plan.
  - f. Erosion control and tree protection plan.
  - g. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
  - h. Grading plan, with 1-foot contours.
  - i. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
  - j. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
  - k. Street plans.
  - l. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference.
  - m. Stormwater LID facilities (Low Impact Development): provide plan and profile views of all LID facilities.
  - n. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.

- o. Where depth of water mains are designed deeper than the 3-foot minimum (to clear other pipe lines or obstructions), the design engineer shall add the required depth information to the plan sheets.
  - p. Detailed plan for water quality facility (both plan and profile views), including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.
  - q. Composite franchise utility plan.
  - r. City of Wilsonville detail drawings.
  - s. Illumination plan.
  - t. Striping and signage plan.
  - u. Landscape plan.
7. Design engineer shall coordinate with the City in numbering the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to City's numbering system.
  8. The applicant shall install, operate and maintain adequate erosion control measures in conformance with City Code Section 8.317 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.
  9. Applicant shall work with City Engineering before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.
  10. The applicant shall be in conformance with all stormwater and flow control requirements for the proposed development per the Public Works Standards.
  11. The applicant shall be in conformance with all source control requirements for the proposed development per the Public Works Standards and Wilsonville City Code.
  12. A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City.
  13. The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as designed.

14. Storm water quality facilities shall have approved landscape planted and approved by the City of Wilsonville prior to paving.
15. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
16. All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
17. Streetlights shall be in compliance with City dark sky, LED, and PGE Option B requirements.
18. Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.
19. No surcharging of sanitary or storm water manholes is allowed.
20. The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
21. A City approved energy dissipation device shall be installed at all proposed storm system outfalls. Storm outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
22. The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.
23. All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
24. Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.

25. The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
26. The applicant shall provide adequate sight distance at all project street intersections, alley intersections and commercial driveways by properly designing intersection alignments, establishing set-backs, driveway placement and/or vegetation control. Coordinate and align proposed streets, alleys and commercial driveways with existing streets, alleys and commercial driveways located on the opposite side of the proposed project site existing roadways. Specific designs shall be approved by a Professional Engineer registered in the State of Oregon. As part of project acceptance by the City the Applicant shall have the sight distance at all project intersections, alley intersections and commercial driveways verified and approved by a Professional Engineer registered in the State of Oregon, with the approval(s) submitted to the City (on City approved forms).
27. Access requirements, including sight distance, shall conform to the City's Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
28. Applicant shall design interior streets and alleys to meet specifications of Tualatin Valley Fire & Rescue and Republic Services for access and use of their vehicles.
29. The applicant shall provide the City with a Stormwater Maintenance and Access Easement Agreement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Applicant shall provide City with a map exhibit showing the location of all stormwater facilities which will be maintained by the Applicant or designee. Stormwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.
30. The applicant shall "loop" proposed waterlines by connecting to the existing City waterlines where applicable.
31. Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
32. For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).

### 33. Record Drawings:

At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings in electronic formats: AutoCAD, current version, and a digitally signed PDF.