



**Development Review Board
Panel B Meeting
November 22, 2021
6:30 pm**

This meeting is taking place with social distancing precautions in place:

- Board members are participating virtually, via Zoom videoconferencing
- Anyone experiencing fever or flu-like symptoms should not attend
- Council Chambers capacity is limited to 25 people and social distancing guidelines will be enforced

To Provide Public Comment

- 1) E-mail Shelley White at swhite@ci.wilsonville.or.us for Zoom login information
- 2) E-mail testimony regarding Resolution No. 397 (Clermont Temporary Use Permit) to Georgia McAlister, Assistant Planner at gmcaster@ci.wilsonville.or.us by 2 pm on November 22, 2021.
- 3) In-person testimony is discouraged, but can be accommodated. Please contact Daniel Pauly at pauly@ci.wilsonville.or.us by phone at 503-682-4960 for information on current safety protocols.



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

Monday, November 22, 2021 - 6:30 P.M.

- I. Call to order:
- II. Chairman's Remarks:
- III. Roll Call:

Samy Nada	Nicole Hendrix
Michael Horn	Jason Abernathy
Katie Dunwell	
- IV. Citizens' Input:
- V. Consent Agenda:
 - A. Approval of minutes of the October 25, 2021 DRB Panel B meeting
- VI. Public Hearings:
 - A. **Resolution No. 397. Clermont Five (5) Year Temporary Use Permit: Pacific Community Design – Representative for Taylor Morrison Northwest LLC – Owner and Polygon WLH, LLC – Applicant.** . The applicant is requesting approval of a Five-Year Temporary Use Permit for a sales office and model homes in the Clermont Subdivision, along with associated parking, landscaping and other improvements. The properties are located at 11490 SW Tooze Road on Tax Lots 7200, 7290, 7300, 7400, 7500 and 7600, Section 15AB, T3S-R1W, Clackamas County, Oregon. Staff: Georgia McAlister

Case File: DB21-0055 Five (5) Year Temporary Use Permit
- VII. Board Member Communications:
 - A. Results of the November 8, 2021 DRB Panel A meeting
 - B. Recent City Council Action Minutes
- VIII. Staff Communications:
- IX. Adjournment

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting. The City will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting.

- Qualified sign language interpreters for persons with speech or hearing impairments.
- Qualified bilingual interpreters.
- To obtain such services, please call the Planning Assistant at 503 682-4960

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, NOVEMBER 22, 2021

6:30 PM

V. Consent Agenda:

- A. Approval of minutes from the October 25, 2021
DRB Panel B meeting

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

**Development Review Board – Panel B
Minutes– October 25, 2021 6:30 PM**

I. Call to Order

Chair **Samy Nada** called the meeting to order at 6:30 p.m.

II. Chair’s Remarks

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

III. Roll Call

Present for roll call were: **Samy Nada, Nicole Hendrix, Jason Abernathy, Katie Dunwell, and Michael Horn**

Staff present: **Daniel Pauly, Barbara Jacobson, Miranda Bateschell, Kimberly Rybold, Cindy Luxhoj, and Shelley White**

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

V. Consent Agenda:

A. Approval of minutes of September 27, 2021 DRB Panel B meeting

Nicole Hendrix moved to approve the September 27, 2021 DRB Panel B meeting minutes as presented. Jason Abernathy seconded the motion, which passed unanimously.

VI. Public Hearings:

A. Resolution No. 393-B. Villebois Village Center Mixed Use Development: Pacific Community Design – Representative for Costa Pacific Communities – Applicant and RCS Villebois Development LLC – Owner. The applicant is requesting approval of a SAP Central Amendment, Preliminary Development Plan (1) and Plan Modifications (2), Final Development Plans (3), and Type C Tree Plans (3) for a mixed-use development located in the Villebois Village Center. The subject sites are located on Tax Lots 2100 and 2800 of Section 15AC and Tax Lot 8600 of Section 15DB, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. Staff: **Cindy Luxhoj**

Case Files:

DB21-0010	SAP Central Amendment (PDP 12 C Lot 76, Bldgs A, B)
DB21-0011	Preliminary Development Plan (PDP 12 C Lot 76, Bldg A, B)
DB21-0012	Final Development Plan (PDP 12 C Lot 76, Bldgs A, B)
DB21-0013	Type C Tree Removal Plan (PDP 12 C Lot 76, Bldgs A, B)

DB21-0014	Preliminary Development Plan (PDP 2 C Lot 73, Bldg C)
DB21-0015	Final Development Plan (PDP 2 C Lot 73, Bldg C)
DB21-0016	Type C Tree Removal Plan (PDP 2 C Lot 73, Bldg C)
DB21-0022	Preliminary Development Plan (PDP 1 C Lot 12, Parking)
DB21-0023	Final Development Plan (PDP 1 C Lot 12, Parking)
DB21-0024	Type C Tree Removal Plan (PDP 1 C Lot 12, Parking)

This item was continued to this date and time certain at the September 27, 2021 DRB Panel B meeting.

Chair Nada called the public hearing to order at 6:37 p.m. and read the conduct of hearing format into the record. All Board members declared for the record that they had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Chair Nada announced that public testimony would be limited to two minutes per person.

Barbara Jacobson, City Attorney, noted that unless there was different testimony, those who testified on this item at last month's hearing did not need to testify again tonight because that testimony was already in the record.

Cindy Luxhoj, Associate Planner, presented the Staff report by summarizing the updates to the project as outlined in the two-page Staff memo dated October 18, 2021, which was sent to the Board and included as Pages 111 & 112 in the meeting packet. In the memo, Staff proposed adding Condition of Approval DRB 1, requiring that the alley width match the rest of the alley and Condition DRB 2, requiring that all parking spaces on Lot 12 be reserved for residents and/or employees. She noted the additional materials attached to the memo included two public comments, Exhibits D26 and D27, received after the September 27th hearing. She entered the following additional materials received into the record:

- Exhibit A4: Staff memo dated October 18, 2021
- Exhibit B6: Applicant's Waiver of the 120-day rule
- Exhibit B7: Applicant's response to updated conditions of approval and Michelle Sandlin's comment letter dated October 15, 2021.
- Exhibit D28: J. Fogerty comment dated October 20, 2021
- Exhibit D29: Michelle Sandlin et al comment dated October 25, 2021

Jason Abernathy asked if the widening of the street would be accomplished via easement, right-of-way, or the purchase of additional property by the owner, as there was a landscaping area with curb that would have to be widened.

Dan Pauly, Planning Manager replied that the property in question, the undeveloped section that contained the temporary curb, was already owned by the Applicant as a part of Lot 12. All improvements such as additional parking and the widening of the alley would be done on property they currently owned.

Michael Horn confirmed with Staff that the fence would be lowered from 6 ft to 5 ft.

Cindy Luxhoj added that the Applicant would address that further during their presentation.

Mr. Abernathy stated that SW Palermo St was very narrow as it curved around to intersect at SW Toulouse St. He asked if an exemption was being sought as he saw no way to accommodate widening the street.

Mr. Pauly noted that although Google Maps listed the narrow street as SW Palermo St, it was not a named street. All the homes whose garages fronted that existing private driveway were addressed on Villebois Dr, Barber St, or Toulouse St, nothing in the subject application would trigger any change there. Furthermore, he confirmed the access point to the private driveway where it intersected at Toulouse St would not change. It was a standard alley access.

Mr. Abernathy understood it would not be a throughway for the proposed parking area.

Mr. Pauly stated the property that was proposed as the parking area had legal access through that existing private drive alley since 2007 and that was not changing.

Mr. Abernathy said he understood, but wondered about widening the private alley to support two-way traffic.

Mr. Pauly explained that the landscaped portion north of the third single-family home that backed up to the alley was the only area with a temporary curb that would be widened. The remainder of the private drive alley from Toulouse St to SW Ravenna Loop was built at full build-out. The southeast corner of the curb was the area with the temporary curb that would be widened during the subject project.

Mr. Abernathy asked what would prevent traffic traveling towards Toulouse St.

Mr. Pauly replied that the private drive alley was the standard width that existed throughout the development and could accommodate traffic in both directions. He explained that when the alley was built, alley parking had been proposed but was never built out and that portion was left undeveloped. The remainder of the alley was fully built out, and there was no room for widening. Only the vacant area where the parking was proposed would change. The rest of the alley would not change.

Mr. Abernathy asked if that was the portion that had been proposed to accommodate the four diagonal parking spaces and if those spaces were being eliminated.

Mr. Pauly replied that it had been reduced to two parallel spaces to allow for a wider alley. There would no longer be any diagonal spaces. He believed that would be addressed in the

Applicant's presentation or that it was in the materials submitted by the Applicant earlier in the day.

Chair Nada asked if the proposed parking lot was limited to resident or local employee use only, who would be responsible for enforcing the rules.

Mr. Pauly replied it would be the property owner or the association. Similar to other private lots, a tow truck could be called to remove unauthorized vehicles.

Chair Nada understood that any part of the alley already fully developed had been built to standard. He confirmed that only the undeveloped portion was less than standard, and that would be widened to standard during the proposed development.

Chair Nada called for the Applicant's presentation.

Rudy Kadlub, Villebois Master Developer/Planner, Costa Pacific Communities, 9420 SE Lawnfield Rd, Clackamas, OR stated that their involvement dated back to the beginning of the planning of Villebois in 2001. The initial master planning took over 2.5 years to convert an otherwise blighted state hospital building into Villebois, a nationally award-winning community. During that time, the Applicant had utilized a number of nationally-renowned residential and commercial architects, land planners, and landscape architects to develop a community that had won more awards than any other in the Northwest, including the National Association of Homebuilders Master Planned Community of the Year. Villebois had become a model for many similar new urban communities throughout the metro region. The alley design had become a model for many jurisdictions around the region and was repeated throughout numerous suburban and urban areas. It featured a 20-ft right-of-way and 16-ft of driving surface, which included two 1-ft concrete curb drainage pans on either side that were considered drivable.

- Because he had previously been asked to communicate further with the opponents of the proposed parking lot, he had reached out to the person who had identified himself as the contact person for that group. No new issues were brought up during the discussion he had had with that individual other than their concern for their property values. Nonetheless, the Applicant had addressed some of the concerns to the best of their abilities, and his colleague, Stacey Connery, would review some of those changes and the acceptance of the conditions that Staff had laid out for the Applicant.

Stacey Connery, Pacific Community Design, 12564 SW Main St., Tigard, OR, 97223 stated that since the last hearing, the Applicant had reviewed the public testimony and their plans to see if they could identify some practical ways to respond to the comments they had heard. She presented details about the changes to the proposed project via PowerPoint with these comments:

- She displayed the portion of the alley that was also part of Lot 12 and explained that while there was a public easement across the entirety of the alley, that portion was controlled by the owner/developer of Lot 12. It had been left in a temporary state with a temporary curb

and landscaped berm, awaiting development. That development was the proposal today to develop Lot 12 as an accessory to the mixed-use buildings surrounding the Piazza.

- As had already been part of their plan, the Applicant accepted Staff's recommended conditions to improve the alley to the standard width of a 16-ft travel surface. The Applicant had determined that it would be safer and more functional to convert the four diagonal parking spaces to two parallel spaces. The Applicant agreed with Staff that the parking spaces be limited to residents and employees of the mixed-use buildings. That would alleviate added traffic and limit the use of the parking lot to those with knowledge of the access points.
- She displayed the pavement areas that would be part of the improvements of Lot 12. Pavement would be added to bring the travel surface to a 16-ft width and provide sufficient area for the two parallel spaces. Some area would remain for landscaping to continue to provide a buffer between the parking lot and adjacent residences. After working with Staff, the Applicant determined they could lower the height of the fence from 6-ft to 5-ft, and pull it back from the corner to add back in a small plaza space that could continue to provide the benches that were currently there, as the area had become a usable space for the community and was also a school bus stop. The fence was of a vine type, would not block the view 100% in and out of the parking lot, and would also enhance visibility. There were three pedestrian connections to Villebois Dr proposed that would also provide the points into and out of the parking lot.
- The Applicant believed these changes helped to address some residents' concerns regarding congestion at that corner and visibility around the street frontage. This would be an amenity for the community. The parking lot had been included in the project because it would alleviate some of the existing on-street parking pressures, which were concerns the Applicant had heard over many years of working in Villebois. Everything around the Piazza had been developed before the mixed-use buildings. As a result, everyone had expanded out into spaces there that were not being utilized by the future mixed-use buildings. Once the buildings were developed, they would have the right to utilize their on-street parking along their frontages. The parking lot would help alleviate some of the pressure the on-street parking might experience. Limiting the parking lot to residents and employees of the area would alleviate some of the traffic pressure in the alley. She reminded the DRB that the alley was private, with access via public streets and public street frontage all around the block. That public street frontage was where emergency vehicles would gain access. Private alleys were intended for localized residential use and were deliberately narrow to encourage slower driving. That was a part of their function.

Michael Horn asked if the width of the alleyway was the same in both directions coming into the parking lot. (Slide 2, Sheet 3)

Ms. Connery replied the alley standard was a 16-ft travel width as measured from gutter pan to gutter pan. A portion of the alley was constrained because when it was originally constructed, the franchise utilities located their vaults initially and that encroached into the space, which she believed left a travel width of 15.5 ft. The alley had mountable, drivable curbs, which added to

the drivability of the alley. The portion of alley directions coming into the parking lot was not part of Lot 12 but part of a tract owned by the HOA and not subject to the application.

Mr. Horn stated the memorandum sent this morning advised that a total number of 183 parking spaces would be provided. The mixed-use development was required to provide 149 parking spaces, and he understood the project was designed to provide 138 off-street and 45 on-street spaces for a total of 183.

Ms. Connery confirmed that was correct.

Mr. Horn asked if the parking lot would be overbuilt as it was an attempt to offload some of the on-street parking into the proposed lot.

Ms. Connery replied that that was correct. The parking lot was intended to alleviate some of the on-street parking pressure.

Mr. Horn interjected that the lot itself was not necessary to achieve the required number of parking spaces. He understood the Applicant had stated at the previous meeting that the number of parking spaces provided would be 22% in excess of the requirement.

Ms. Connery confirmed that was correct and noted that the Development Code allowed for reductions in required on-street parking spaces through the provision of additional bicycle and motorcycle parking. The subject project took advantage of both of those options to reduce the required amount of off-street parking.

Mr. Abernathy understood the alley would be improved to 16-ft width and fire trucks were 10-ft in width. He also understood the alley was a private drive; however, fire trucks could be needed in the area and he wondered if it was safe. He asked if TVF&R had looked at the alley to confirm it was accessible. The Villebois petition had posted photos of vehicles driving down these types of alleys and had the same right-of-way concerns were noted. There were trash cans, gutter pans that encroached on driveways, children playing, and air conditioning units that were 4 inches from the gutter pan.

Mr. Pauly stated that per the Master Plan, part of what allowed for alternative street designs and alley access throughout Villebois was outfitting buildings with fire sprinklers. TVF&R was very involved with that process and had approved the designs. He reminded Board members that the alley in question had existed for 15 years, only one portion of it was being widened, and only that portion was within the purview of the DRB this evening, while widening or changing the existing alley on other people's property was not. The alley had legal access. Fire trucks gained access from the front, and the homes that faced the alley were fully sprinkled and had been approved for construction by TVF&R with the limited fire truck access.

Ms. Connery added that TVF&R had been involved in the design of the project since the early stages. They also looked at each development application as part of the review process. The

entirety of Villebois was designed with the concept that fire truck access would occur from public streets. They would not be driving down the private alleys. Part of that agreement required that all structures within the project be fully sprinkled. TVF&R had evaluated those streets and projects to confirm design intent and access was met. She clarified that the gutter pans were not located on any private property. Gutter pans and mountable curbs were part of the alley tract, and the alley tract was 20-ft wide. The standard was a 16-ft travel surface gutter pan to gutter pan with a mountable curb on each side. All of that was within the 20-ft wide tract and not on any private property.

Mr. Abernathy stated that he had lived on an alleyway in Villebois. He confirmed with the Applicant that the HOA was responsible for private road maintenance and asked if that had been approved through the HOA.

Mr. Pauly clarified that the subject access had existed for 15 years. Fire access and approval was not within the purview of the DRB in Wilsonville. TVF&R had a process in which they sent a service provider letter at the beginning to confirm that a development preliminarily met the Fire Code and then reviewed all construction plans to ensure they continued to meet Fire Code. They were an independent agency that reviewed this. Alley access was required to be maintained and there were associations for that maintenance. He advised the Board to move away from the alley discussion as they were legal alleys that had existed for 15 years and that had legal access.

Mr. Abernathy stated he understood, adding the only reason for his comments was a concern for safety. He wanted to ensure that residents and the City were safe and protected. The parking lot would add 24 more cars to daily use. He loved the process of what was being done and that the area was being developed, but he just wanted to ensure the City, the residents, and the builder was safe, adding he was playing devil's advocate for safety's sake.

Mr. Pauly assured Mr. Abernathy that there were many codes, including building and fire codes that were reviewed independently of what the DRB did as well.

Chair Nada asked if the current application as it stood satisfied all safety and fire code requirements.

Mr. Pauly confirmed that the application in its current form conformed to all current City Codes. He reiterated that all relevant agencies would continue to review all applicable codes during construction to ensure safety standards were met.

Chair Nada called for public testimony regarding the application.

Haley Sabatini, Wilsonville, OR, stated she was the owner of the townhouse directly next to the proposed parking lot. It was her first home purchase, a major decision for her, and the safety of the area they were moving to was a major factor to her. The neighborhood was also aesthetically pleasing. She had grown up in Lake Oswego and appreciated and loved the design

that went into Villebois. It had been a beautiful experience so far, but she was concerned about the proposed parking lot being right next to her home. She understood that the alleyway behind her home had been functional for 15 years, but that was 15 years without the proposed parking lot. She believed adding the parking lot would absolutely change the area. Her back bedroom window faced into the alleyway, and when she had been working from home due to COVID, she routinely saw, from her bedroom office, drivers unable to pass each other. From her own garage, which was in the narrow corner area, it was difficult for her to load and unload her vehicle with items due to how the alleyway already was. She had really wanted a pleasant overall experience for her family in the Village Center. She did not believe the parking lot was a community amenity since it would only help a several people who would have assignable parking, and she would be really disappointed if the parking lot went in right next to her home.

Michelle Sandlin, 29008 SW Villebois Dr, Wilsonville, OR stated her front door would face the parking lot within 5 ft. She directed the Board members to the two additional objection letters that were filed with the City on October 15th and October 25th from the now 41 Villebois Village Center residents who strongly opposed any parking lot in Lot 12, even for restricted parking. Those two letters corrected and challenged statements made at the September 27th hearing as documented in the minutes and the Applicant's proposal, and cite potential abuses of the City of Wilsonville Development Code.

- Expanding the alley behind Seville HOA, relocating the entrance closer to Carvalho HOA, implying [55:18] the Toulouse homes would not solve the already potential congestion, safety, and increased gridlock issues that would result from a parking lot. She asked what enforcement would look like now that it was only an in-and-out behind Seville HOA. The alley behind Carvalho HOA could not accommodate two-way traffic, as residents had demonstrated in the multiple photos they had sent with their objection letters, much less a tow truck or fire truck. The two Toulouse homes on the inside of the alley by the curb could only be accessed via the alley by a fire truck as there was no public street access to those homes.
- The main association engaged in oversight put the responsibility back onto the neighbors to monitor the proposed parking lot, and homeowners were being asked to drive onto the curbs, which put additional stress onto their vehicles. She asked Board members if they would feel furious, angry, and deceived if they found out tomorrow morning a parking lot would be built right next to, across the street from, or against the side of their house, or in their driveway access, or 5 ft outside their front door. She asked and begged the DRB to think about that. The parking lot would put a burden on the current Village Center residents.

Duncan T. Sandlin, Wilsonville, OR stated he wanted to amplify the point his mother had made in her objection letter. The letter had several subsections given to them by their attorney. He had measured Toulouse St, which was right behind their house, from blacktop to blacktop at 13-ft, 1-inch versus the stated width 15.5 ft. The wider measurement might be technically correct, but would involve tires scraping up against the curbs. An average car width was 6 1/3 ft with another foot or so with side mirrors. That meant two cars would barely fit, if at all, without

going up onto the curb. That was ridiculous, and the alley would be used as a throughway whether it was designed that way or not. It was just a fact.

- The proposed lot would be a restrictive parking lot, without a gate or key card to access it, and it was farcical to say it would be regulated. That a tow truck would be able to access the parking lot via the alleyway without issue was also a ridiculous claim. As a former police officer who had been at a house fire, the idea that the fire department would only use the main roads to save lives was not practical in any sense. It was an issue that the Applicant had stated at the previous meeting, as was shown in the minutes, that it was 18 ft all the way around through the City's alleyways. The Applicant was now stating it was 16 ft, but that was only if vehicles were driven up onto the curbs and into the gutter pans. As noted in the minutes and by Board Member Horn, the parking lot was not necessary as only 149 parking spaces were needed and 183 were being proposed. It violated a subsection of the Code, and there had been no Traffic Study done on the access, which also did not necessarily comply with the subsection of the Wilsonville Code.

Sheri Walton, Wilsonville, OR stated she lived on Toulouse and her full address was on the record. She agreed with the comments made by Ms. Sabatini, Ms. Sandlin, Mr. Sandlin, and Board Member Abernathy. She was one of the homeowners with the "constraint alleyway" that the Applicant had mentioned, and to drive up onto the curb meant driving up onto her driveway, which was very tiny. The suggestion to do that was not plausible. As a member of the HOA, she did not want to be held responsible for a parking lot. She noted that information regarding increased crime related to cars had been posted on the Wilsonville local government page and she did not want that brought into her neighborhood. She asked if permits would be issued for the parking lot to ensure that only residents and employees used the lot, and if there would be a fee associated with any possible permits.

- She noted that the Applicant had mentioned that she felt the lot would help with parking in the area, but it was not about how the Applicant felt. It was how the residents of the Village Center felt, including the 41 people who were against it. They did not want this parking lot. They did not want the safety concerns. Having been in the neighborhood during the fires, she worried about the constraint of cars going in and out of the alleyway and believed it was a huge safety concern. Numerous times she has had to back up when attempting to drive through the alleyway due to oversized vehicles approaching from the opposite direction. It was a huge nightmare and she hoped Board members understood what it put onto homeowners.

Lynne Sabatini, 11416 SW Barber St, Wilsonville, OR stated she was Haley Sabatini's mother and reiterated that their townhome was the western-most home in the row. Their living room window would overlook the congestion and cars in the parking lot. The decision to build the parking lot would seriously affect the quality of life for her family and the property value would no doubt decline. The children of several families regularly played in and rode bikes in and around the area where cars would be traveling in and out. The drivers may or may not be aware of their presence and that reason alone was alarming and should be compelling enough for the community to deny the application.

- The residents of Villebois valued exercise, walking, and riding bikes. They enjoyed the relative quiet and simplicity of Villebois, and the proposed parking lot would negatively affect the lifestyle. Mr. Kadlub was one of the first to envision the community, and he had directed that its design maintain the idea that nature, beauty, tranquility, and charm are to be valued. There were plenty of parks in the neighborhood. All of those elements were a draw to people who sought the kind of lifestyle Villebois offered. Costa Pacific's description of its vision was, "The Villebois community is inspired by traditional European villages. Villebois is French for village near the woods." She pointed out that many European towns, including Paris, were moving towards banning cars from their city centers or had already done so. For all of the above reasons, she opposed the proposed parking lot.

Marsha Davis, Wilsonville, OR stated her address was on record. She asked why the parking lot was even being considered if it was not needed to meet the minimum parking requirements for the additional buildings that would be built around the Piazza when it impacted so many people negatively. The idea of restricting it to residents and employees only was laughable as nobody would enforce it. Parking had not been enforced up to present and would not be enforced in the future.

Chair Nada confirmed there was no further testimony and called for the Applicant's rebuttal.

Ms. Connery thanked everyone for expressing their concerns and thanked the Board for their careful consideration and review of the application against the review criteria. She was happy to answer any additional questions.

Chair Nada confirmed there were no further questions from the Board to Staff, the Applicant or members of the audience and called on the Board to have any discussion necessary to help ensure they had gathered all the information they needed to make a decision.

Mr. Horn stated that in reviewing the last call, he noted that Ms. Jacobson stated the Board could put additional conditions onto the application, and asked what she had been specifically referring to. He understood conditions could not be imposed that were outside the legal boundaries of the Villebois Code.

Ms. Jacobson said an example would be the condition that was suggested at the prior meeting of limiting who could use the parking lot. That would be something the Applicant would have the ability to agree to or not as a reasonable condition. If Board members found something they thought was wrong or illegal in the Staff report, that issue could be raised as well. If a Board member heard something in public testimony or from the Applicant that they thought would bring people closer together in agreement, that could be raised, too. Any type of suggested change that required the Applicant's response should be raised before the public hearing was closed because the Applicant would not be able to answer after the public hearing was closed.

Mr. Pauly added it was clearly written in the Code Subsection 4.1253, that a parking area was an allowed accessory use on this land. To be clear to the public, Staff and the Board understood

there were emotions around the proposed parking lot, but the law stated the Applicant was legally permitted to build a parking area on the property. A condition was something that added value or made a proposal better, like the potential parking restriction. A condition could not increase the cost of a project or make the project unfeasible.

Ms. Jacobson recalled that at the last meeting there was discussion about not being able to see around the hedge, so between that meeting and tonight's meeting, Staff and the Applicant had worked together to add a condition that would make the parking lot more visible by lowering the hedge height from 6 ft to 5 ft. That was a good example of an allowed condition.

Mr. Horn stated that he appreciated all the work the Applicant had put into Villebois and the application. He understood the parking lot was a cost to the Applicant and asked why it was included with the buildings in one application as opposed to being separated into two applications.

Mr. Kadlub replied that he was glad Mr. Horn had asked that question. In 2018, the Applicant had held a neighborhood meeting, although one was not required. Several dozen people had attended, and what the Applicant had heard loud and clear at that meeting was no more development was wanted due to lack of parking within the Villebois Village Center. Additionally, last summer the Applicant had visited with several of the HOAs within the Village Center that represented various condos and townhomes, and they had all expressed concern that there was not enough parking. It was almost impossible to find street parking.

- The opponents had outlined a letter that showed photos of the parking surrounding Toulouse St and Barber St, and they used that picture to describe how difficult it was to find the access points to the alleyways. The photo also underscored the need for more off-street parking within the community around Toulouse St and Barber St. The Applicant had taken 8-12 homes and their parking spaces, out of production for Lot 12, which would have created more density and another 4-to-5-story building. The Applicant had removed a potentially \$500,000 income lot from production and instead created a parking lot that would cost them a couple hundred thousand dollars for the greater good of the Villebois community. Though it might be perceived as an inconvenience to the 14 homes that were on the alley, for the other thousand dwelling units in the Villebois Village Center, the Applicant believed they were doing the right thing. That was why the Applicant had decided on the parking lot.

Ms. Connery added that the parking lot was included with the mixed-use buildings because it was intended to be an accessory to them and to provide parking for the residents and employees of the mixed-use buildings. It was part of the project, and in working with Staff, the Applicant and Staff had agreed it was best to package everything together because the components would function together.

Mr. Pauly clarified that technically, they were separate applications but were packaged together because Staff liked to review items to see how they were interrelated and worked together as a general practice. The parking lot application could technically stand on its own, but Staff

usually combined projects that were related to each other and discussed them together because it was good practice.

Mr. Horn noted some public testimony referred to the three buildings, but the parking lot was the most controversial element in the application by far. He thanked Mr. Kadlub and Mr. Pauly for the explanation, noting he fully understood.

Mr. Kadlub added that one reason the Village Center had an undersupply of on-street parking was because many Village Center residents did not use their two-car garages to park their cars. They parked on the street in front of their homes, which put pressure on the street parking, and the Applicant was simply trying to help relieve that pressure. He assured the DRB that Staff had heard the concern for parking over the last number of years. He guessed that would continue into the future and believed the proposed parking lot would help to relieve the parking issues a bit. Short of the City creating an ordinance to outlaw overnight parking or to force residents to park in their garages, the parking lot was the best solution the Applicant had come up with that would benefit the greater majority of the Villebois Village Center residents.

Chair Nada clarified there would be no further public testimony. He asked if technology could be utilized to alert people as to whether the parking lot was full or not before they entered the alley to minimize traffic into the alley.

Mr. Kadlub replied that it was possible to mark certain parking stalls as reserved.

Chair Nada explained that he wanted to know if a system could be utilized that would alert drivers before they entered the alleyway whether or not the parking lot was full, similar to that used at PDX.

Ms. Connery clarified the Applicant was proposing that spaces in the parking lot be assigned to specific residential units.

Chair Nada thanked Ms. Connery for the explanation, noting he had not known that was part of the project.

Ms. Dunwell thanked Chair Nada for bringing up that subject and understood the Applicant meant the parking spaces would be numbered, assigned, restricted, and reserved spots for a resident or an employee of one of the new buildings.

Ms. Connery confirmed that was correct.

Chair Nada called for Board members to discuss any proposal to add, remove, or modify conditions of approval.

Mr. Horn stated it was clear the three buildings were not the issue, it was the parking lot. He would have separated the project into two separate applications because the parking lot was out

of context. There may have been, and may be in the future, a full, comprehensive Parking Study of Villebois in its entirety that showed every available piece of land for parking lots, every on-street and off-street parking structure, the total number of buildings, accessibility, etc. He believed the Applicant probably had all that information, but he did not despite living in Villebois. The Applicant made a great point regarding the number of structures that could be put onto the lot, but he had gotten the impression from testimony that residents would prefer a structure to a parking lot due to aesthetics. He did not know if he could add a condition to separate the project into one for the three buildings and one for the parking lot, but he would do so if he could.

Mr. Pauly stated they were already separate, but had been brought together, so a decision needed to be made on all components tonight under State law. Board members could approve parts of the application and disapprove other parts in their motion, but separating the application into parts was not the way to do it. He understood the parking lot was not the neighbors' preference. Every land use hearing for residential areas he had heard in the past decade had neighbors with strong preferences, but it was the Applicant's property, and there was a list of legal things they could do on that property. The proposed parking lot was one of those legal things.

Ms. Jacobson reiterated that the parking lot, used in conjunction with the development of the three buildings, was a permitted accessory use specifically under the Code. If the Applicant determined they wanted to put parking in that spot, but not in another spot, that was an allowed decision for them to make as the landowner.

Chair Nada confirmed there were no further questions and closed the public hearing at 7:54 pm.

Ms. Luxhoj read Conditions of Approval PDC 4 [states PDB 4] and PDD 5 [states PDC 6], which addressed adding at least one ground floor restroom and meeting the square foot requirements for the solid waste and mixed recyclables storage rooms in all three buildings. These conditions were unanimously approved and added to the Staff report at the September 27, 2021 hearing.

- She then read into the record, the two new conditions of approval proposed in Staff's memo as follows:
 - *DRB 1. The drive aisle on the southwest side of the alley between the existing trash enclosure and the curve of the alley shall be widened to match that on the other side of trash enclosure. No parking spaces shall be allowed to extend into the widened alley further than the parking spaces on the other side of the trash enclosure.*
 - *DRB 2. All parking spaces on Lot 12 shall be reserved parking for residents and/or employees.*

Nicole Hendrix moved to adopt the Staff report with the addition of the conditions read into the record by City Planner Cindy Luxhoj. Michael Horn seconded the motion, which passed unanimously.

Nicole Hendrix moved to amend the adopted Staff report by adding the exhibits entered into the record by Staff. The motion was seconded by Michael Horn and passed unanimously.

Katie Dunwell moved to adopt Resolution No. 393-B. Nicole Hendrix seconded the motion.

Nicole Hendrix thanked the community members for sharing their opinions tonight. She understood the impact the parking lot would have, but was also trying to keep in mind what was within the purview of the Board. The application met the Code and review criteria. Additionally, the Applicant was amenable to changes suggested by the Board after hearing public comment at the September 27th meeting by widening the alley, changing the four diagonal parking spaces to two parallel spaces, lowering the vine fence to 5 ft for better visibility, making the parking reserved for residents or employees, and adding back in the small plaza area with benches. She appreciated the Applicant's efforts and wanted to explain why she would be voting the way she would.

Katie Dunwell stated she agreed with Ms. Hendrix. She appreciated all the members of the community and thanked them for the time they had taken and for how much they cared about the ongoing growth and visibility of that important corner within the Villebois neighborhood.

Michael Horn also agreed with Ms. Hendrix. The Board very much appreciated the testimony of their neighbors and understood the emotion around what was being built in the Villebois community and very much appreciated the changes the Applicant had made to try to mitigate issues with the parking lot. As was pointed out by City Staff, the role of the DRB was to ensure the Applicant built per the Code.

Chair Nada stated the reason he had voted to keep the public record open was to examine the Development Code, examine the evidence, listen to more public testimony, and examine the role of the DRB, which was strictly to ensure an application met the Code. He thanked the Applicant for being flexible. He noted the Board had gotten the Applicant to work with the residents to find a compromise even though the Applicant had no obligation to do so if the application met Code requirements. DRB was legally bound to what was in the Code and could not force the Applicant to any requirement not in the Code or the Master Plan at the time the application was submitted. Personally, he [inaudible]. The DRB could discuss those issues, but this was not the venue to make changes to those aspects. There were proper channels for that, and Staff could inform anyone who was interested. Based on Staff input and his understanding of what he had read and looked at, the application conformed with Code and the Master Plan. He thanked everyone for taking the time to attend the meeting and testify, as he appreciated their testimony.

The motion passed 5 to 0.

Chair Nada read the rules of appeal into the record.

The meeting was recessed at 8:09 p.m. and reconvened at 8:16 p.m.

B. Resolution No. 395. Oregon Department of Administrative Services North Valley Complex: SERA Architects – Applicant for Oregon Department of Administrative Services – Owner. The applicant is requesting approval of a Stage II Final Plan Modification, Site Design Review, Type C Tree Plan, Class 3 Sign Permit & Waiver, Parking Waiver, and Abbreviated SROZ Map Verification for renovation and upgrade of the existing building and site for the Oregon Department of Administrative Services North Valley Complex. The subject site is located at 26755 SW 95th Avenue on Tax Lot 1903 of Section 11, Township 3 South, Range 1 West, Clackamas County, Oregon. Staff: Cindy Luxhoj.

Case Files:

DB21-0025	Stage II Final Plan Modification
DB21-0026	Site Design Review
DB21-0027	Type C Tree Plan
DB21-0028	Class III Sign Permit & Waiver
SI21-0001	Abbreviated SROZ Map Verification
DB21-0056	Parking Waiver

Chair Nada called the public hearing to order at 8:16 p.m. and read the conduct of hearing format into the record. Chair Nada, Nicole Hendrix, and Katie Dunwell declared for the record that they had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

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

Ms. Luxhoj entered into the record, Exhibit A3, the Staff memo dated October 25, 2021, detailing updates to the conditions of approval for the application. She then presented the Staff report via PowerPoint, briefly noting the site's location and reviewing the application requests with the following comments:

- The surrounding land uses included industrial to the west and south; a car dealership to the east; and RV storage and an electrical substation to the north. The subject property and most of its surrounding properties were zoned industrial, while the substation was zoned Public Facility (PF).
- The Department of Administrative Services (DAS) proposed to renovate the former Microsoft building on the site to house several different government agencies and new State laboratories. The proposed exterior building and site improvements included enhanced building entries, site signage, landscaping, a secure fleet parking area, and expanded mechanical and equipment yards.

- Proper noticing was followed for this application and one comment was received during the public comment period, which was included as Exhibit D1 in the Staff report. The comment expressed concerns about landscaping on the property and a need for regular maintenance consistent with that of other property owners in the surrounding area.
- Stage II Final Plan Modification and Site Design Review. No expansion of the existing building was proposed; therefore, the Stage II Modification was consistent with the previously approved Stage I Master Plan. The proposed site improvements met/exceeded City standards for the proposed exterior building materials, circulation areas, pedestrian connections, landscaping, fencing of the outdoor utility yard and fleet parking area, utilities, outdoor lighting, and other site features.
- Type C Tree Plan. The arborist report identified 153 trees on the subject property and the Applicant proposed to remove 27 trees located in perimeter landscape areas of the site. (Slide 7) No trees in the Significant Resource Overlay Zone (SROZ) were proposed for removal. The proposed mitigation exceeded the required one-to-one ratio and included planting 41 trees in the perimeter of the landscape areas.
- Abbreviated SROZ Map Verification. The Applicant had appropriately determined the boundary of the SROZ and impact area, which incorporated an existing significant wetland and the riparian corridor of Tapman Creek. No new development was proposed within the SROZ or the impact area. Existing vegetation and site topography was proposed to remain unchanged, except for the removal of invasive Himalayan blackberry in some areas.
- Class III Sign Permit and Waiver. The Applicant proposed to reface the existing monument sign at the corner of SW Freeman Dr and SW 95th Ave. One wall sign was proposed at the main building entry, and four directional signs were proposed in the same locations as existing signs, at the south and east driveway entrances. The proposed signs met City standards. Code Section 4.155.05.01C allows one site to have up to two flags that were exempt from sign permit requirements with no exempt flag being more than 30 ft in height. The Applicant requested the sign waiver to allow three flag poles, rather than two, at the main entry at the southwest corner of the building. (Slide 10) The DRB could grant a waiver to the number of signs to better implement the purpose and objectives of the sign regulation, based on findings that all of the criteria ~~that were~~ specified in Section 4.156.02(.08)A were met. (Slide 11) The Applicant would explain the rationale for the sign waiver request and how it met the criteria in their presentation.
- Parking Waiver. Parking was proposed to be located on three sides of the building. The proposed use of the building included about 25 percent office space, 32 percent laboratory space, and 43 percent warehouse storage. Based on the Applicant's Code response, the majority of employees were anticipated to split time between working in the lab and working at a desk in the office environment. The Code did not contain a category for laboratory use nor did it make provision for a reduction in the required minimum off-street parking standard for employees splitting time between working in labs and at a desk in an open office environment.
 - The Applicant proposed using a 1.6 per 1,000 sq ft ratio, based on the manufacturing use category, for the required parking for laboratory use. This was based on research conducted by the Applicant on laboratory use ratios. The Applicant also proposed reducing the required parking for lab manufacturing and office space by 25 percent to

reflect shared use of space within the building by employees. The 25 percent reduction results in 173 required off-street parking spaces, from the 223 space minimum, an overall reduction of 50 spaces. The Applicant proposed 203 parking spaces, 20 spaces less than the required 223 minimum, and the minimum necessary to relieve the hardship imposed by the standard.

- The DRB could grant a waiver to the parking, loading, and bicycle parking standards to implement better the purpose of the parking regulations based on findings that the resulting development met the criteria of Section 4.155(.02)A. (Slide 14) The Applicant would explain the rationale for the parking waiver request and how it met the criteria in their presentation.
- Staff noted it was possible that site operations could shift over time for various reasons; therefore, if the DRB approved the requested parking waiver, Staff recommended an additional condition of approval to ensure additional review and approval by the City would be triggered if site operations changed substantially. She read Staff's recommended Condition PDF1 as shown on Slide 15.
- In Staff's memo to DRB, the Staff had provided information about an additional condition of approval related to transit and pedestrian improvements. Officials at the DAS and the City had discussed and agreed that the Applicant would contribute to necessary transit and pedestrian improvements on SW 95th Ave that might be identified as part of the City's Pedestrian Safety Corridor Plan which was currently in process. Additional background information was included in the Staff memo. Staff's recommended Condition PF 14 which captured the agreement was presented on Slide 16.

Michael Horn confirmed with Ms. Luxhoj that the Applicant would explain where they got the 1.6 ratio they were using for the parking.

Katie Dunwell confirmed that the area west of the site was considered part of the site and that the wetland area was the SROZ area. She asked if the property owner would be responsible for maintaining that site as it was in significant disrepair. What else would be done besides removing the blackberries? Were new plantings going in or were the markings on the plans signifying the trees that had already been identified? (Slide 7)

Ms. Luxhoj responded the plan only showed existing trees. Although the SROZ was on the property, no maintenance was done in the SROZ. The Applicant indicated that they want to remove the Himalayan blackberry along the SROZ and put in native plantings as a way to enhance the SROZ area in those locations, but since there was impact on the SROZ, the Applicant was not required to do any mitigation in the SROZ.

Chair Nada stated he was concerned about the language regarding "substantial changes." He asked how the City would monitor such changes, like a change in employees. Who would report changes and what would happen if the changes went unreported?

Ms. Luxhoj replied the City would likely monitor those changes through the annual City business license renewal which requires businesses to report the number of employees. If the business renewed its application and showed an increase in employees that would exceed the 203 parking spaces that would trigger Staff to require the business to return to the City to review the number of available parking spaces.

Chair Nada asked what would happen in that case. He had never seen or heard about this process before, so he did not know what the follow through would be if there was an increase. Would the City tell the business the license could not be renewed? How could the business find space after the building was already built and everything was in place?

Ms. Luxhoj answered the idea was to avoid having excessive parking on the street by the employees of the building. If all the parking spaces on the site were full, and people were starting to park in the street, it became a Code compliance situation, which would trigger Staff to inform the business that they had more employees than they had stated initially, or there had been a shift interior to the building where they had more office workers than people splitting between office and lab, as initially anticipated, which was why the condition also stated if the business had a change in distribution of use within the building that exceeded 5 percent, they would need to return to have Staff review the parking situation on the site.

Dan Pauly, Planning Manager, added that those who drafted the condition had some experience dealing with complaints about over employment on a site and too much street parking. Noting an ongoing case currently in the city, he noted the subject conditions would have been handy. If the neighbors were complaining about the street being blocked and cars were everywhere, the City would have solid condition of approval to identify the employment number. Even government entities still had to report the number of employees for the transit tax. So, if there were complaints or issues, the City would have those numbers and if the employee numbers were way over what was approved, the business would be out of compliance and would have to correct it. The process was not perfect, as Staff would not be tracking people going in and out every day, but based on their experience of dealing with similar situations, the condition would provide the leverage needed if it did cause an issue in the neighborhood.

Chair Nada asked if a similar waiver and condition had been approved before and if staff changes or a full parking lot had triggered a further review or change in the city before.

Mr. Pauly answered the only situation that was similar was where the traffic study had called out a certain, limited number of trips for the use and it came to light that the use was greatly exceeding those trips. The City was able to have conversations with them to either manage it or do something to fix the situation because it was impacting neighbors. The City had granted parking waivers several times throughout the City's history, but this specific type of condition was more narrowly tailored to the specific customer and situation. Staff's experience with similar enforcement things in the past would provide the necessary tools if something came up that was a problem.

Chair Nada understood that based on the wording, the City could trigger the review process at any time.

Mr. Pauly said that was correct, but only if the DRB was comfortable with the parking waiver.

Chair Nada confirmed there were no further questions for Staff and called for the Applicant's presentation.

Nicole Holt, SERA Architects, stated she was the project architect and Applicant on behalf of the Oregon DAS. She noted that since Staff had outlined the details of the proposed design, she would focus on the driving principles behind the design, as well as the Applicant's success criteria, program and design development, and proposed improvements, as well as the requested signage and parking waivers. She had read the report and conditions of approval, including the two additional conditions for the parking waiver and parking facilities improvements and the Applicant did not have any objections to the conditions at this time. She presented the Applicant's proposal via PowerPoint with these comments:

- SERA always started the design process with a site assessment, and like all projects, the site had its own unique characteristics that formed the opportunities for improvement, most notably, the SROZ west of the building, the power transmission easement to the north, and the general existing site conditions.
- The vision for the project stemmed from a goal by the State to co-locate various agencies that had synergistic operations to find efficiencies and promote a more collaborative working environment. The collaborative model translated to a "one-state" vision that encouraged agency partnerships that led to shared resources and innovative service delivery that would benefit Oregon citizens.
- The design and owner team identified additional success criteria for the project that built off the "one-state" vision and included re-use, long-term, fiscal responsibility and future facing. (Slide 4) Some of the success criteria, such as long-term and future-facing, translated directly into the resiliency and sustainability goals on the project, which would be tracked using a tool called The Project Compass. (Slide 5)
- The building was proposed to be seismically upgraded to a Category 4 Central Facility as it would serve a critical function for the State during emergency operations. As a State project, the project was being designed to a minimum LEED Silver equivalency, complying with the LEED requirements to reduce building energy by at least 20 percent and spending the required 1.5 percent of the project contract on green energy technology.
- The design vision centered on the "one-state" mentality by supporting various State agencies and their ability to co-locate and share resources. The idea of shared resources provided a jumping-off point for the design by exploring a series of interconnected neighborhoods, which were nodes or places to pause and inspire interaction between tenants. The nodes also acted as a wayfinding component through the building with each taking on its own character inspired by Oregon's natural resources.
 - A plan diagram using an early schematic showed where these nodes would be located between blocks or neighborhoods, lab, and office program. (Slide 6) A few in-progress

images showed how the design vision had translated to the interior look and feel of the spaces. (Slide 7)

- Given the success criteria of reuse and fiscal responsibility, the reuse of the existing building components would be maximized. (Slide 9) Some areas being highlighted were the open office components, including a break room area to the north, a bank of electrical and utility rooms to the south, and additional storage and office space at the southeast corner of the building. The colors helped identify the areas of reuse in the Program Plan (Slide 10) which showed how the building program translated to the proposed plans. The program encompassed approximately 25 percent office space (lavender), 32 percent lab or manufacturing (purple), and 43 percent storage (pink).
 - The Mezzanine Plan showed the limited program at the second level where the square footage, except for the unoccupied area (blue), had been factored into the total use percentages. (Slide 11)
- The Applicant was also proposing to maximize the amount of reuse on the existing site, both for existing hardscape and softscape. The primary access to the site was off SW Freeman Dr to the south via three driveways into the existing parking lot. The main vehicle circulation and parking that currently existed would remain as it was found to be efficient and functional by providing easy access to most of the building for service vehicles, onsite security, and pedestrian access.
 - Only the few areas were within the proposed scope, the southwest entry plaza, expansion of the existing utility yard and existing fencing, new fencing around a secured parking area in the southeast corner of the site, and a few areas of existing parking that would be modified.
- Displaying the existing conditions, she noted the photo on the right showed how the previous tenant blocked off the northern loading docks and restriped the pavements to add additional parking. The current design purposed to retain the parking layout.
 - The two images on left showed some of the existing landscape at each entry, including the more undesired lawn areas and more high maintenance shrubs at entryways.
- The proposed site improvements included the protection of natural resources in the SROZ boundary area, a larger stormwater retention area, expanded EV charging capacity along the new entry area, replacing invasive species with native plantings, planting drought tolerant, low maintenance plants anywhere work was being done on the site, as well as improving the existing plantings and ground cover material.
 - Wayfinding would also be enhanced around the site by refacing some existing signs and including some backlight for some signs to be more visible in the evening hours, as well as reflective material on other signs at the main aisle way and a new design for the entry system.
 - Accessibility improvements included regrading an existing sidewalk at the northeast area of the site to provide better access to the right-of-way and redesigning the main entry for people to access the site from the existing right-of-way. (Slide 15)
 - Lighting would be updated around the site for better safety and maneuvering, and careful consideration was given to shielding light at the property lines and SROZ area to limit light spillage into more sensitive areas.

- The major effort of the project focused on the new entry area. Site furnishings included a few benches at the main entry as well as recycling and trash facilities. The site material palette had been selected to reflect the adjacent natural landscape by using durable materials, such as stone and concrete pavers. The wood looking benchtops would provide warmth and related to other architectural components at the main entry and within the building.
- The Parking Plan was color-coded to help identify the different types of parking as it related to the parking count table. (Slide 13) Referencing Slide 10, she reminded that lab users would split their time between the lab space (purple) and their desk in the open office area (lavender) and staff working in the storage spaces (pink) would also split their time between that space and their personal desk in the open office areas. The Applicant asked that the shared use be taken into consideration when calculating the required number of parking spaces.
 - According to studies done by the NCA Sharpie [name?] and the Institute of Transportation Engineers (ITE) manual that had been shared with the Applicant's traffic engineer on the project in preparation of the traffic report, concluded that in a shared-use scenario, the demand would be calculated by each use type and then reduced accordingly. Based on the mentioned references, a 25 percent to 30 percent reduction was recommended and the Applicant requested a 25 percent reduction. Additionally, based on tenant surveys conducted during the programming phase, approximately 190 employees were anticipated within the building and the proposed 203 spaces would exceed that need.
 - The Applicant believed the parking ratio of 1.6 per 1,000 sq ft should be applied for the lab because it had a similar occupant density as a manufacturing area due to the footprint of the equipment such as freezers, fridges, hoods, biosafety cabinets, and the lab casework that occupied much floor area. The ITE parking general manual did not have a separate land use category for estimating parking capacity for standalone laboratories nor an office/laboratory like the one proposed.
 - A study by Kimley-Horn provided parking counts for university laboratories, which were more intensive than the labs proposed at the North Valley Complex, and supported the average of about 1.6 spaces per 1,000 sq ft. This study was where the 1.6 average came from.
 - The Applicant did not feel that a reduction in parking spaces would negatively impact the surrounding neighborhood or would have any adverse impact on views as some of the parking criteria considered. By allowing for a shared-use approach for reducing the required parking, the site would be used more efficiently to support the building's needs and preserve the functional circulation and parking design already on site.
- Tall storefront entries marked each of the four corners of the existing building with one additional storefront entry located in the middle of the south facade. The existing building was also defined by about 20 plus loading docks on both the north and south sides in various states of use.
- The proposed design aimed to improve the existing building design by enhancing wayfinding around the site with the addition of entry canopies, updating the existing exterior paint scheme, building elements like an awning, railings, and stairs, choosing

durable materials with high quality finishes for new building elements, like the entry canopies and infill on existing overhead doors, and increasing access to daylight with new roof monitors and replacing overhead doors with storefront glazing. The building design was driven by function due to the [inaudible] nature and the interior program. (Slide 19)

- The new entry canopies were intended to enhance wayfinding and signal the main public entry to the building. Sleek, clean structural shapes supported the higher canopy to make it feel lighter despite its height. The main purpose of the canopy was to support part of the PV panel array being used to meet the 1.5 percent Green Energy Technology (GET) requirement.
- The lower pedestrian canopy was supported by a more traditional, wide-flange structural shape that could be found extensively in the interior of the building. The purpose of the lower canopy was to provide a sheltered entry to the building from the adjacent parking. The cedar wood soffit below the pedestrian canopy would provide warmth to an otherwise cool and clean aesthetic that reflects the nature of the laboratory work inside. A hidden wash light had been carefully tailored to provide a warm glow over the wood soffit in the evening. (Slide 20)
- The Sign Waiver was requested to allow for a third flag on site. As a State building, flying the POW flag was required, in addition to the State and American flags. Adding the third flag would enhance the aesthetics of the main entry sequence by providing symmetry and balance to the other two flags. She reminded that the American flag was supposed to be 30 ft high and the other flags at 25 ft.
- On the south facade, the new design proposed to replace the existing awnings over the parking and loading bays with newly defined awnings that relate to the new entry canopy.
 - A second row of awnings was also proposed to support the remaining PV array. The south facade provided an abundant amount of sunshine to support the PV system production and allowed visibility to a system that promotes resiliency and sustainable energy sources, which reflects [inaudible] for State resources.
- Displaying the north and south building elevations, she noted the goal was to reuse as much of the existing exterior facade as possible. She indicated the double row of awnings on the south elevation. On the north façade, the existing parking layout near the north loading dock would be retained and since the dock doors were no longer needed, the existing overhead doors would be replaced with new storefront glazing to allow greater daylight into the new lab spaces on the interior.
- The Applicant believed that the proposed design reflected the values the City of Wilsonville aimed to uphold by breathing new life into the existing building. **She** thanked the Board for its time to consider the proposal, adding she welcomed any feedback and additional questions.

Ms. Dunwell commented that after visiting the site, she was very pleased that the Applicant would be replacing the freight doors with glazing to bring in the natural light, as she had wondered how that would be resolved during her first site visit.

Nicole Hendrix asked if any kind of design techniques or considerations were made for pedestrian safety in the parking lot, such as additional paint stripping or reflective material to help pedestrians.

Ms. Holt responded that currently, there was a little stripping that connected all the main entries on the site, and the Applicant proposed restriping them, as well as adding signage to clearly identify accessible routes.

Mr. Horn inquired whether any foliage would be added to the wetland.

Ms. Holt stated a bit of landscaping was proposed right along the edge of the parking area but no additional plantings were proposed beyond the row of trees right along the parking edge.

Mr. Horn asked if the Applicant would maintain the SROZ wetland area as the building owner or would they would leave it alone.

Nicole Holt replied that was a good question. She was not sure she could speak for the owner as to whether they had an agreement or what the proposed maintenance strategy was, however, it was not part of the proposed design.

Chair Nada asked how many cars were expected to be parked during work hours.

Ms. Holt responded that from the programming effort, 190 staff were anticipated but it was hard to know how many would be on-site at the same time. She believed 190 was a conservative estimate from what they had gathered from the interviews conducted with the tenants moving in.

Chair Nada understood the owner or lessor of the Microsoft building had access to the RV parking right next to it for parking. He asked if that option was available for the Applicant to extend the parking a bit like Microsoft had.

Ms. Holt stated she was unsure she could speak for the owner completely on the matter, but she knew the parking area to the north had been noted and could potentially be considered if there were to ever be an expansion of the site. She believed the owner might be present, but she was unsure if he was able to unmute and speak.

Joe Gill, DAS, explained they had discussions previously with the owner of the parking lot directly to the north about a potential purchase as they understood he was in the mood to sell. In addition, DAS realized that parking could potentially become an issue a few years down the road or if there were any other expansions. If something like that was to transpire, DAS would have to get a permit to make some changes to that area specifically relative to laboratories, because the laboratory amalgamation of bringing everybody together into those shared resources was the emphasis of the building. The owner was not interested in a fair market price at this time, or rather, the fair market prices had changed drastically over the course of the last

18 months. It was something they were cognizant of, but relative to the 190 people that were currently designed and apportioned for on the site, DAS had a good suspicion that a level of commuting together would transpire as people relocated to this area from many laboratories spread between Salem, Portland, and Hillsboro, likely in about a year and a half.

Chair Nada asked whether DAS had any similar buildings that served the same purpose with a lab and office and if so, how was the parking and what would be a normal expansion of employees.

Mr. Gill responded he could not speak directly to those places knowing the labs were bifurcated and this project was bringing the entire Department of Agriculture together in one area, except for a couple labs that decided not to come into the project. He did not know of any scenario like this and could not speak to the specific buildings the labs were currently in as he was not aware of their situation. In looking at the project, DAS realized they had to provide a desk and the required office space, but seeing that they spent a disproportionate amount of time in the lab, they began to develop this thought process. It was not a 1:1. All the seats could be counted, but that was not how the building operated nor was that what transpired in the current settings. He believed that growth occurred over the years as the labs took on more responsibility. One example was hemp. Currently, there was no State run hemp lab, but the proposed building would have one. Those staff members were morphed into labs in other buildings that already had restricted parking, which was partly why DAS was bringing the labs together.

Chair Nada asked Staff what Code criteria were used for determining the number of required parking spaces for buildings; was it based on the size of the building or the number of offices, for example?

Ms. Luxhoj responded the parking requirement was based on the different uses within the building and the percentage of the building's square footage each use would occupy. In this case, a certain percentage was occupied by offices, which was a 4 space per 1,000 multiplier, and a percentage was occupied by the lab, for which the Applicant used the 1.6 per 1,000 for manufacturing, and lastly the multiplier for the storage warehouse area, which she believed was 0.4 spaces per 1,000 sq ft.

Mr. Pauly added that parking requirements did vary across the Code, stating that some uses were calculated per square foot basis, as done in this case, while other uses, like movie theaters, churches, and schools were calculated based on number of seats or student counts, for example, rather than a square footage calculation. Most industrial and retail use calculations are based on square footage.

Chair Nada understood movie theaters and office buildings were mentioned in the Code, but not labs. What did Staff do when something was not mentioned in the Code.

Mr. Pauly responded that because the Code did not list everything, specific text stated if something was not listed in the Code, the most similar use should be used. He offered to pull the exact language for the Board.

Chair Nada confirmed with Staff that there was no public testimony on the application.

Mr. Horn confirmed with Ms. Luxhoj that the application requested a waiver of about 20 parking spots and that the condition of approval allowed the City to go back and require additional parking spots to be built if anything changed.

Ms. Dunwell asked whether there was space for additional parking.

Ms. Luxhoj noted one limitation of the site was due to the large part occupied by the SROZ and the impact area, so it was unlikely that any additional spaces would be built there. Some additional spaces could possibly be built in the southeast corner of the site, where Microsoft had considered putting some spaces, maybe half a dozen, but they never ended up building those spaces. Adding additional parking would be pretty difficult because the site was pretty constrained.

Mr. Pauly read the language under the Parking Section, and read Subsection 24.455(.02) M, stating, "Off-street parking requirements for types of uses and structures not specifically listed in this Code shall be determined by the Development Review Board when the application is pending before the Board. Otherwise, the requirements shall be specified by the Planning Director based upon consideration of comparable uses." While that did not give the Board specific direction, considering comparable uses was a reasonable measure of how to determine the appropriate parking ratio for a non-listed use. [audio cut out]

Ms. Barbara noted there may be very limited space for expanding the parking and the Parking Waiver was totally up to the discretion of the DRB. If the DRB did not believe the waiver was justified or that it was not realistic to expect to expand parking, the Board could elect to not grant the Parking Waiver.

Mr. Pauly noted the Code did allow for offsite parking within 500 ft on another property as long as there was a clear easement for use of parking allowed. The City had approved that kind of scenario within the last couple of years. Either now or in the future that would be an alternative if DAS was expanding and any neighbor within 500 ft had parking that could be used under a written agreement.

Ms. Dunwell asked if street parking was allowed on Freeman Dr.

Mr. Pauly answered yes, adding that it was used quite heavily in his casual observations over the years for truck parking because of the amount of warehousing that occurred in the area. He had not been the area for a while, but perhaps Board members visiting the site had seen the trucks on the road.

Chair Nada added that right now with COVID, they might not get a good representation of the real parking situation. Hopefully they would when everything got back to normal. He asked if it was true that the Applicant might help fund the Pedestrian Safety Corridor Plan.

Ms. Holt responded that was what she understood. She believed some members on the owner's side had conversations with the City on the matter, adding there might be some follow-up questions to understand the timing and to what extent, as information on about those proposed improvements was limited. The State understood that it would want to help on that.

Mr. Gill stated he did have a conversation [inaudible] He confirmed the State was well aware of it and was more than willing to participate.

Chair Nada said he wanted to be sure that any overflow parking from the building, such as neighbors complaining about cars parking everywhere, would be sufficient to trigger a review by the City.

Mr. Pauly confirmed Staff wrote the condition with that scenario in mind and believed it would cover that. He confirmed that as drafted, it would be an administrative review but the DRB could change that.

Chair Nada confirmed the Board members had no further comments or questions for Staff or the Applicant. He declared the public hearing closed at 9:32 pm.

Cindy Luxhoj read into the record the two new proposed conditions of approval stated in Exhibit A3 as follows:

- *Condition PDF 1. Ongoing: The approval for a parking waiver applies only to a 20-space reduction in required minimum off-street vehicle parking spaces, from the required 223 spaces to the 203 spaces proposed by the Applicant. A change of 5% or more in the mix of land use (office, lab/manufacturing, storage/warehouse) within the building, or an increase in the number of employees that exceeds the number of off-street vehicle parking spaces on the site, will require approval by the Planning Director.*
- *Condition PF 14. The Department of Administrative Services will contribute a fair and equitable contribution to the future pedestrian and transit improvements at the frontage of the site that will be of benefit to employees of the site.*

Nicole Hendrix moved to adopt the Staff report with the addition of Exhibit A3 and new Conditions PDF 1 and PF 14, as read into the record by Staff. Jason Abernathy seconded the motion.

Chair Nada stated he was not a big fan of giving out parking waivers, but the two things that swayed him a bit was the fact that any increase in use, which were different uses, not the lab or office use; it was not something the City had typical dealt with in the past. The condition that extended uses or having more cars would trigger a review was definitely a positive. The second

was that the Applicant would chip in and help fund the safety corridor plans for the street. Otherwise, he might have had a different view about the application.

Mr. Horn stated he concurred with Chair Nada's comments.

The motion passed unanimously.

Katie Dunwell moved to adopt Resolution No. 395. The motion was seconded by Michael Horn.

Mr. Horn thanked the Applicant for the great presentation and for those who stayed late to present to the Board.

Chair Nada echoed Mr. Horn's comments and thanked everyone for staying late.

The motion passed 5 to 0.

Chair Nada read the rules of appeal into the record.

VII. Board Member Communications:

- A. Results of the October 11, 2021 DRB Panel A meeting
- B. Recent City Council Action Minutes

There were no comments.

VIII. Staff Communications

Dan Pauly, Planning Manager, thanked the Board

IX. Adjournment

The meeting adjourned at 9:41 p.m.

Respectfully submitted,

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

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, NOVEMBER 22, 2021

6:30 PM

VI. Public Hearing:

**A. Resolution No. 397. Clermont Five (5) Year
Temporary Use Permit: Pacific Community Design
– Representative for Taylor Morrison Northwest
LLC – Owner and Polygon WLH, LLC – Applicant. .**

The applicant is requesting approval of a Five-Year Temporary Use Permit for a sales office and model homes in the Clermont Subdivision, along with associated parking, landscaping and other improvements. The properties are located at 11490 SW Tooze Road on Tax Lots 7200, 7290, 7300, 7400, 7500 and 7600, Section 15AB, T3S-R1W, Clackamas County, Oregon. Staff: Georgia McAlister

Case File: DB21-0055 Five (5) Year Temporary
Use Permit

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 397**

A RESOLUTION ADOPTING FINDINGS AND CONDITIONS OF APPROVAL, APPROVING A FIVE-YEAR TEMPORARY USE PERMIT FOR THREE MODEL HOMES, AND THE USE OF THE LOT 64 MODEL HOME'S GARAGE AS A SALES OFFICE AT THE CLERMONT SUBDIVISION. THE SITE IS LOCATED AT 11490 SW TOOZE ROAD AND 28201 SW 110TH AVE. THE PROPERTIES ARE SPECIFICALLY KNOWN AS TAX LOT 7200, 7290, 7300, 7400, 7500, AND 7600, SECTION 15AB, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKMAS COUNTY, OREGON

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

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated November 15, 2021, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B at a scheduled meeting conducted on November 22nd, 2021, 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 November 15, 2021, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB21-0055 Five (5) Year Temporary Use Permit

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 22nd day of March, 2021 and filed with the Planning Administrative Assistant on _____. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.

Samy Nada, Acting Chair - Panel B
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant



Exhibit A1
Planning Division Staff Report
Temporary Use Permit for Three Model Homes and the Use of One's Garage for
Sales

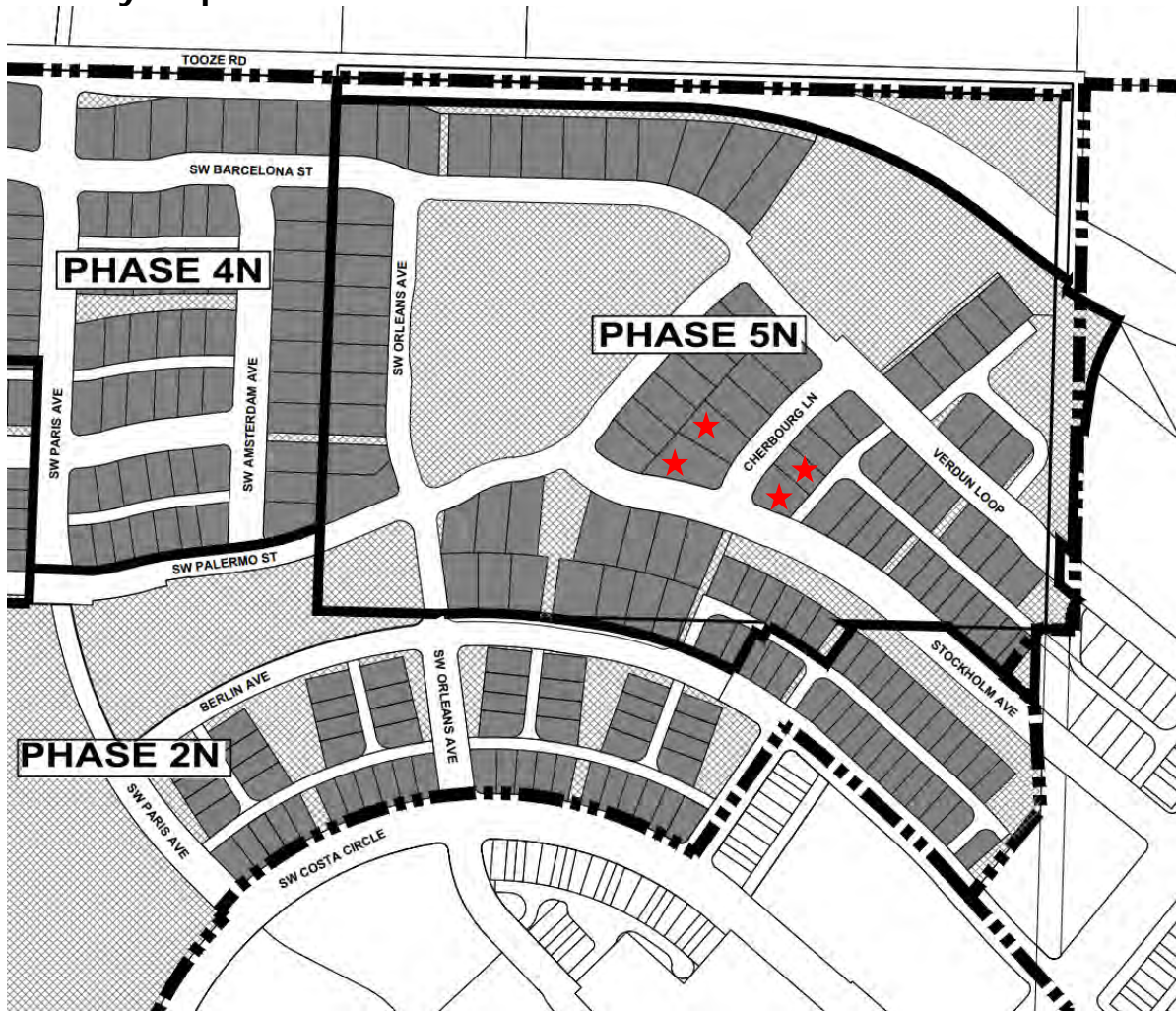
Development Review Board Panel 'B'
Quasi-Judicial Public Hearing

Hearing Date:	November 22, 2021
Date of Report:	November 15, 2021
Application Nos.:	DB21-0055 TUP for a Construction Office Trailer and Model Home Sales Office
Request/Summary:	The Development Review Board is being asked to review a Class 3 5-year Temporary Use Permit
Location:	11490 SW Tooze Road and 28201 SW 110 th Ave. The properties are specifically known as Tax Lot 7200, 7290, 7300, 7400, 7500, and 7600, Section 15AB, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.
Owner:	Taylor Morrison Northwest LLC (Contact: Lance Powlison)
Applicant:	Polygon WLH, LLC (Contact: Lance Powlison)
Authorized Representative:	Pacific Community Design, Inc. (Maureen Jackson, AICP)
Comprehensive Plan Designation:	Village
Zone Map Classification:	V (Village)
Staff Reviewers:	Georgia McAlister, Assistant Planner
Staff Recommendation:	<u>Approve with conditions</u> the requested Five-Year Temporary Use Permit.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.008	Application Procedures-In General
Section 4.009	Who November 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 All Zones
Section 4.125	Village (V) Zone
Section 4.154	On-site Pedestrian Access and Circulation
Subsection 4.155	Off-Street Parking, Loading and Bicycle Parking
Subsection 4.156	Master Signage and Wayfinding
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.156.01 through 4.156.11	Sign Regulations
Section 4.163	Temporary Structure and Uses
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Sections 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.300 through 4.320	Underground Utilities
<u>Comprehensive Plan and Sub-elements:</u>	
SAP North Master Plan	

Vicinity Map



Background/Summary:

Taylor Morrison seeks a 5-year temporary use permit for the commercial use of three model homes and a model home sales office to sell homes in the 89-lot Clermont subdivision. Model homes will be constructed on lots 42, 64, and 65. The sales office will be located on lot 64 within the model home's modified garage. Taylor Morrison will construct a temporary parking area with four parking spaces, including one ADA space, on Lot 43 for the sales office. Taylor Morrison expects that within 5 years all of their homes in the subdivision will sell at which point the office will be converted into a traditional garage and the parking lot will be removed.

Public Comments and Responses:

None Received

Conclusion and Conditions of Approval:

Staff has reviewed the Applicant's application and provided 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 (DB21-0055) with the following conditions:

Planning Division Conditions:

Request: DB21-0055 Five-Year Temporary Use Permit

PD 1.	All construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. The Planning Division may approve minor alterations through the Class I Administrative Review process.
PD 2.	The access aisle for the required ADA parking shall be at least eight feet wide on the passenger side of the ADA space, consistent with the requirements of the Oregon Transportation Commission.
PD 3.	The applicant shall provide at least two bicycle parking spaces meeting the access, spacing, and other standards in Section 4.155.
PD 4.	The applicant shall obtain a sign permit pursuant to the standards of Section 4.156.09 for any proposed signs not exempted from sign permit requirements as noted in Section 4.156.05.
PD 5.	The applicant or their successors shall convert the sales office/model home to a for-sale single-family home within Five years of the date of decision. The applicant or their successors shall remove the parking lot within Five years of the date of decision.

Engineering Division Conditions:

Request: DB21-0055 Five-Year Temporary Use Permit

PD 6.	All public improvements must reach substantial completion as defined by the State prior to use.
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Master Exhibit List:

The Development Review Board hereby enters the following Exhibits into the public record as confirmation of its consideration of the application, as submitted. The exhibit list below includes exhibits for Planning Case File DB21-0055 and reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

Planning Staff Materials

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

Materials from Applicant

- B1. Development Permit Application Form
- B2. Plan Set
- B3. Narrative

Procedural Statements and Background Information:

- 1. The statutory 120-day time limit applies to this application. The application was received on September 17, 2021. On October 15, 2021, the application was deemed complete. The City must render a final decision for the request, including any appeals, by February 12, 2021.
- 2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	V	Single Family Residential (Under Construction)
East:	V	Single Family Residential (Under Construction)
South:	V	Single Family Residential
West:	V	Single Family Residential (Under Construction)

- 3. Previous Planning Approvals:
DB18-0049 et seq Zone Map Amendment, SAP-North Amendment, SAP-North PDP 5, Preliminary Development Plan, Final Development Plan for Parks and Open Space, Tentative Subdivision Plat, Type C Tree Plan, Significant Resource Impact Review
- 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

Criteria: This section lists general application procedures applicable to a number of types of land use applications and also lists unique features of Wilsonville's development review process.

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

Initiating Application Section 4.009

Criterion: "Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply."

Response: The application has been submitted on behalf of the property owner, Taylor Morrison Northwest LLC and is signed by Lance Powlison, an authorized representative.

Pre-Application Conference Subsection 4.010 (.02)

Criteria: This section lists the pre-application process.

Response: A Pre-application conference was not required.

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

Criterion: "City Council Resolution No. 796 precludes the approval of any development application without the prior payment of all applicable City liens for the subject property. Applicants shall be encouraged to contact the City Finance Department to verify that there are no outstanding liens. If the Planning Director is advised of outstanding liens while an application is under consideration, the Director shall advise the applicant that payments must be made current or the existence of liens will necessitate denial of the application."

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

General Submission Requirements
Subsection 4.035 (.04) A.

Criteria: “An application for a Site Development Permit shall consist of the materials specified as follows, plus any other materials required by this Code.” Listed 1. through 6. j.

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

Zoning-Generally
Section 4.110

Criteria: “The use of any building or premises or the construction of any development shall be in conformity with the regulations set forth in this Code for each Zoning District in which it is located, except as provided in Sections 4.189 through 4.192.” “The General Regulations listed in Sections 4.150 through 4.199 shall apply to all zones unless the text indicates otherwise.”

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

Request: DB21-0055 Model Home Garage Sales Office

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

Regulations in the Village Zone

Permitted Uses in the Village Zone
Subsection 4.125 (.02)

1. **Criteria:** This subsection lists the uses typically permitted in the Village Zone, including single-family detached dwellings, row houses, and non-commercial parks, playgrounds, and recreational facilities.

Response: The Village zone does not explicitly permit commercial development in outside of the Village Center, such as sales offices. Section 4.125(.06)A.5. allows for approval of temporary uses not otherwise allowed, which is the request of the applicant.

Permitted Accessory Uses in the Village Zone
Subsection 4.127 (.03)

2. **Criteria:** This subsection lists the permitted accessory uses in the Village Zone among which is “temporary uses per Section 4.163”.

Response: The temporary use for sales and display of new homes is accessory to the planned residential subdivision, subject to review pursuant to Section 4.163.

Village Zone Development Standards
Subsection 4.125 (.05)

3. **Criteria:** This subsection establishes the development standards in the Village zone among which standards for access and fencing
Response: No access is proposed off a street where an alley also exists. All fencing is required to be in conformance with the SAP North Master Fencing Program. The fencing in the front yards will not exceed 3 feet in height and will not be made of prohibited materials.

Village Zone Commercial Uses Subsection 4.125(.06)

4. **Criteria:** This subsection establishes standards applying to commercial uses in the Village Zone including location standards and performance standards.
Response: All business activities will be within buildings, and will meet the performance standards of Section 4.135 (.05).

Village Zone Master Signage and Wayfinding Subsection 4.125(.12)E.

5. **Criteria:** This subsection establishes signage and wayfinding standards for the Village Zone.
Response: Exhibit B in the attached plans provide images of signage that Taylor Morrison has used at other sales offices in the area; the same type of signage is proposed to be used at this sales office. The photographs and images of the proposed types of signage are dimensioned to illustrate the size and height of the subject signage. The information provided demonstrates that the proposed signage meets the dimensional requirements, locational requirements specified in the Master Signage & Wayfinding Plan for SAP North. The color schemes and the typology will be consistent with Page G0.3 of the SAP North Master Signage & Wayfinding Plan. The SAP North Master Signage and Wayfinding Plan does not address commercial canopy signs like the one proposed on the sales office by the canopy sign is consistent with canopy signs allowed for commercial uses elsewhere in Villebois, particularly the village center. As such it is appropriate for the temporary commercial real-estate sale office. The subject temporary signage complies with applicable standards and is shown to be appropriate, attractive, and functional.

Design Principles Subsection 4.125(.13)

6. **Criteria:** This subsection establishes the design principles in the Village Zone
Response: The design principles are implemented by the Architectural Pattern Book and Community Elements Book which the proposed development is required to meet.

Design Standards Subsection 4.125(.14)

7. **Criteria:** This subsection establishes the design principles in the Village Zone

Response: The design principles are implemented by the Architectural Pattern Book and Community Elements Book which the proposed development is required to meet.

Parking

Functional Design of Parking Areas

Subsection 4.155 (.03) A.

8. **Criteria** This subsection establishes parking and loading or delivery areas design and access standards.

Response: The proposed parking area is accessible and has asphalt area for maneuvering into the parking stalls. The applicant does not propose any loading/delivery areas. Vehicle parking and pedestrian areas are separated.

Parking Area Landscaping

Subsection 4.155 (.03) B. 1.-3.

9. **Criteria** This subsection establishes parking and loading or delivery area landscaping standards.

Response: The applicant proposes parking on an asphalt lot located on Lot 43. The parking area is required to have 486 SF of landscaping. 1,822 SF of landscaping will be provided exceeding the standard requirements.

Safe and Convenient Access, ADA Requirement

Subsection 4.155 (.03) C.

10. **Criteria** This subsection establishes that off street parking shall be designed for safe and convenient access that meets ADA and ODOT standards

Response: The proposed design provides four spaces for the model home sales office, including one ADA space with a five-foot access aisle surrounding the space. An ADA accessible route has been provided from the parking area of the front door of the sales office. Condition of Approval PD 2 insures ADA accessibility requirements, including an eight-foot-wide access aisle on the passenger side of the space, are met.

Connectivity to adjacent Parking Areas and Efficient On-Site Circulation

Subsection 4.155 (.03) D.

11. **Criteria:** This subsection establishes that parking areas shall be designed to connect with parking areas on adjacent sites so as to eliminate the necessity for any mode of travel of utilizing the public street for multiple accesses or cross movements.

Response: No need exists to connect with parking on adjacent sites as the parking lot site and adjacent properties will be developed as single-family homes. The on-site parking is of a typical design on a flat site that will allow efficient on-site circulation.

Parking Requirements

Subsection 4.125 (.07) B.3

12. **Criteria:** This section establishes parking minimums and allows street parking to be utilized.
Response: Per the requirements detailed in Table V-2, commercial uses in the Village Zone require 2 spaces per 1,000 sq. ft. of floor area. As such, the 8,672 square-feet of commercial space requires 18 parking spaces. A total of four asphalt parking spots and 14 on street parking spaces along SW Stockholm Drive and SW Cherbourg Lane are provided for model home’s sales office.

Bicycle Parking Requirements Subsection 4.125 (.07) D.

13. **Criteria** “Except as required by Subsections (A) through (D), below, the requirements of Section 4.155 shall apply within the Residential Neighborhood Zone.”
Response: Table V-2 establishes a minimum bicycle parking requirement of two spaces for commercial use. The applicant has not indicated bicycle parking. Condition of Approval PD 3 ensures provision of the required bicycle parking.

On-site Pedestrian Access and Circulation

On-site Pedestrian Access and Circulation Section 4.154 (.01) A.

14. **Criteria:** This section establishes standards for on-site pedestrian access and circulation.
Response: The Villebois neighborhood was designed to be pedestrian-oriented. The existing and planned sidewalk network provides access to the model home sales office from the parking area.

Continuous Pathway System Section 4.154 (.01) B.

15. **Criteria:** This section establishes a pedestrian pathway system shall extend throughout the development site and connect to adjacent sidewalks, and to all future phases of development, as applicable.
Response: The sidewalk will provide a continuous path between the parking area model homes and sales office home.

Safe, Direct and Convenient Pathways Section 4.154 (.01) B

16. **Criteria:** This section establishes standards for on-site pedestrian access and circulation.
Response: The parking area will be located on Lot 43, adjacent to the model home on Lot 42. Each lot in the Clermont subdivision has direct access to the comprehensive sidewalk network which Taylor Morrison will utilize. The design of the parking area will allow customers to park on Lot 43 and safely take the sidewalk to the model homes on Lots 42, 64, and 66. All on street parking has access to sidewalks that customers can safely take to the model homes and office. The sidewalk is at least 5’ wide and ADA compliant. The ADA parking space will be directly adjacent to the sidewalk providing easy access.

Vehicle /Pathway Separation

Section 4.154 (.01) B. 3.

17. **Criteria:** This section establishes standards for separation between vehicle circulation areas and pedestrian areas.

Response: The walkway is separated from vehicle circulation areas.

Crosswalks

Section 4.154 (.01) B. 3.

18. **Criteria:** This section establishes standards for separation pathways crossing a parking area of driveway.

Response: The applicant does not propose new crosswalks across private parking areas or driveways.

Pathway Width and Surface

Section 4.154 (.01) B.

19. **Criteria:** This section establishes standards for sidewalk materials and construction.

Response: The planned public sidewalks are the primary pathways and are concrete 5' sidewalks.

Temporary Structures and Uses

Temporary Use Permits-Generally

Section 4.163

20. **Criteria:** "The Development Review Board, after hearing as set forth in Section 4.012, may permit the temporary use of a structure or premises in any zone for a purpose or use that does not conform to the regulations prescribed elsewhere in this Code for the zone in which it is located, provided that such use be of a temporary nature and does not involve the erection of a substantial structure. A permit for such use November be granted in the form of a temporary and revocable permit, up to a five (5) year period, subject to a showing of good cause and such conditions as will safeguard the public health, safety, convenience and general welfare. Such permits November be renewable upon re-application to the Development Review Board, provided that the Board finds that the renewal is not likely to result in a permanent situation."

Response: While the Village zone permits some commercial development, it does so only in locations master planned for the use. The SAP North Master Plan and land use approvals for the subject properties do not allow commercial uses in the Clermont Subdivision. Thus, the applicant requests a temporary use to allow a temporary commercial use on residential land. The three model homes, garage sales office and accompanying parking area will be located on lots planned to be developed into single family homes. The applicant is requesting a Temporary Use Permit for a model homes sales office up to Five Years to allow

for a flexible time frame to construct and sell the homes in on the lots owned by Taylor Morrison.

Temporary Use Permits-Temporary Use Does Not Involve Substantial Structures
Subsection 4.163 (.01)

21. **Criteria:** This subsection establishes that no substantial structures can be built as a part of a Temporary Use Permit.

Response: While the proposed temporary use will utilize a single-family home structure planned for the subject lots, the applicant does not propose any substantial structures not planned for eventual approved single-family use.

Application Requirements, Restoration to Pre-TUP Conditions
Subsection 4.163 (.02)

22. **Criteria:** This subsection establishes that no substantial structures can be built as a part of a Temporary Use Permit.

Response: The applicant has submitted the required information including a clear description of the planned use, a statement the duration is up to two years, and a site plan (see Exhibit B2). Condition of Approval PD 5 will ensure restoration of the site to pre-TUP conditions or to conditions as a single-family home subject to the approval of the Clermont subdivision.

Just Cause for Temporary Use
Subsection 4.163 (.03)

23. **Criteria:** Factors and considerations for “good cause” include, but are not limited to:

- A. Availability of appropriately zoned land for the proposed use in the city.
- B. Availability of and need for the subject property for allowed uses.
- C. Market conditions, construction costs and other obstructions to the location of the use on appropriately zoned land.
- D. Due diligence of the applicant to site the use on appropriately zoned land,
- E. Circumstances of the applicant bearing on the need for the temporary use permit.

Response:

Availability of Appropriate Zoned Land: While sufficient commercial land and tenant spaces exist in the City for real estate sales offices, it is typical to have an on-site sales office as part of a model home in a new large subdivision. Such uses have existed elsewhere in residential subdivisions.

Availability of and need of property for allowed used: Upon conclusion of the temporary use, the applicant will convert the subject lots to single-family homes for sale, which is the approved use.

Market Conditions, etc.: No market conditions are in play in terms of their being a lack of appropriately zoned land; the use is simply complementary to the allowed use during the sale of lots and homes in the adjacent subdivision.

Due diligence to relocate use: Not applicable. The use is only necessary during the sale of lots and homes in the adjacent subdivision.

Circumstances of applicant: The applicant owns the adjacent land on which they are developing single-family homes. They wish to increase their effectiveness of marketing and provide greater convenience for customers by providing an on-site sales office along with a model home.

Other: The proposed temporary use is a typical limited duration accessory use for new residential subdivisions.

Other Development Standards

Public Safety and Crime Prevention

Subsection 4.163 (.02)

24. **Criteria:** "All developments shall be designed to deter crime and ensure public safety."
Response: Staff finds no evidence and has not received any testimony that the proposal would lead to crime or negatively impact public safety.

Outdoor Lighting

Sections 4.199.20

25. **Criteria:** This section states that the outdoor lighting ordinance is applicable to "Installation of new exterior lighting systems in public facility, commercial, industrial and multi-family housing projects with common areas" and "Major additions or modifications (as defined in this Section) to existing exterior lighting systems in public facility, commercial, industrial and multi-family housing projects with common areas." In addition the exempt luminaires and lighting systems are listed.
Response: No additional outdoor lighting has been proposed. If the applicant wishes to add anything but exempt lighting, additional review by the City will be necessary.

Underground Utility Installation

Sections 4.300-4.320

26. **Criteria:** These sections list requirements regarding the underground installation of utilities.
Response: All new utilities associated with the temporary use must be installed underground. No indication of overhead utilities is shown in the submitted materials and there no evidence conflict that the proposal will cause conflict with underground utilities.

Site Design Review

Excessive Uniformity, Inappropriate Design

Sections 4.400 (.01)

27. **Criteria:** "Excessive uniformity, inappropriateness or poor design of the exterior appearance of structures and signs and the lack of proper attention to site development and landscaping in the business, commercial, industrial and certain residential areas of the City hinders the harmonious development of the City, impairs the desirability of

residence, investment or occupation in the City, limits the opportunity to attain the optimum use in value and improvements, adversely affects the stability and value of property, produces degeneration of property in such areas and with attendant deterioration of conditions affecting the peace, health and welfare, and destroys a proper relationship between the taxable value of property and the cost of municipal services therefor.”

Response: Excessive Uniformity: The model homes will follow home design approved by the City’s consultant architect and found to be consistent with the SAP North Architectural Pattern Book. The home designs will follow the rules of adjacency from the architectural pattern book ensuring there is not excessive uniformity.

Inappropriate or Poor Design of the Exterior Appearance of Structures: Conformance with the SAP North Architectural Pattern Book ensures good design of the exterior of the buildings.

Inappropriate or Poor Design of Signs: All signs are required to be consistent with the SAP North Master Sign and Wayfinding Plan and the City’s sign regulations which ensure appropriate sign design.

Lack of Proper Attention to Site Development: The appropriate professional services have been used to design the buildings and landscaping, demonstrating appropriate attention being given to site development.

Lack of Proper Attention to Landscaping: Landscaping has been professionally designed by a landscape architect, and includes a variety of plant materials, demonstrating appropriate attention being given to landscaping.

Purposes and Objectives

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

28. **Criteria:** “The City Council declares that the purposes and objectives of site development requirements and the site design review procedure are to:” Listed A through J. “The Board shall also be guided by the purpose of Section 4.400, and such objectives shall serve as additional criteria and standards.”

Response: It is staff’s professional opinion that the applicant has provided sufficient information demonstrating compliance with the purposes and objectives of site design review. The site structures and features are consistent with the Architectural Pattern Book and Community Element Book, which has previously been reviewed to ensure consistency with the Villebois Village Master Plan which has similar purposes and objectives as site design review.



29799 SW Town Center Loop E, Wilsonville, OR 97070
 Phone: 503.682.4960 Fax: 503.682.7025
 Web: www.ci.wilsonville.or.us

**Planning Division
 Development Permit Application**

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175

A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements

Pre-Application Meeting Date: _____

Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.

Applicant:

Name: Lance Powlison
 Company: Polygon WLH, LLC
 Mailing Address: 703 Broadway St. Suite 710
 City, State, Zip: Vancouver, WA 98660
 Phone: 360-939-1405 Fax: _____
 E-mail: LPowlison@taylormorrison.com


Authorized Representative:

Name: Maureen Jackson, AICP
 Company: Pacific Community Design, Inc.
 Mailing Address: 12564 SW Main Street
 City, State, Zip: Tigard, OR 97223
 Phone: 503-941-9484 Fax: _____
 E-mail: Maureen@Pacific-Community.com

Property Owner:

Name: Lance Powlison
 Company: Taylor Morrison Northwest, LLC
 Mailing Address: 703 Broadway St. Suite 710
 City, State, Zip: Vancouver, WA 98660
 Phone: 360-939-1405 Fax: _____
 E-mail: LPowlison@taylormorrison.com

Property Owner's Signature:

DocuSigned by:

 6A9158FC480D44A...
 Printed Name: Lance Powlison Date: 8/28/2021

Applicant's Signature: (if different from Property Owner)

Printed Name: _____ Date: _____

Site Location and Description:

Project Address if Available: 11490 SW Tooze Road & 28201 SW 110th Ave. Suite/Unit _____
 Project Location: Clermont
 Tax Map #(s): 31W15AB Tax Lot #(s): 7200, 7290, 7300, 7400, 7500, 7600 County: Washington Clackamas

Request:

Temporary Use Permit for Sales Office & Model Homes

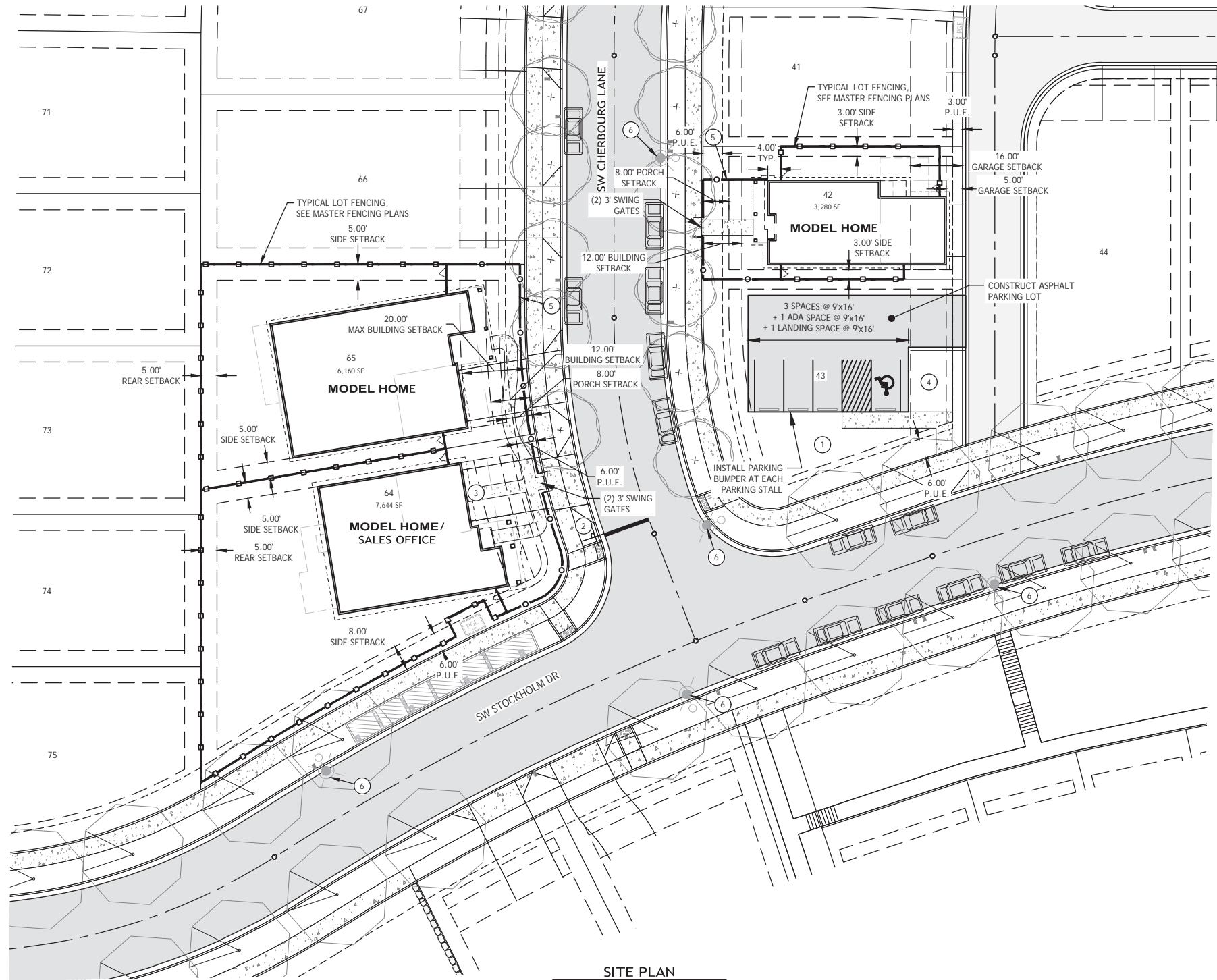
Project Type: **Class I** **Class II** **Class III**

Residential Commercial Industrial Other: _____

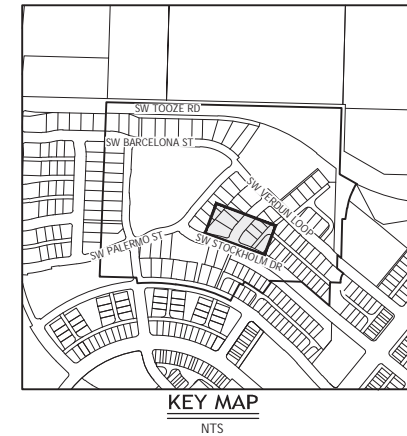
Application Type(s):

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Appeal | <input type="checkbox"/> Comp Plan Map Amend | <input type="checkbox"/> Parks Plan Review |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Major Partition | <input type="checkbox"/> Minor Partition | <input type="checkbox"/> Request to Modify Conditions |
| <input type="checkbox"/> Plan Amendment | <input type="checkbox"/> Planned Development | <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Site Design Review |
| <input type="checkbox"/> Request for Special Meeting | <input type="checkbox"/> Request for Time Extension | <input type="checkbox"/> Signs | <input type="checkbox"/> Stage II Final Plan |
| <input type="checkbox"/> SROZ/SRIR Review | <input type="checkbox"/> Staff Interpretation | <input type="checkbox"/> Stage I Master Plan | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Type C Tree Removal Plan | <input type="checkbox"/> Tree Permit (B or C) | <input checked="" type="checkbox"/> Temporary Use | <input type="checkbox"/> Other (describe) |
| <input type="checkbox"/> Villebois SAP | <input type="checkbox"/> Villebois PDP | <input type="checkbox"/> Villebois FDP | |
| <input type="checkbox"/> Zone Map Amendment | <input type="checkbox"/> Waiver(s) | <input type="checkbox"/> Conditional Use | |





SITE PLAN
HORIZ SCALE: 1" = 20'



SIGN LOCATION KEY:

- ① 3' 4" x 8' SITE SIGN.
- ② 2' x 2' 4" A-BOARD.
- ③ 8' x 10' RETAIL CANOPY SIGN
- ④ 1' 6" x 4' CUSTOMER PARKING / NO CONSTRUCTION PARKING SIGNS (2 SIGNS)
- ⑤ PERIMETER FENCING

LEGEND:

- PROPOSED 6-FT SOLID WOOD FENCE
- PROPOSED SALES COMPLEX PERIMETER FENCING (TEMPORARY)
- ON STREET PARKING SPACE

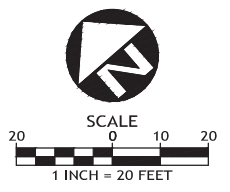
LOT COVERAGE TABLE

LOT	LOT AREA (SF)	BUILDING FOOTPRINT COVERAGE	% LOT COVERAGE
42 (SMALL)	3280	1332	41
64 (STANDARD)	7644	1913	25
65 (STANDARD)	6160	2457	40

LOT COVERAGE MAXIMUM
SMALL LOTS: 75%
STANDARD LOTS: 55%

MINIMUM SETBACKS:

- PORCH 8'
- BUILDING 12'
- BUILDING (ALLEY LOAD) 20' MAX.
- GARAGE (FRONT LOAD) 20' MIN.
- GARAGE (ALLEY LOAD) 3'-5' OR 16'
- SIDE 5'
- SIDE (SMALL LOTS) 3'
- SIDE (STREET) 8'



DATE: 09/03/2021

REVISIONS

NO.	DATE	DESCRIPTION



CLERMONT

**SALES OFFICE
&
MODEL HOME
SITE PLAN**

PROJECT NO.: 395-079
TYPE: PLANNING
REVIEWED BY: PRE

A

REVISIONS

NO.	DATE	DESCRIPTION
-----	------	-------------



CLERMONT

SALES OFFICE
&
MODEL HOME
SIGN DETAILS

PROJECT NO.:	395-079
TYPE:	PLANNING
REVIEWED BY:	PRE

B



6 SITE MARKING FLAGS

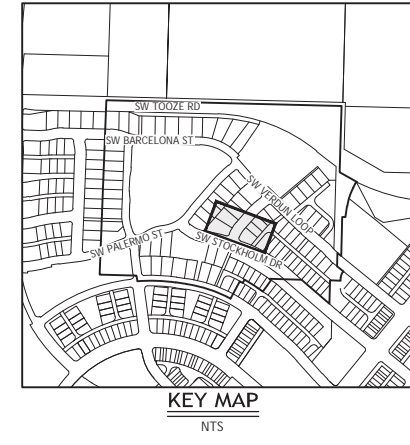
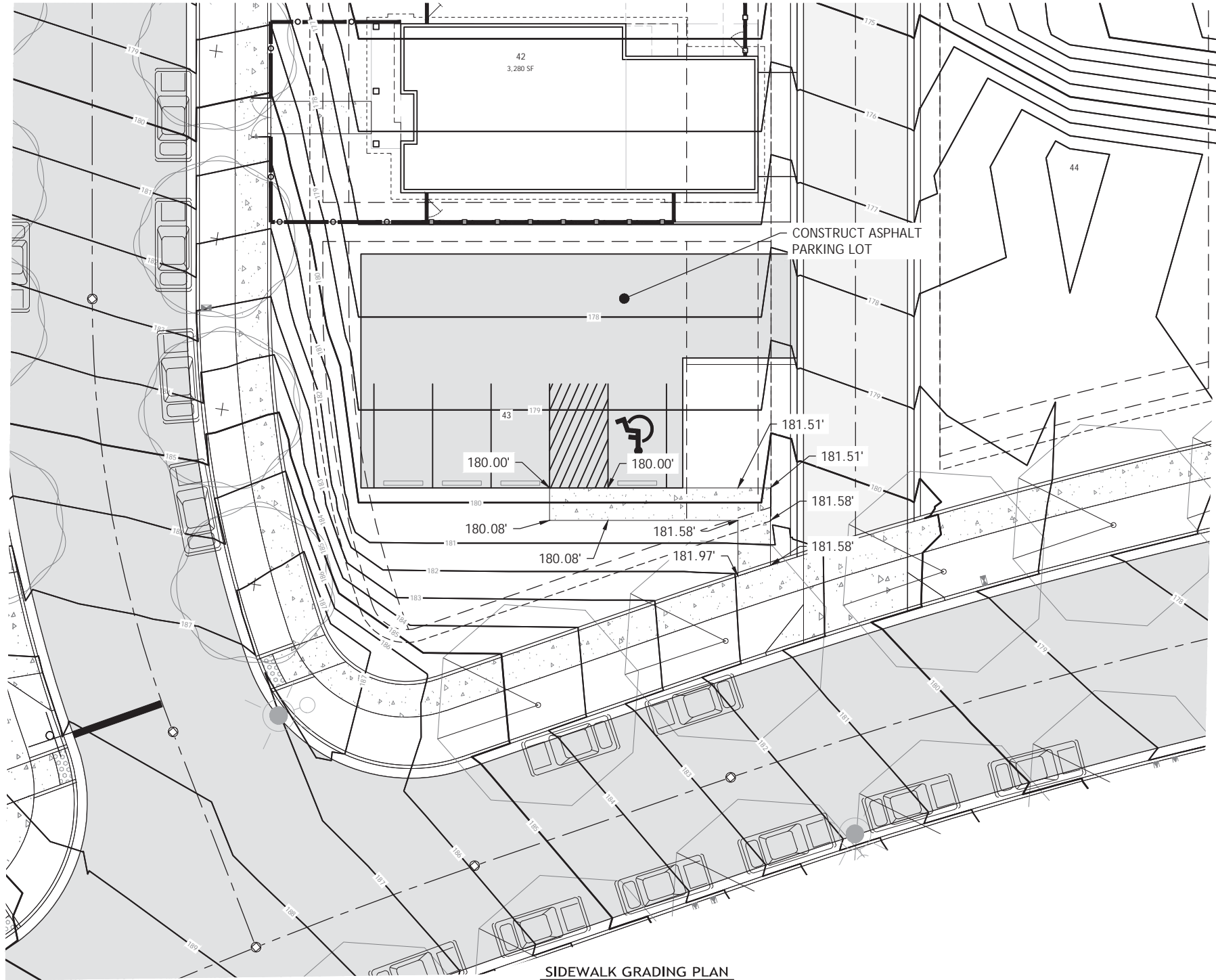


1 3' 4" x 8' SITE SIGN.

2 2' x 2' 4" A-BOARD.



3 8' x 10' RETAIL CANOPY SIGN



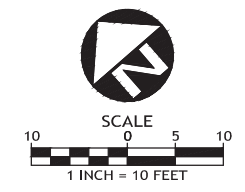
REVISIONS		
NO.	DATE	DESCRIPTION



CLERMONT

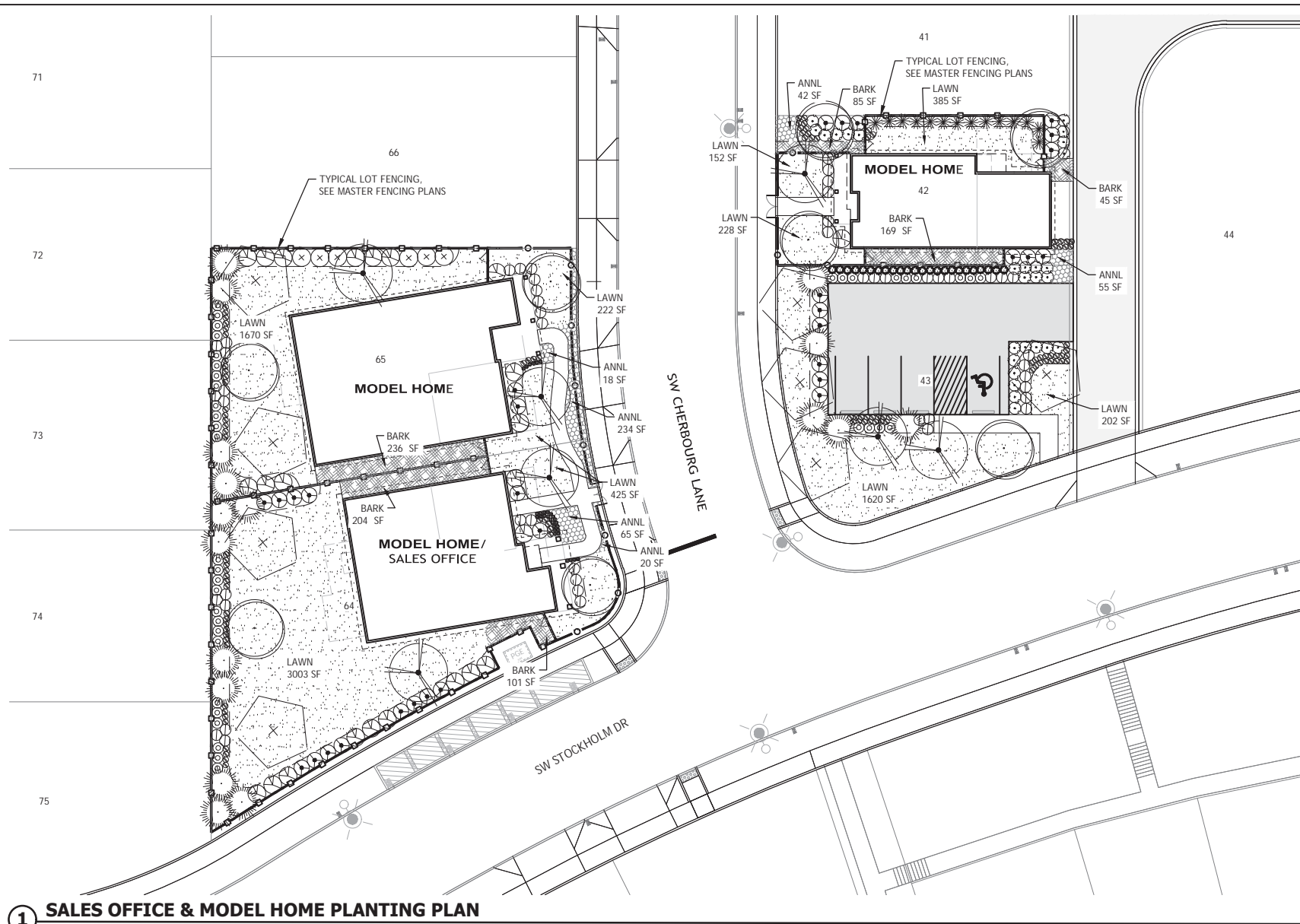
SALES OFFICE
&
MODEL HOME
SITE PLAN

PROJECT NO.: 395-079
TYPE: PLANNING
REVIEWED BY: PRE



REVISIONS

NO.	DATE	DESCRIPTION
-----	------	-------------



1 SALES OFFICE & MODEL HOME PLANTING PLAN

PLANTING LEGEND

TREES			
SYMBOL	QTY	COMMON NAME / BOTANICAL NAME:	SIZE AND DESCRIPTION
	8	JAPANESE MAPLE / ACER PALMATUM:	2" CAL., B&B
	8	CHINESE KOUSA DOGWOOD / CORNUS KOUSA CHINESIS:	2" CAL., B&B
	17	INCENSE CEDAR / CALOCEDRUS DECURRENS:	8' HT., B&B
	7	EASTERN REDBUD / CERCIS CANADENSIS:	2" CAL.

SHRUBS			
SYMBOL	QTY	COMMON NAME / BOTANICAL NAME:	SIZE AND DESCRIPTION
	24	WILMA GOLDCREST CYPRESS / CUPRESSUS MACROCARPA 'WILMA GOLDCREST':	5' HT.
	39	COMPACT HEAVENLY BAMBOO / NANDINA DOMESTICA 'GULF STREAM':	1 GAL.
	7	DROOPING RAINBOW FETTERBUSH / LEUCOTHOE FONTANESIANA 'RAINBOW':	2 GAL.
	27	ANTHONY WATERER SPIREA / SPIRAEA X BUMALDA 'ANTHONY WATERER':	2 GAL.
	31	CORNUS STOLONIFERA 'ELLAGANTISSIMA':	2 GAL.
	24	EUONYMUS JAPONICA 'SILVER KING':	2 GAL.

GRASSES / PERENNIALS			
SYMBOL	QTY	COMMON NAME / BOTANICAL NAME:	SIZE AND DESCRIPTION
	103	EVERGOLD SEDGE / CAREX OSHIMENSIS 'EVERGOLD':	1 GAL.
	14	FOUNTAIN GRASS / PENNISETUM ALOPECUROIDES:	1 GAL.
	30	BIG BLUE LILYTURF / LIRIOPE MUSCARI 'BIG BLUE':	1 GAL.
	50	MORNING LIGHT MAIDEN GRASS / MISCANTHUS SINENSIS 'MORNING LIGHT':	1 GAL.

LAWN / ANNUALS			
SYMBOL	QTY	COMMON NAME / BOTANICAL NAME:	SIZE AND DESCRIPTION
	8,092 SF	PRO-TIME 309 (SUPREME MIX) GRASS SEED BY HOBBS AND HOPKINS, LTD. AT A RATE OF 8 LBS/1000 SQUARE FEET.	
	435 SF	ASSORTED ANNUALS BY OTHERS	
	839 SF	BARK MULCH	

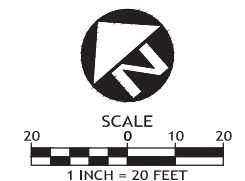
TOTAL LANDSCAPE AREA

LOT	LOT AREA (SF)	LANDSCAPED AREA (SF)	% LOT LANDSCAPED
42 (SMALL)	3280	1738	53
64 (STANDARD)	7644	5376	70
65 (STANDARD)	6160	3466	56



KEY MAP

NTS



CLERMONT

SALES OFFICE & MODEL HOME PLANTING PLAN

PROJECT NO.: 395-079
 TYPE: PLANNING
 REVIEWED BY: KMK

L1

REVISIONS

NO.	DATE	DESCRIPTION
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CLERMONT



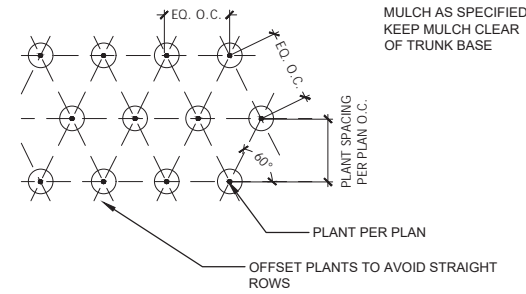
SALES OFFICE & MODEL HOME PLANTING NOTES & DETAILS

PROJECT NO.: 395-079
TYPE: PLANNING
REVIEWED BY: KMK

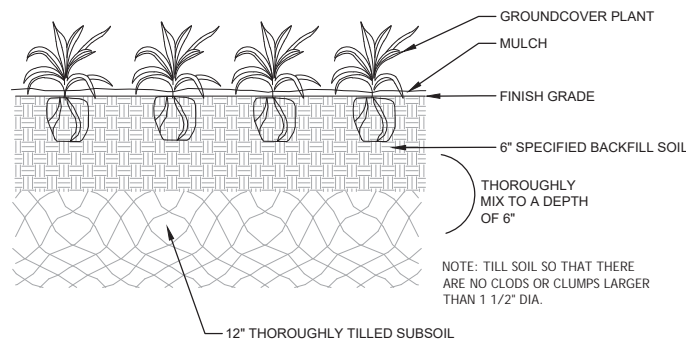
L2

GENERAL NOTES: LANDSCAPE PLAN

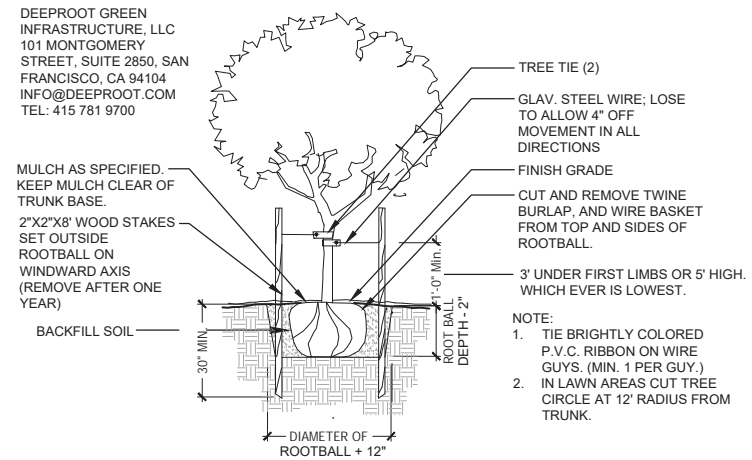
1. THE CONTRACTOR SHALL VERIFY WITH OWNER AND UTILITY COMPANIES THE LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL DETERMINE IN THE FIELD THE ACTUAL LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES WHETHER SHOWN ON THE PLANS OR NOT. THE CONTRACTOR SHALL CALL UTILITY PROTECTION SERVICE 72 HOURS PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL EXAMINE FINISH SURFACE, GRADES, TOPSOIL QUALITY AND DEPTH. DO NOT START ANY WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED. VERIFY LIMITS OF WORK BEFORE STARTING.
3. CONTRACTOR TO REPORT ALL DAMAGES TO EXISTING CONDITIONS AND INCONSISTENCIES WITH PLANS TO ODR.
4. ALL PLANT MASSES TO BE CONTAINED WITHIN A BARK MULCH BED, UNLESS NOTED OTHERWISE.
5. BED EDGE TO BE NO LESS THAN 12" AND NO MORE THAN 18" FROM OUTER EDGE OF PLANT MATERIAL BRANCHING. WHERE GROUND-COVER OCCURS, PLANT TO LIMITS OF AREA AS SHOWN.
6. CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE IN ALL LANDSCAPE BEDS AND ALL LAWN AREAS.
7. CONTRACTOR TO FINE GRADE AND ROCK-HOUND ALL TURF AREAS PRIOR TO SEEDING, TO PROVIDE A SMOOTH AND CONTINUOUS SURFACE, FREE OF IRREGULARITIES (BUMPS OR DEPRESSIONS) & EXTRANEOUS MATERIAL OR DEBRIS.
8. QUANTITIES SHOWN ARE INTENDED TO ASSIST CONTRACTOR IN EVALUATING THEIR OWN TAKE-OFFS AND ARE NOT GUARANTEED AS ACCURATE REPRESENTATIONS OF REQUIRED MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS BID QUANTITIES AS REQUIRED BY THE PLANS AND SPECIFICATIONS. IF THERE IS A DISCREPANCY BETWEEN THE NUMBER LABELED ON THE PLANT TAG AND THE QUANTITY OF GRAPHIC SYMBOLS SHOWN, THE GRAPHIC SYMBOL QUANTITY SHALL GOVERN
9. COORDINATE LANDSCAPE INSTALLATION WITH INSTALLATION OF UNDERGROUND SPRINKLER AND DRAINAGE SYSTEMS.
10. WITH THE EXCEPTION OF THOSE TREES INDICATED ON THE TREE REMOVAL PLAN, CONTRACTOR SHALL NOT REMOVE ANY TREES DURING CONSTRUCTION WITHOUT THE EXPRESS WRITTEN CONSENT OF THE ODR. EXISTING VEGETATION TO REMAIN SHALL BE PROTECTED AS DIRECTED BY THE ODR.
11. WHERE PROPOSED TREE LOCATIONS OCCUR UNDER EXISTING OVERHEAD UTILITIES OR CROWD EXISTING TREES, NOTIFY ODR TO ADJUST TREE LOCATIONS.
12. LANDSCAPE MAINTENANCE PERIOD BEGINS IMMEDIATELY AFTER THE COMPLETION OF ALL PLANTING OPERATIONS AND WRITTEN NOTIFICATION TO THE ODR. MAINTAIN TREES, SHRUBS, LAWNS AND OTHER PLANTS UNTIL FINAL ACCEPTANCE OR 90 DAYS AFTER NOTIFICATION AND ACCEPTANCE, WHICHEVER IS LONGER.
13. REMOVE EXISTING WEEDS FROM PROJECT SITE PRIOR TO THE ADDITION OF ORGANIC AMENDMENTS AND FERTILIZER. APPLY AMENDMENTS AND FERTILIZER PER THE RECOMMENDATIONS OF THE SOIL ANALYSIS FROM THE SITE.
14. BACK FILL MATERIAL FOR TREE AND SHRUB PLANTING SHALL CONTAIN: ONE PART FINE GRADE COMPOST TO ONE PART TOPSOIL BY VOLUME, BONE MEAL PER MANUFACTURER'S RECOMMENDATION, AND SLOW RELEASE FERTILIZER PER MANUFACTURER'S RECOMMENDATION.
15. GROUND COVERS AND PERENNIALS SHALL BE PLANTED WITH A MAXIMUM 2 INCH COVER OF BARK MULCH WITH NO FOLIAGE COVERED.
16. CONTRACTOR SHALL OBTAIN WRITTEN APPROVAL FOR ALL PLANT MATERIAL SUBSTITUTIONS FROM THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. PLANT SUBSTITUTIONS WITHOUT PRIOR WRITTEN APPROVAL THAT DO NOT COMPLY WITH THE DRAWINGS AND SPECIFICATIONS MAY BE REJECTED BY THE LANDSCAPE ARCHITECT AT NO COST TO THE OWNER. THESE ITEMS MAY BE REQUIRED TO BE REPLACED WITH PLANT MATERIALS THAT ARE IN COMPLIANCE WITH THE DRAWINGS.
17. ALL PLANT MATERIALS SHALL BE NURSERY GROWN WITH HEALTHY ROOT SYSTEMS AND FULL BRANCHING, DISEASE AND INSECT FREE AND WITHOUT DEFECTS SUCH AS SUN SCALD, ABRASIONS, INJURIES AND DISFIGUREMENT.
18. ALL PLANT MATERIAL SHALL BE INSTALLED AT THE SIZE AND QUANTITY SPECIFIED. THE LANDSCAPE ARCHITECT IS NOT RESPONSIBLE FOR SUB-STANDARD RESULTS CAUSED BY REDUCTION IN SIZE AND/OR QUANTITY OF PLANT MATERIALS.



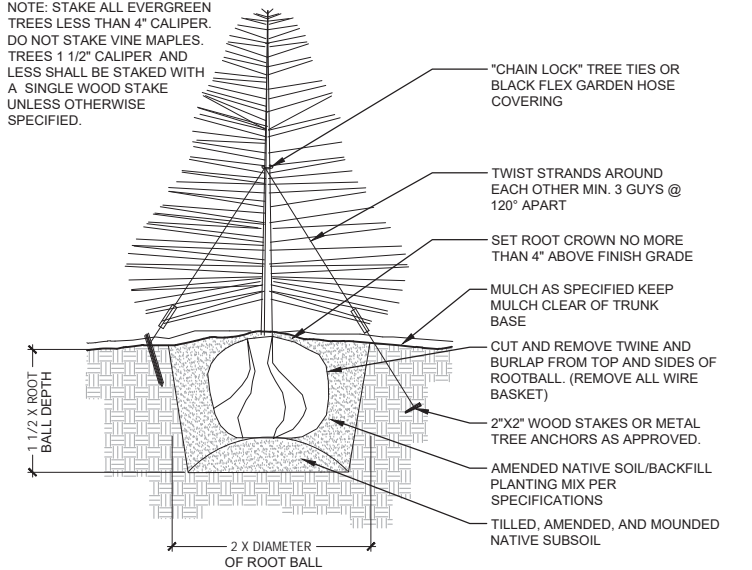
4 GROUNDCOVER PATTERN
SCALE: N.T.S



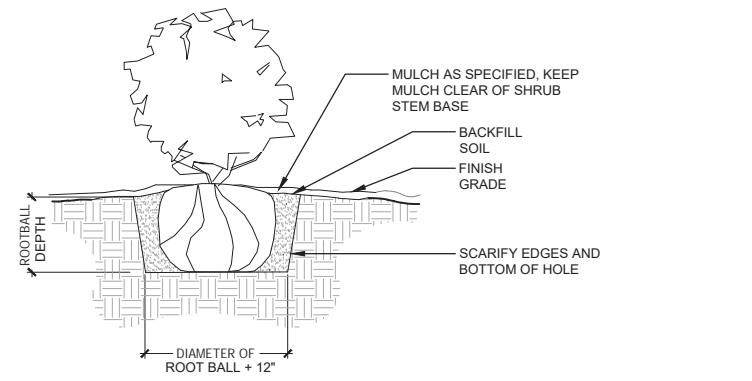
5 GROUNDCOVER PLANTING
SCALE: N.T.S



1 TREE STAKING
SCALE: N.T.S



2 CONIFER TREE GUYING
SCALE: N.T.S



3 SHRUB PLANTING
SCALE: N.T.S

SUPPORTING COMPLIANCE REPORT
TEMPORARY USE PERMIT FOR SALES OFFICE & MODEL HOMES
IN VILLEBOIS PHASE 5 NORTH “CLERMONT”

I. PROPOSAL SUMMARY

GENERAL INFORMATION

Applicant/ Property Owner:	Taylor Morrison (Formerly Polygon WLH, LLC.) 703 Broadway Street, Suite 510 Vancouver, WA 98660 (360) 695-7700 Contact: Lance Powlison, Land Development Manager
Applicant’s Representative:	Pacific Community Design, Inc. 12564 SW Main Street Tigard, OR 97223 (503) 941-9484 Contacts: Maureen Jackson, AICP
Site Location:	11490 SW Tooze Road & 28201 SW 110 th Ave.
Map and Tax Lots:	31W15AB 7200, 7290, 7300, 7400, 7500, 7600
Land Use Classification:	V (Village)
Land Use Approvals:	DB18-0049 thru 0054, SI18-0005, AR19-0004, AR20-0048

REQUEST

The Applicant is requesting approval of a Temporary Use Permit for a sales office and three model homes. The following narrative and site plan demonstrates compliance with the applicable City of Wilsonville Development Code (WDC) Sections.

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I. COMPLIANCE WITH CITY OF WILSONVILLE DEVELOPMENT CODE 3
SECTION 4.163 GENERAL REGULATIONS - TEMPORARY STRUCTURES & USES 3
SECTIONS 4.013-4.031, 4.113, 4.118, 4.124 REVIEW PROCEDURES AND SUBMITTAL
REQUIREMENTS 4
SECTIONS 4.400-4.450 SITE DESIGN REVIEW 5
SECTION 4.125 V - VILLAGE ZONE 8
SECTION 4.156 SIGN REGULATIONS 13
SECTION 4.176 LANDSCAPING, SCREENING & BUFFERING 13
SECTION 4.262 IMPROVEMENTS - REQUIREMENTS..... 14
III. CONCLUSION 14

I. COMPLIANCE WITH CITY OF WILSONVILLE DEVELOPMENT CODE

SECTION 4.163 GENERAL REGULATIONS - TEMPORARY STRUCTURES & USES

(.01) The Development Review Board, after hearing as set forth in Section 4.012, may permit the temporary use of a structure or premises in any zone for a purpose or use that does not conform to the regulations prescribed elsewhere in this Code for the zone in which it is located, provided that such use be of a temporary nature and does not involve the erection of a substantial structure. A permit for such use may be granted in the form of a temporary and revocable permit, up to a five (5) year period, subject to a showing of good cause and such conditions as will safeguard the public health, safety, convenience and general welfare. Such permits may be renewable upon reapplication to the Development Review Board, provided that the Board finds that the renewal is not likely to result in a permanent situation.

Response: The Applicant is requesting approval of a Temporary Use Permit for a sales office and three model homes from the Development Review Board as permitted in Section 4.163. The sales office, proposed to be located inside a model home, and the model homes are not “substantial” as the dwellings in which they are located can easily be converted to residential uses once the sales use of the office and model homes are no longer needed. Permanent public, fire, health, and safety improvements necessary for operation of the proposed temporary uses will be in place to serve the site.

The sales office is located to be near the homes that will be offered for sale and the model homes are necessary to provide examples of the homes that are for sale by the Applicant. A request to renew this Temporary Use Permit may be made if the sales office and model homes are still needed in this location in 5 years.

(.02) Applications for Temporary Use Permits shall provide:
a) A clear description of the proposed temporary structure/use and the reasons why a temporary structure/use is necessary at this location for the requested time period.

Response: The Applicant is requesting approval of a 5-year Temporary Use Permit for a sales office and model homes. The sales office will be located within a model home on Lot 64. Model homes are proposed within the homes to be built on Lots 42 and 65. A temporary parking lot is proposed to serve the sales office and model homes on Lot 43. The proposed locations are shown on the attached plans. The sales office is located as proposed to be near the homes that are offered for sale. The model homes are necessary to provide examples of the homes that are for sale by the Applicant. The applicant is requesting to use the proposed sales office and model homes until all homes in Clermont are sold, or 5-years; whichever comes first. If a longer timeframe is required, the applicant will submit a request for renewal of the permit.

b) A statement of the expected duration of the temporary use/structure, together with documentation supporting the proposed date for termination of the temporary use/structure.

Response: The applicant is requesting to use the proposed sales office and model homes until all homes in Clermont are sold, or 5-years; whichever comes first. If a longer timeframe is required, the applicant will submit a request for renewal of the permit.

- c) A site plan showing the location of the proposed use/structure, access, associated parking, pedestrian connections to the greater site if appropriate, lighting, signage and landscaping.

Response: A Site Plan is attached to this report to illustrate the location of the proposed uses, access, associated parking, pedestrian connections, signage and landscaping.

- d) A plan for removal of the temporary use/structure and restoration of the site to pre-TUP conditions or development of the site for approved permanent structures/uses.

Response: The sales office located inside a model home and the model homes will easily convert to residential uses as no substantial alterations of the dwellings will occur to support their use as model homes. Associated landscaping, parking, pedestrian connections and fencing are also easily removable. The Applicant is requesting use the sales office and model homes until determination that the uses are no longer needed or 5-years; whichever comes first.

- (.03) **Factors and considerations for “good cause” include, but are not limited to:**
- a) Availability of appropriately zoned land for the proposed use in the city.
 - b) Availability of and need for the subject property for allowed uses.
 - c) Market conditions, construction costs and other obstructions to the location of the use on appropriately zoned land.
 - D Due diligence of the applicant to site the use on appropriately zoned land,
 - e) Circumstances of the applicant bearing on the need for the Temporary Use Permit.

Response: Both the sales office and the model homes need to be located as proposed in order to be near the homes that are offered for sale. The sales office and model homes are temporary uses that facilitate the sale of homes in Clermont. The sales office and model homes will be converted to residential use upon sale of the homes in Clermont. The applicant is requesting to use the proposed sales office and model homes until all homes in Clermont are sold, or 5-years, whichever is sooner. In the event that these uses are needed beyond 5 years, a request for renewal will be submitted.

SECTIONS 4.013-4.031, 4.113, 4.118, 4.124 REVIEW PROCEDURES AND SUBMITTAL REQUIREMENTS

Response: This application for a Temporary Use Permit is submitted in compliance with the applicable requirements and will be reviewed by the City under the applicable procedures.

SECTIONS 4.400-4.450 SITE DESIGN REVIEW

4.421 CRITERIA AND APPLICATION OF DESIGN STANDARDS

(.01) The following standards shall be utilized by the Board in reviewing the plans, drawings, sketches and other documents required for Site Design Review. These standards are intended to provide a frame of reference for the applicant in the development of site and building plans as well as a method of review for the Board. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention and innovation. The specifications of one or more particular architectural styles is not included in these standards.

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

Response: The location of the sales office and model homes will not impact the project's ability to preserve existing trees that are identified for retention. This request does not result in any additional tree removal or grading.

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

Response: The relationship of the proposed sales office and model homes to the environment is illustrated on the attached plans. The proposed structures are located and designed to assure harmony with the natural environment. There are no steep slopes or naturally sensitive areas for wildlife habitat on the site. The proposed structures are sited in consideration of trees identified for retention. No additional tree removal is needed to establish the proposed temporary uses. Fencing and landscaping will be provided as shown on the attached plans to assure that the proposed temporary uses are well integrated into this residential area and the surrounding natural environment.

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

Response: The attached plans demonstrate the provision of parking, vehicular drives and pedestrian circulation related to the proposed temporary uses. These will be established in a safe and convenient manner and will be sited and designed to not detract from the proposed residences and neighboring properties.

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

Response: PDP 5N addresses proper site surface drainage. The proposed temporary uses are consistent with the PDP. The site has been designed to assure that proper site surface drainage for the proposed temporary uses will occur so that removal of surface waters will not adversely affect neighboring properties of the public storm drainage system, as shown on the attached plans.

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

Response: Utility installations were designed, reviewed, and installed through the PDP application and subsequent construction drawings. This review process will assure that any above ground utility installations are located in a manner that achieves a harmonious relation to the site and neighboring properties. The PDP addresses the method of sanitary and storm sewage disposal from the subject model homes and sales office will utilize the same methods.

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

Response: Proposed signage is reviewed in detail in the following sections of this report. Proposed signage will meet the standards of the Master Signage and Wayfinding Plan for SAP North, which will assure that the signage will not detract from the design of the proposed residences and surrounding properties.

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

Response: This proposal does not include any exposed storage areas, exposed machinery installations, surface areas, truck loading areas, utility buildings/structures or similar accessory areas and structures.

4.440 PROCEDURE

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

- A. A site plan, drawn to scale, showing the proposed layout of all structures and other improvements including, where appropriate, driveways, pedestrian walks, landscaped areas, fences, walls, off-street parking and loading areas, and railroad tracks. The site plan shall indicate the location of entrances and exits and direction of traffic flow into and out of off-street parking and loading areas, the location of each parking space and each loading berth and areas of turning and maneuvering vehicles. The site plan shall indicate how utility service and drainage are to be provided.

Response: Included in this application is a site plan drawn to scale, which shows the layout of the proposed temporary uses. The plan illustrates proposed vehicle and pedestrian access, landscaped areas, fences, parking areas, utility service and drainage.

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

Response: A landscape and tree plan are included in the enclosed site plan set. The landscape plan is drawn to scale and illustrates the location and design of proposed landscape areas. The plan includes the variety and sizes of trees and plant materials to be planted and retained on the site.

- C. Architectural drawings or sketches, drawn to scale, including floor plans, in sufficient detail to permit computation of yard requirements and showing all elevations of the proposed structures and other improvements as they will appear on completion of construction. Floor plans shall also be provided in sufficient detail to permit computation of yard requirements based on the relationship of indoor versus outdoor living area, and to evaluate the floor **plan's effect on the exterior design of the building** through the placement and configuration of windows and doors.

Response: The attached site plan includes the footprint of the proposed model homes. The sales office will be located in the garage of the model home on Lot 64.

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

Response: A color board for the proposed model homes and sales office can be provided upon request. The applicant is not proposing to phase construction of the temporary uses; a phased development schedule is not necessary.

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

Response: The enclosed site plan includes the proposed locations of signage and images showing the size, design, material and colors of the proposed signage. None of the subject signs are proposed to be illuminated.

- F. The required application fee.

Response: The required fee for a Temporary Use Permit is included in this submittal.

SECTION 4.125 V - VILLAGE ZONE

Response: The applicant is requesting approval of a Temporary Use Permit for a sales office, model homes, and associated parking area on Lots 42, 43, 64, and 65 of Villebois Phase 5 North “Clermont” located in Village Zone. Demonstration of compliance to applicable Village Zone criteria is provided in the responses below:

(.03) Permitted Accessory Uses

Response: The applicant is requesting approval of a Temporary Use Permit for a sales office, model homes, and associated parking area as allowed per Section 4.163, addressed earlier in this narrative.

(.05) Development Standards Applying to All Developments in the Village Zone. In addition to other applicable provisions of the Wilsonville Planning and Land Development Ordinance, all development in the Village zone shall be subject to Tables V-1 through V-4, and to the following. If there is a conflict between the provisions of the Village zone and other portions of the Code, then the provisions of this section shall apply.

Response: No modifications to the lot size or lot dimensional standards of Table V-1 previously approved on Case Files DB18-0049 thru 0054 are proposed with this application.

The table below demonstrates the proposed model home on Lot 42 does not exceed the maximum lot coverage of 75% for small lots, and the sales office and model homes on Lots 64 and 65 do not exceed the maximum lot coverage of 55% for standard lots.

Lot/ Use	Lot Area	Building Footprint Area	Lot Coverage (%)
Lot 42 Model Home	3,280 sf	1,332 sf	41%
Lot 64 Model Home/ Sales Office	7,644 sf	1,913 sf	25%
Lot 65 Model Home	6,160 sf	2,457 sf	40%

The two-story model homes on Lots 42 and 64 and the single-story model home on Lot 65 will not exceed 35-feet in height. All model homes meet the setback standards of Table V-1. The sales office and model homes on the standard size Lots 64 and 65 comply with the 12-foot front minimum, 20-foot front maximum, 5-foot rear

minimum, and 5-foot side minimum setback standards. The alley-loaded model home on the small size Lot 42 is designed to comply with the 12-foot front minimum, 20-foot front maximum, and 3-foot side minimum setback standard required by Building Code, and a 5-foot garage setback from the alley.

Compliance with the above-listed standards will be confirmed with review of building permits for the proposed uses.

Table V-2: Off-Street Parking Requirements sets standards for amounts of required parking spaces by use. The closest use category to the proposed temporary use is “all other commercial uses,” which specifies that 2 off-street parking spaces per 1,000 square feet of use are required. Required off-street parking is calculated below:

Lot/ Use	Use Area
Lot 42 Model Home	2,450 sf
Lot 64 Model Home/ Sales Office	3,765 sf
Lot 65 Model Home	2,457 sf
Total Area	8,672 sf

As noted in the table above, the total square footage utilized by the sales office and model homes on Lots 42, 64, and 65 is 8,672 square feet requiring 18 parking spaces [8,672 SF / 1,000 SF = 8.7 (round to 9) x 2 spaces = 18 spaces].

According to Section 4.125(.07)B.3., “except for detached single-family dwellings and duplexes, on-street parking spaces, directly adjoining and on the same side of the street as the subject property, may be counted towards meeting the minimum off-street parking requirements.” As the proposed temporary uses are considered ‘commercial uses’, this provision applies. The attached site plan shows the provision of 4-parking spaces (includes 1 ADA accessible space) within a temporary parking area on Lot 43. Parking available along SW Stockholm Drive and SW Cherbourg Lanes provides an additional 14-spaces, for a total of 18-parking spaces. An ADA accessible route is provided from the temporary parking area to the front door of the sales office.

Tables V-3 Permitted Materials and Configurations specify allowable materials and placement of materials for single-family detached homes. Compliance with the materials and configurations specified by Table V-3 will be confirmed with review of building permits for the model homes and the sales office

Table V-4 is not applicable to the proposed use as it only applies to uses in the Village Center, schools or religious institutions.

A. Block, Alley, Pedestrian and Bicycle Standards:

Response: As illustrated on the attached site plan, the applicant is requesting approval of a sales office, model homes, and associated parking area on Lots 42, 43, 64, and 65 of Clermont. No modifications to the block perimeter, or spacing between

streets or private drives, previously approved on Case Files DB18-0049 thru 0054 are proposed with this application; therefore, these standards do not apply.

- B. Access: All lots with access to a public street, and an alley, shall take vehicular access from the alley to a garage or parking area, except as determined by the City Engineer.

Response: This Temporary Use Permit application requests approval of a sales office, model homes, and associated parking area on Lots 42, 43, 64, and 65 of Clermont. As illustrated on the enclosed site plan, vehicle access to the parking area on Lot 43 that serves the sales office and model homes temporary uses is proposed to be taken from Cherbourg Lane.

Upon conclusion of the temporary uses, vehicle access to the future residential development on Lots 64 and 65 will take access from a public street, Cherbourg Lane; and future residential development on Lots 42 and 43 will have vehicular access from the alley.

- C. Trailers, travel trailers, mobile coaches, or any altered variation thereof shall not be used for the purpose of conducting a trade or calling, or for storage of material, unless approved for such purpose as a temporary use.

Response: No trailers, travel trailers, or mobile coaches are proposed for the temporary use.

- D. Fences:
 - 1. General Provisions:
 - a. Fencing in the Village Zone shall be in compliance with the Master Fencing Program in the adopted Architectural Pattern Book for the appropriate SAP. [Section 4.125(.09)(D)(1)(a) amended by Ord. No. 596, 10/3/05.]
 - b. When two or more properties with different setbacks abut, the property with the largest front yard setback requirement shall be used to determine the length and height of the shared side yard fence, as required by Section 4.125(.05)(D)(1)(a), above.
Example: Building 'A' has 20' front yard setback and Building 'B' has zero front yard setback. Since Building 'A' has the larger front yard setback, it shall be used to determine the height and length of the shared side yard fence. It is 6' tall, but is reduced to 3' in front of Building 'A's building line.
 - c. The Development Review Board may, in their discretion, require such fencing as deemed necessary to promote and provide traffic safety, noise mitigation, and nuisance abatement, and the compatibility of different uses permitted on adjacent lots of the same zone and on adjacent lots of different zones.
 - 2. Residential:
 - a. The maximum height of any fence located in the required front yard of a residential development shall not exceed three (3) feet.
 - b. Fences on residential lots shall not include chain link, barbed wire, razor wire, electrically charged wire, or be constructed of sheathing material such as plywood or flake board. Fences in residential areas that protect wetlands, or other sensitive areas, may be chain link.

Response: The enclosed site plan illustrates the location of the 6-foot high solid wood fence proposed along the side and rear yards of Lots 42, 64, and 65 that complies with the Master Fencing Program for SAP North. The site plan also shows the location of temporary perimeter fencing proposed along the front yards of Lots 42, 64, and 65.

E. Recreational Area in Multi-family Residential and Mixed-Use Developments.

Response: The applicant is requesting approval of a Temporary Use Permit for a sales office and model homes in the single-family residential development of Clermont; therefore, the recreational area requirements of Section 4.125(.05)E. do not apply.

F. Fire Protection:

1. All structures shall include a rated fire suppression system (i.e., sprinklers), as approved by the Fire Marshal.

Response: The sales office and model homes on Lots 42, 64, and 65 of Clermont will include a rated fire suppression system as required.

(.07) General Regulations - Off-Street Parking, Loading & Bicycle Parking. Except as required by Subsections (A) through (D), below, the requirements of Section 4.155 shall apply within the Village zone.

A. General Provisions:

1. The provision and maintenance of off-street parking spaces is a continuing obligation of the property owner. The standards set forth herein shall be considered by the Development Review Board as minimum criteria.
2. The Board shall have the authority to grant variances or refinements to these standards in keeping with the purposes and objectives set forth in this zone.

B. Minimum and Maximum Off-Street Parking Requirements:

1. Table V-2, Off-Street Parking Requirements, below, shall be used to determine the minimum and maximum parking standards for noted land uses.
2. Minimum parking requirements may be met by dedicated off-site parking, including surface parking areas and parking structures.
3. Except for detached single-family dwellings and duplexes, on-street parking spaces, directly adjoining and on the same side of the street as the subject property, may be counted towards meeting the minimum off-street parking requirements.
4. Minimum parking requirements may be reduced under the following conditions:

Response: The off-street parking requirements of Table V-2 are addressed in detail in the above response to Code Section 4.125(.05) of this report.

(.12) Master Signage and Wayfinding

- A. All signage and wayfinding elements within the Village Zone shall be in compliance with the adopted Signage and Wayfinding Master Plan for the appropriate SAP.
- B. Provisions of Section 4.156 shall apply in the Village Zone except subsections (.06), (.07), (.08), and the provisions of (.09) other than that of (.09) (C.)(2.).

Section 4.156(.09) may be used for comparison purposes to assess conceptually whether signage is allowed in an equitable manner throughout the City. Section 4.156 is not to be used for direct comparison of sign standards.

- C. The Master Signage and Wayfinding Plan is the Master Sign Plan for the applicable SAP.
- D. In the event of conflict between the applicable standards of Section 4.156 and this subsection or the applicable Master Signage and Wayfinding Plan, this subsection and the Master Signage and Wayfinding Plan shall take precedence.
- E. The following signs may be permitted in the Village Zone, subject to conditions in this Section.
 - 1. Site Signs
 - a. Signs that capture attention establishing a sense of arrival to Villebois and to areas within Villebois.
 - 2. Site Directional
 - a. Permanent mounted signs informing and directing the public to major destinations within Villebois.
 - 3. Retail Signs
 - a. Signs which identify the retail uses, including bulkhead signs, blade signs, temporary window signs and permanent window signs designed to identify storefronts and provide information regarding the retail uses.
 - 4. Informational Signs
 - a. Permanent mounted signs located along and adjacent to travel ways providing information to residents and visitors traveling within Villebois.
 - 5. Flags and Banners
 - a. Permanent and temporary pole mounted signage intended to identify the graphic identity of Villebois and to identify seasonal events taking place within the Villebois Community.
- F. Dimensions and square footage of signs are defined in the Master Signage and Wayfinding Plan for the appropriate SAP.
- G. Signage locations are specified in the Master Signage and Wayfinding Plan for the appropriate SAP.
- H. The number of signs permitted is specified in the Master Signage and Wayfinding Plan for the appropriate SAP.

Response: The above code section allows for establishment of site signs, site directional signs, retail signs and banners within the subject area as specified in the SAP North Signage & Wayfinding Plan. Per the Master Signage & Wayfinding Plan for SAP North, temporary signage plans must be approved by Staff. Temporary signage associated with the sales office and model homes is needed for marketing purposes to attract the attention of interested home buyers and direct them into the sales office.

The temporary signage associated with the sales office and model homes includes the following types of signs allowed by the Master Signage & Wayfinding Plan for SAP North.

- *Temporary Site Signs (Page G1.4 of Signage & Wayfinding Plan):*
 - *One (1) larger sign designating the site and the sales office location.*
 - *Two (2) smaller signs designating customer parking/no construction parking.*
 - *One (1) A-Board sign at the sidewalk/pathway to the sales office entrance.*

- *Retail Canopy Sign (Page G3.1 of Signage & Wayfinding Plan):*
 - *An awning sign above the entrance to the sales office.*
- *Temporary Flags and Banners (Page G7.0 of Signage & Wayfinding Plan):*
 - *Temporary Banners adjacent to sales office and model home lots.*

Exhibit B in the attached plans provide images of signage that Taylor Morrison has used at other sales offices in the area; the same type of signage is proposed to be used at this sales office. The photographs and images of the proposed types of signage are dimensioned to illustrate the size and height of the subject signage. The information provided demonstrates that the proposed signage meets the dimensional requirements, locational requirements specified in the Master Signage & Wayfinding Plan for SAP North. The color schemes and the typology will be consistent with Page G0.3 of the SAP North Master Signage & Wayfinding Plan. The subject temporary signage complies with applicable standards and is shown to be appropriate, attractive, and functional.

SECTION 4.156 SIGN REGULATIONS

Response: Compliance with the applicable provisions of Section 4.156 is demonstrated in the preceding Response to Section 4.125(.12).

SECTION 4.176 LANDSCAPING, SCREENING & BUFFERING

(.03) Landscape Area. Not less than fifteen percent (15%) of the total lot area, shall be landscaped with vegetative plant materials. The ten percent (10%) parking area landscaping required by section 4.155.03(B)(1) is included in the fifteen percent (15%) total lot landscaping requirement. Landscaping shall be located in at least three separate and distinct areas of the lot, one of which must be in the contiguous frontage area. Planting areas shall be encouraged adjacent to structures. Landscaping shall be used to define, soften or screen the appearance of buildings and off-street parking areas. Materials to be installed shall achieve a balance between various plant forms, textures, and heights. The installation of native plant materials shall be used whenever practicable. (For recommendations refer to the Native Plant List maintained by the City of Wilsonville). [Amended by Ord. # 674 11/16/09.

Response: As illustrated on the enclosed Planting Plan, Sheet L1, landscaped areas exceed 15% of the total lot area of Lots 42, 64, and 65, and 10% of Lot 43. Proposed landscaping is consistent with the Plant List component of the previously approved Community Elements Book for SAP - North.

Lot/ Use	Lot Area	Required Landscape	Landscape Provided
Lot 42 Model Home	3,280 sf	492 sf (15%)	1,738 sf
Lot 64 Model Home/ Sales Office	7,644 sf	1,147 sf (15%)	5,376 sf
Lot 65 Model Home	6,160 sf	924 sf (15%)	3,466 sf
Lot 43 Parking Lot	4,864 sf	486 sf (10%)	1,822 sf

- (.04) Buffering and Screening. Additional to the standards of this subsection, the requirements of the Section 4.137.5 (Screening and Buffering Overlay Zone) shall also be applied, where applicable.
- C. All exterior, roof and ground mounted, mechanical and utility equipment shall be screened from ground level off-site view from adjacent streets or properties.

Response: Any exterior, roof and/or ground mounted, mechanical and/or utility equipment that may be viewed from ground level off-site, adjacent streets or properties will be screened as appropriate.

SECTION 4.262 IMPROVEMENTS - REQUIREMENTS

Response: Construction of utilities and improvements necessary to serve the proposed temporary uses will be completed in compliance with the PDP application and the subsequent construction plans.

III. CONCLUSION

This report and the attached exhibits demonstrate compliance with the applicable provisions of the City of Wilsonville Development Code for a Temporary Use Permit; therefore, the applicant respectfully requests approval of the requested Temporary Use Permit for 5 years.

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, NOVEMBER 22, 2021

6:30 PM

VII. Board Member Communications:

- A. Results of the November 8, 2021 DRB Panel A meeting

City of Wilsonville

Development Review Board Panel A Meeting Meeting Results

DATE:	NOVEMBER 8, 2021	
LOCATION:	29799 SW TOWN CENTER LOOP EAST, WILSONVILLE, OR	
TIME START:	6:30 P.M.	TIME END: 8:36 P.M.

ATTENDANCE LOG

BOARD MEMBERS	STAFF
Daniel McKay, Chair	Barbara Jacobson
Jean Svadlenka, Vice Chair	Kim Rybold
Kathryn Neil	Cindy Luxhoj
Ben Yacob	Shelley White
Rachelle Barrett	Gordon Munro, consultant – Tetra Tech

AGENDA RESULTS

AGENDA	ACTIONS
CITIZENS' INPUT	
CONSENT AGENDA	
A. Approval of October 11, 2021 Minutes	A. Unanimously Approved
PUBLIC HEARING	
<p>A. Resolution No. 396. Meridian United Church of Christ (Frog Pond Church): Ben Altman, Pioneer Design Group – Representative for Meridian United Church of Christ – Owner/Applicant. The applicant is requesting approval of a Zone Map Amendment from Residential Agricultural-Holding (RA-H) to Planned Development Residential – 4 (PDR-4), and adopting findings and conditions approving a Stage I Master Plan, Stage II Final Plan, Tentative Partition Plat, and Setback Waiver for Meridian United Church of Christ (Frog Pond Church). The subject site is located at 6750 SW Boeckman Road on Tax Lot 5500, Section 13AA, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Staff: Cindy Luxhoj</p> <p>Case Files: DB21-0029 Zone Map Amendment DB21-0030 Stage I Master Plan DB21-0031 Stage II Final Plan DB21-0032 Tentative Partition Plat DB21-0033 Waiver – Setback/Zero Lot Line</p> <p><i>The DRB action on the Zone Map Amendment is a recommendation to the City Council.</i></p>	<p>A. Resolution No. 396 unanimously approved, amending the staff report with added exhibits, modified conditions PFA 2 and PFA 7 and added condition PDE 1.</p>
BOARD MEMBER COMMUNICATIONS	
A. Results of the October 25, 2021 DRB Panel B meeting	Staff answered questions about the last DRB Panel B hearing concerning
B. Recent City Council Action Minutes	

	the Villebois Village Center Mixed Use project and DAS/NVC project.
STAFF COMMUNICATIONS	Staff fielded questions about the WPI Fence installation and promised to provide an update on the conditions of approval.

RECORDED BY: S. WHITE

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, NOVEMBER 22, 2021

6:30 PM

VII. Board Member Communications:

B. Recent City Council Action Minutes

City Council Meeting Action Minutes
October 18, 2021

City Council members present included:

Mayor Fitzgerald
Council President Akervall
Councilor Lehan
Councilor West – Arrived 5:05 p.m.
Councilor Linville – Excused

Beth Wolf, Senior Systems Analyst
Keith Katko, Assistant Finance Director
Andy Stone, IT Director
Zoe Mombert, Assistant to the City Manager
Dan Pauly, Planning Manager
Mark Ottenad, Public/Government Affairs Director
Chris Neamtzu, Community Development Director
Mike Nacrelli, Civil Engineer
Shasta Sasser, Operations Manager

Staff present included:

Bryan Cosgrove, City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder

AGENDA ITEM	ACTIONS
WORK SESSION	START: 5:03 p.m.
A. Frog Pond East and South Master Plan	City Council received a briefing on and gave feedback on the work to date on the Frog Pond East and South Master Plan project.
B. 2021 Solid Waste Collection Rate Report Review	Staff reviewed with City Council the findings and recommendations of the 2021 Solid Waste Collection Rate Report.
REGULAR MEETING	
<u>Mayor's Business</u>	
A. Upcoming Meetings	Upcoming meetings were announced by the Mayor as well as the regional meetings she attended on behalf of the City.
<u>Communications</u>	
A. Kitakata Sister City Advisory Board Work Plan	The Kitakata Sister City Advisory Board Chair and staff shared the board's vision and identified goals.
<u>Consent Agenda</u>	The Consent Agenda was approved 4-0.
A. <u>Resolution No. 2934</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Amend The Professional Services Agreement With JayRay Ads & PR, Inc, For 'Explore Wilsonville' Tourism Promotion And Development And Destination Marketing Program.	

<p>B. <u>Resolution No. 2936</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute An Amendment To The Construction Manager/General Contractor (CM/GC) Contract With Kiewit Infrastructure West Co. To Procure A New Ozone Generation System For The Willamette River Water Treatment Plant Expansion Project (Capital Improvement Project #1144).</p> <p>C. Minutes of the October 4, 2021 City Council meeting.</p>	
<p><u>New Business</u></p> <p>A. <u>Resolution No. 2928</u> A Resolution Of The City Of Wilsonville Approving An Amendment To The Planning Division Fee Schedule Adding Fees For Middle Housing Land Divisions And Further Refining The Fee Schedule For Wireless Communication Facilities.</p> <p>B. <u>Resolution No. 2929</u> A Resolution Of The City Of Wilsonville Amending The Old Town Neighborhood Plan And Continuing To Accept The Old Town Neighborhood Plan As A Non-Regulatory Planning Tool.</p> <p>C. <u>Resolution No. 2930</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Enter Into An Interim Development Agreement With Taylor Morrison Northwest, LLC Regarding Design, Funding And Construction Of Regional Parks 5 And 6 In The Clermont Subdivision, Villebois.</p>	<p>Resolution No. 2928 was adopted 4-0.</p> <p>Resolution No. 2929 was adopted 4-0.</p> <p>Resolution No. 2930 was adopted 4-0.</p>
<p><u>Continuing Business</u></p> <p>A. <u>Ordinance No. 850</u> An Ordinance Of The City Of Wilsonville Adopting The Wilsonville Town Center Streetscape Plan As An Appendix To The Wilsonville Town Center Plan, A Sub-Element Of The Comprehensive Plan.</p> <p>B. <u>Ordinance No. 851</u> An Ordinance Of The City Of Wilsonville Amending The Text Of The Wilsonville Comprehensive Plan, Text Of The Development Code, The Frog Pond West Master Plan, And The Villebois Village Master Plan; Adopting A Legislative Zone Map Amendment To Rezone Residential Properties In The Old Town Neighborhood To The Newly Established Old Town Residential Zone; And Declaring Development In Planned Development Residential Zones As Legal Non-Conforming To Increase The Allowance Of Middle Housing In Wilsonville.</p>	<p>Ordinance No. 850 was adopted on second reading by a vote of 4-0.</p> <p>Ordinance No. 851 was adopted on second reading by a vote of 4-0.</p>

<p>C. <u>Ordinance No. 852</u> An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From Public Facility (PF) Zone To The Village (V) Zone On Approximately 1.40 Acres In The Villebois Village Center, Adjacent To The Piazza At Villebois To The Northeast And Northwest; The Land Is More Particularly Described As Tax Lot 2800 And Adjacent Right-Of-Way, Section 15AC, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon. Costa Pacific Communities, Applicant.</p>	<p>Ordinance No. 852 was adopted on second reading by a vote of 4-0.</p>
<p><u>Public Hearing</u> A. <u>Resolution No. 2932</u> A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2021-22.</p>	<p>After a public hearing was conducted, Resolution No. 2932 was approved 4-0.</p>
<p><u>City Manager’s Business</u></p>	<p>Briefed Council on the uptick of theft in the City, especially in Charbonneau.</p>
<p><u>Legal Business</u></p>	<p>No report.</p>
<p>URBAN RENEWAL AGENCY</p>	
<p><u>URA Consent Agenda</u> A. Minutes of the July 19, 2021 URA meeting.</p>	<p>The URA Consent Agenda was approved 4-0.</p>
<p><u>New Business</u> A. None.</p>	
<p><u>URA Public Hearing</u> A. <u>URA Resolution No. 321</u> A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2021-22.</p>	<p>After a public hearing was conducted, URA Resolution No. 321 was approved 4-0.</p>
<p>ADJOURN</p>	<p>8:59 p.m.</p>