



Exhibit A1  
Staff Report  
Wilsonville Planning Division  
Boberg Industrial Building Expansion  
  
Development Review Board Panel 'A'  
Quasi-Judicial Public Hearing  
**Adopted April 22, 2024**

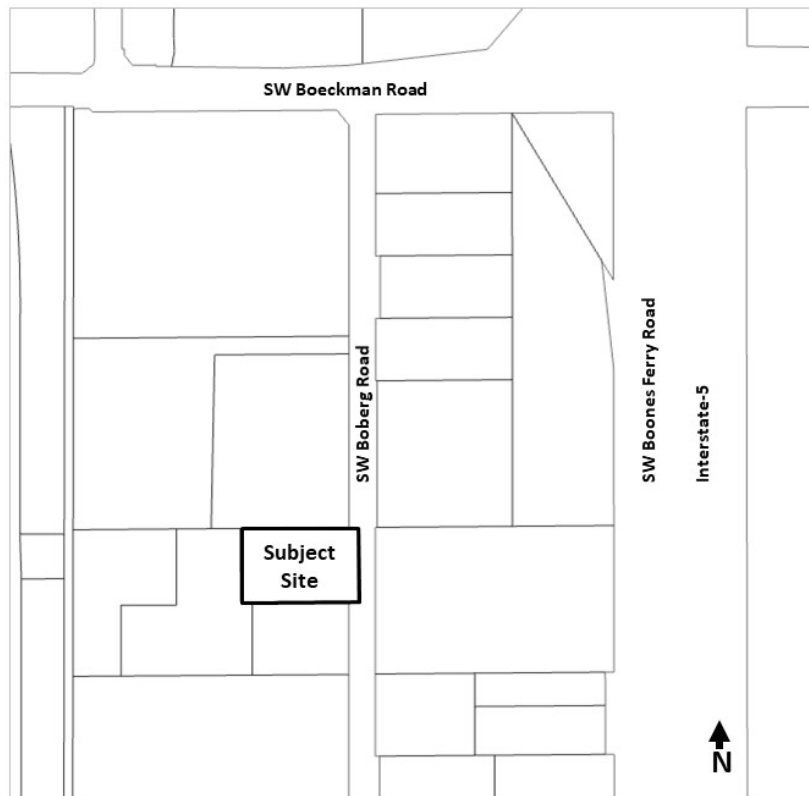
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<b>Hearing Date:</b>	April 22, 2024
<b>Date of Report:</b>	April 15, 2024
<b>Application Nos.:</b>	DB23-0014 Boberg Industrial Building Expansion - Stage 2 Final Plan Modification (STG223-0007) - Site Design Review (SDR23-0009) - Type C Tree Removal Plan (TPLN23-0004)
<b>Request/Summary:</b>	The requests before the Development Review Board include a Stage 2 Final Plan Modification, Site Design Review, and a Type C Tree Removal Plan for addition of an industrial warehouse building with associated landscaping and other site improvements at 28395 SW Boberg Road.
<b>Location:</b>	28395 SW Boberg Road. The property is specifically known as Tax Lot 2000, Section 14A, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.
<b>Owner/Applicant:</b>	Griffith Franklin
<b>Authorized Representative:</b>	NW Engineers (Contact: Matt Newman)
<b>Comprehensive Plan Designation:</b>	Industrial
<b>Zone Map Classification:</b>	Planned Development Industrial (PDI)
<b>Staff Reviewers:</b>	Cindy Luxhoj AICP, Associate Planner Amy Pepper, Development Engineering Manager Kerry Rappold, Natural Resources Program Manager
<b>Staff Recommendation:</b>	<b><u>Approve with conditions</u></b> the requested Stage 2 Final Plan Modification, Site Design Review, and Type C Tree Removal Plan.

**Applicable Review Criteria:**

<b><u>Development Code:</u></b>	
Section 4.001	Definitions
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Section 4.034	Application Requirements
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.117	Standards Applying to Industrial Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.135	Planned Development Industrial (PDI)
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Sections 4.156.01 through 4.156.11	Sign Regulations
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.179	Mixed Solid Waste and Recyclables Storage
Section 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.450, as applicable	Site Design Review
Sections 4.600 through 4.640.20, as applicable	Tree Preservation and Protection
<b><u>Other Planning Documents:</u></b>	
Wilsonville Comprehensive Plan Previous Land Use Approvals	

## Vicinity Map



## Background:

The subject property, located at 28395 SW Boberg Road, was originally developed with an industrial building for O'Sullivan Construction in 1986, with a request for an additional pole barn submitted in 1987. In 2008, the current property owner, Griffith Franklin, submitted an application (DB08-0037 et al) to remove the pole barn and replace it with a 9,423 square-foot building addition for light manufacturing and storage. This 2008 application was approved in September 2008; however, the approval expired and the additional building was not constructed. The current application seeks to remove the existing pole barn and construct a similar building to what was previously proposed in the 2008 application. In addition, a mixed solid waste and recyclables storage area is proposed as the northwest corner of the site, as well as site improvements to landscaping, parking, and stormwater facilities.

## Summary:

### Stage 2 Final Plan Modification

The Stage 2 Final Plan Modification reviews the function and design of the proposed site modifications and improvements, including consistency with the previously approved Stage 1 Preliminary Plan for the site. See Request A.

## Site Design Review

The scope of Site Design Review includes review of the design, architecture, location, and context of the new building and site improvements, such as landscaping, lighting, exterior colors and finishes, and signs, for consistency with the Stage 2 Final Plan and Code standards. See Request B.

## Type C Tree Removal Plan

The Type C Tree Removal Plan reviews inventoried trees on the site, which are proposed for removal or retention, and replacement/mitigation. See Request C.

## Neighborhood and Public Comments:

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

## Discussion Points – Verifying Compliance with Standards:

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

## Traffic and Parking

The Applicant’s Materials in Exhibit B1 contain the Trip Generation Memorandum completed by DKS for the proposed site modifications. The memorandum documents trip generation estimates for the proposed warehouse expansion on the site, including replacement of the existing 2,800 square foot shop building with a 9,540 square foot warehouse building. No changes are proposed to the existing office building located on the eastern half of the property.

The table below shows the general range of PM Peak Trips and total daily trips for the proposed development. The estimated number of net new p.m. peak hour vehicle trips from the proposed warehouse building is 22 trips (6 in, 16 out) and 14 average daily vehicle trips.

**TABLE 1: VEHICLE TRIP GENERATION**

LAND USE	SIZE	DAILY TRIPS	P.M. PEAK HOUR TRIPS			
			IN	OUT	TOTAL	
EXISTING	Shop Building – ITE LUC 712	2,800 sq. ft.	-40	-2	-4	-6
PROPOSED	Warehousing Building – ITE LUC 150	9,540 sq. ft.	54	8	20	28
<b>NET NEW VEHICLE TRIPS (PROPOSED – EXISTING)</b>			<b>+14</b>	<b>+6</b>	<b>+16</b>	<b>+22</b>

Using the City of Wilsonville 2040 Travel Demand Model, the number of project trips through the I-5 Interchange were estimated. The model showed that 20% of the trips generated by the site are expected to travel through the I-5/Elligsen Road interchange and 15% are expected to travel through the I-5/Wilsonville Road interchange. Therefore, the proposed land use is expected to generate four (4) net new PM peak hour trips through the I-5/Elligsen Road interchange area and three (3) net new PM peak hour trips through I-5/Wilsonville Road interchange area.

The Trip Generation Memo found that all intersections impacted with the proposed development would operate above the City's acceptable the level of service (LOS) D. However, the site's two (2) driveways do not meet the City's minimum access spacing requirements of 300 feet. A Condition of Approval requires the applicant to submit a request for a Public Works Standard deviation for access spacing or construction plans showing the consolidation of driveways to meet the 300 foot access spacing requirement.

### Screening and Buffering Overlay Zone

The SB Overlay Zone, defined in Subsection 4.137.5 of the Wilsonville Code (WC), requires appropriate screening and buffering for areas where residential and nonresidential land uses abut. For industrial properties, the SB Overlay Zone requires a 10-foot buffer with landscaping to the High Wall standard or a 20-foot-deep buffer with landscaping to the High Screen standard. Further, there are restrictions on motor vehicle access, exterior operations, and signs, and the DRB may impose additional landscape requirements to minimize visual impacts of any approved vehicle access points.

The proposed development meets the standards of the SB Overlay Zone along the site's frontage on SW Boberg Road (60-70 right-of-way width), which is across the road from a mobile home park in the FDA-H zone to the east. As the site is located across SW Boberg Road from the residential area, landscaping is provided along the site frontage, the existing building is set back from the street, and the new building is behind (west of) the existing building and, thus, partially obscured by it, adequate screening and buffering is provided to conceal the industrial uses from off-site view from adjacent residential uses in the mobile home park.

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

This section provides a discussion of discretionary review requests that are included as part of the proposed applications. The Development Review Board may approve or deny items in this section based upon a review of evidence submitted by the applicant. There are no discretionary review requests included as part of the proposed application.

## Conclusion and Conditions of Approval:

Staff has reviewed the applicant's analysis of compliance with the applicable criteria. The staff report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this staff report, and information received from a duly advertised public hearing, staff recommends that the Development Review Board approve the proposed application (DB23-0014) with the following conditions:

### Planning Division Conditions:

#### Request A: Stage 2 Final Plan Modification (STG223-0007)

<b>PDA 1.</b>	<b>General:</b> The approved modified final plan shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved preliminary or final development plan may be approved by the Planning Director through the Class 1 Administrative Review Process if such changes are consistent with the purposes and general character of the development plan. All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. See Finding A13.
<b>PDA 2.</b>	<b>Prior to Temporary Occupancy:</b> The applicant shall provide one (1) additional exterior or interior bicycle parking space to provide the minimum four (4) spaces required. See Finding A30.
<b>PDA 3.</b>	<b>Prior to Final Occupancy:</b> All exterior, roof and ground mounted, mechanical and utility equipment shall be screened from ground level off-site view from adjacent streets or properties. See Finding A54.
<b>PDA 4.</b>	<b>General:</b> All aspects of the prior approval DB08-0037 et al, including all Conditions of Approval, not modified through this current application, shall remain in effect.

#### Request B: Site Design Review (SDR23-0009)

<b>PDB 1.</b>	<b>Ongoing:</b> Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding B15.
<b>PDB 2.</b>	<b>Prior to Building Permit Issuance:</b> The applicant shall modify the trash and recyclables enclosure to locate it the required minimum of three (3) feet from the rear (west) property line. See Finding B32.
<b>PDB 3.</b>	<b>Prior to Temporary Occupancy:</b> All landscaping required and approved by the Development Review Board shall be installed prior to use of the proposed inventory storage area unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the

	<p>satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Development Review Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding B38.</p>
<b>PDB 4.</b>	<p><b><u>Ongoing:</u></b> The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville’s Development Code. See Findings B39.</p>
<b>PDB 5.</b>	<p><b><u>Ongoing:</u></b> All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Development Review Board, unless altered as allowed by the Wilsonville Development Code. See Finding B40.</p>
<b>PDB 6.</b>	<p><b><u>Prior to Temporary Occupancy:</u></b> The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"> <li>• Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch.</li> <li>• Native topsoil shall be preserved and reused to the extent feasible.</li> <li>• Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings.</li> <li>• All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10- to 12-inch spread.</li> <li>• Shrubs shall reach their designed size for screening within 3 years of planting.</li> <li>• Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4-inch pot spaced 2 feet on center minimum, 2-1/4-inch pots spaced at 18 inches on center minimum.</li> <li>• No bare root planting shall be permitted.</li> <li>• Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within 3 years of planting.</li> <li>• Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.</li> </ul> <p>Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding B42.</p>
<b>PDB 7.</b>	<p><b><u>Prior to Temporary Occupancy:</u></b> All trees shall be balled and burlapped and conform in grade to “American Standards for Nursery Stock” current edition. Tree size shall be a minimum of 2-inch caliper. See Finding B43.</p>
<b>PDB 8.</b>	<p><b><u>Prior to Temporary Occupancy:</u></b> Plant materials shall be installed and irrigated to current industry standards and be properly staked to ensure survival. Plants that</p>

	die shall be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. See Finding B49
<b>PDB 9.</b>	<b><u>Prior to Building Permit Issuance:</u></b> The applicant shall provide documentation demonstrating compliance with the Oregon Energy Efficiency Code, Exterior Lighting. See Finding B56.
<b>PDB 10.</b>	<b><u>Prior to Non-Grading Building Permit Issuance:</u></b> Final review of the proposed building lighting's conformance with the Outdoor Lighting Ordinance will be determined at the time of Building Permit issuance. See Findings B55 through B58.
<b>PDB 11.</b>	<b><u>Ongoing:</u></b> Lighting shall be reduced one hour after close, but in no case later than midnight, to 50% of the requirements set forth in the Oregon Energy Efficiency Specialty Code. See Finding B59.

Request C: Type C Tree Plan (TPLN23-0004)

<b>PDC 1.</b>	<b><u>General:</u></b> This approval for removal applies only to the six (6) trees identified in the applicant's submitted materials. All other trees on the property shall be maintained unless removal is approved through separate application.
<b>PDC 2.</b>	<b><u>Prior to Grading Permit Issuance:</u></b> The Applicant shall submit an application for a Type 'C' Tree Removal Permit on the Planning Division's Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the applicant shall provide the City's Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff.
<b>PDC 3.</b>	<b><u>Prior to Temporary Occupancy / Ongoing:</u></b> The permit grantee or the grantee's successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees for two (2) years after the planting date. A "guaranteed" tree that dies or becomes diseased during the two (2) years after planting shall be replaced. See Finding C10.
<b>PDC 4.</b>	<b><u>Prior to Commencing Site Grading:</u></b> Prior to site grading or other site work that could damage trees, the applicant/owner shall install 6-foot-tall chain-link fencing along the north property boundary at sufficient distance from the dripline of preserved off-site trees to protect them during construction (see Arborist Report recommendations in Exhibit B1). The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. Protective fencing shall not be moved or access granted within the protected zone without arborist supervision and notice of the City of the purpose of proposed movement of fencing or access. See Findings C6 and C13.

*The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City's Community Development Department, or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related*



to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, performance standards, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.

**Engineering Division Findings and Conditions:**

<b>PF 1.</b>	<b>General:</b> Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1.
<b>PF 2.</b>	The Trip Generation Memo for the project (DKS, February 2024) found that all intersections impacted with the proposed development would operate above the City’s acceptable the level of service (LOS) D. The site’s two driveways do not meet the City’s minimum access spacing requirements of 300 feet. <b><u>Prior to Issuance of the Public Works Permit:</u></b> Submit a request for a Public Works Standard deviation for access spacing or construction plans showing the consolidation of driveways to meet the 300 foot access spacing requirement.
<b>PF 3.</b>	<b><u>Prior to the Issuance of Final Permit Approvals:</u></b> The applicant shall provide a site distance certification by an Oregon Registered Professional Engineer for all driveway access per the Traffic Generation Memo.
<b>PF 4.</b>	<b><u>Prior to Issuance of the Public Works Permit:</u></b> Submit site plans to Engineering showing all stormwater quality facilities, sewer, water, and storm connections, driveway approach reconstruction, defective sidewalk repairs, and pavement restoration associated with utility connection disturbances. All existing defective sidewalks along the project frontage shall be repaired as part of the Public Works Permit.
<b>PF 5.</b>	<b><u>Prior to the Issuance of Public Works Permit:</u></b> A final stormwater report shall be submitted for review and approval. The stormwater report shall include information and calculations to demonstrate how the proposed development meets the treatment, flow control, and source control requirements. <b><u>Prior to Final Approval of the Public Works Permit:</u></b> Storm facilities shall be constructed, inspected and approved by the City.
<b>PF 6.</b>	<b><u>Prior to Issuance of the Public Works Permit:</u></b> Applicant shall apply for City of Wilsonville Erosion Control and Grading Permits. All erosion control measures shall be in place prior to starting any construction work, including any demolition work. Permits shall remain active until all construction work is complete and the site has been stabilized.

PF 7.	<b><u>Prior to Issuance of Any Occupancy Permits:</u></b> All public infrastructure improvements including but not limited to street, stormwater drainage, water quality and flow control, sanitary sewer, and water facilities shall be substantially complete with approval from the Community Development Director pursuant to Section 4.220 of the Development Code.
PF 8.	<b><u>Prior to Any Paving:</u></b> Onsite stormwater facilities must be constructed and vegetated facilities planted. <b><u>Prior Issuance of Final Building Certificate of Occupancy:</u></b> The applicant must execute and record with the County Stormwater Maintenance and Access Easement Agreements with the City.
PF 9.	<b><u>Prior to Issuance of Final Permit Approvals:</u></b> The applicant shall record a 20 foot right-of-way dedication along SW Boberg Road.
PF 10.	<b><u>Prior to Issuance of Final Permit Approvals:</u></b> The applicant shall record a 6 foot public utility easement along the SW Boberg Road right-of-way.

**Building Division Conditions:**

BD 1.	<b><u>Prior to Demolition of Structures:</u></b> a. Photos must be taken of any structures on the site that are to be demolished. Photos must be a clear resolution (when printed, a minimum resolution of 300 dpi or greater) and should include a representative sample of the exterior of the structure from each direction. A demolition permit must be obtained from the Building Division and photos must be submitted with the demolition permit application. (Wilsonville Code 9.270) b. An NPDES 1200-C permit must be obtained from DEQ with a copy provided to the City.
BD 2.	<b><u>Prior to Excavation, Grading, or Fill Placement:</u></b> No excavation, grading, or fill placement shall occur prior to Applicant’s installation of tree preservation fencing and acceptance of same by the Planning Division, and Applicant’s installation of erosion prevention and sediment control measures and acceptance of same by the Engineering Division.
BD 3.	<b><u>Prior to Occupancy:</u></b> New and existing buildings shall have approved address labels. Building numbers or approved building identification shall be placed in a position that is plainly legible and visible from the street or road fronting the property, including monument signs. These numbers shall contrast with their background, and be a minimum of 4 inches high with a minimum stroke width of 1/2 inch. (OFC 505.1)

## Master Exhibit List:

Entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The list below includes exhibits for Planning Case File No. DB23-0014 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. **Applicant's Narrative and Materials** – *Available Under Separate Cover*  
Signed Application Form  
Narrative (including Applicant's Response to Incompleteness Notice)
- B2. **Applicant's Drawings and Plans** – *Available Under Separate Cover*

### Development Review Team Correspondence

- C1. Public Works Plan Submittal and Other Engineering Requirements

## Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The application was received on November 15, 2023. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application incomplete on December 15, 2023. The applicant submitted additional materials on February 2, 2024. Staff conducted a second completeness review within the statutorily allowed 30-day review period and deemed the application complete on March 3, 2024. The City must render a final decision for the request, including any appeals, by July 1, 2024.
2. Surrounding land uses are as follows:

Compass Direction	Zone	Existing Use
North	PDI	Industrial
East	FDA-H and PDI	Residential (Mobile Home Park) and Industrial
South	PDI	Industrial
West	PDI	Industrial

3. Previous City Planning Approvals:

84PC07 Zone Change

86DR02 and 86DR17 O'Sullivan Construction Architectural and Site Plan

86PC08 and 86PC14 O'Sullivan Construction Stage II Final Development Plan

87AR14 O'Sullivan Construction Site Plan Modification

87AR21 O'Sullivan Construction Minor Building and Site Revision

87AR38 O'Sullivan Construction Addition of Storage Building and Yard

01AR36 Griffith Franklin Minor Architectural Addition to Existing Storage Building

DB08-0037 et al Griffith Franklin/Boberg Warehouse Site Design Review, Stage 2

Development Plan, Type C Tree Removal Plan

4. The applicant has complied with Sections 4.008 through 4.011, 4.013-4.031, 4.034 and 4.035 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

## Findings:

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

### General Information

#### Application Procedures - In General Section 4.008

The application is being processed in accordance with the applicable general procedures of this section.

#### Initiating Application Section 4.009

The application has the signature of the applicant/owner, Griffith Franklin, and has been submitted by an authorized representative, Matt Newman of NW Engineers.

#### Pre-Application Conference Subsection 4.010 (.02)

A pre-application conference was held on May 4, 2023 (PA23-0007), in accordance with this subsection.

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

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

#### General Submission Requirements Subsections 4.035 (.04) A. and 4.035 (.05)

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

#### Zoning - Generally Section 4.110

The proposed development is in conformity with the applicable zoning district and City review uses the general development regulations listed in Sections 4.140 through 4.199.

**Request A: Stage 2 Final Plan Modification (STG223-0007)**

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

**Planned Development Regulations-Generally**

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

**A1.** The proposed Stage 2 Final Plan Modification for proposed improvements to the site is consistent with the Planned Development Regulations purpose statement.

Ownership Requirements  
Subsection 4.140 (.03)

**A2.** The subject property is under the ownership of Griffith Franklin, who signed the application.

Professional Design Team  
Subsection 4.140 (.04)

**A3.** The applicant has utilized a professional design team, including an architect, engineers, and a landscape architect, coordinated by Matt Newman of NW Engineers, in accordance with this subsection.

**Stage 2 Final Plan Submission Requirements and Process**

Timing of Submission  
Subsection 4.140 (.09) A.

**A4.** The applicant is requesting approval of a Stage 2 Final Plan Modification, together with Site Design Review and Type C Tree Removal Plan, as part of this application. The Final Plan Modification provides sufficient information regarding conformance with both the previously approved Preliminary Development Plan and Site Design Review.

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

**A5.** The Development Review Board is considering all applicable permit criteria set forth in the Wilsonville Development Code and staff is recommending the Development Review Board approve the application with Conditions of Approval.

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

**A6.** The Stage 2 Final Plan Modification, with modifications as noted in the current application, substantially conforms to the previously approved Stage 1 Preliminary Plan. The applicant

has provided the required drawings and other documents showing all the information required by this subsection.

#### Stage 2 Final Plan Detail

Subsection 4.140 (.09) D.

- A7.** The applicant has provided sufficiently detailed information to indicate fully the ultimate operation and appearance of the development, including a detailed site plan and landscape plans.

#### Submission of Legal Documents

Subsection 4.140 (.09) E.

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

#### Expiration of Approval

Subsection 4.140 (.09) I. and Section 4.023

- A9.** The Stage 2 Final Plan Modification approval and other associated applications will expire two (2) years after approval, absent the granting of an extension in accordance with these subsections.

#### Consistency with Plans

Subsection 4.140 (.09) J. 1.

- A10.** The site's zoning, Planned Development Industrial (PDI), is consistent with the Industrial designation in the Comprehensive Plan. The Transportation Systems Plan calls for no additional frontage or road improvement.

#### Traffic Concurrency

Subsection 4.140 (.09) J. 2.

- A11.** The City's traffic consultant, DKS Associates, calculates that the proposed 9,540 square foot building addition will generate 14 average daily trips and 22 p.m. peak hour trips (6 in, 16 out). It will generate four (4) net new p.m. peak hour trips through the I-5/Wilsonville Road Interchange area, and three (3) net new p.m. peak hour trips through the I-5 Elligsen Road Interchange Area. Traffic operations at the three intersections studied as part of the traffic impact analysis are shown to continue meeting the LOS D standard. A Traffic Generation Memorandum is included in Exhibit B1.

#### Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

- A12.** Facilities and services, including utilities in SW Boberg Road, are available and sufficient to serve the existing development and proposed site improvements.

Adherence to Approved Plans  
Subsection 4.140 (.09) L.

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

**Standards Applying to All Planned Development Zones**

Underground Utilities  
Subsection 4.118 (.02)

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

Waivers  
Subsection 4.118 (.03) A. through D.

**A15.** The applicant does not request any waivers.

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

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

Impact on Development Cost  
Subsection 4.118 (.04)

**A17.** In staff's professional opinion, the determination of compliance or attached Conditions of Approval do not unnecessarily increase the cost of development and no evidence has been submitted to the contrary.

Requiring Tract Dedications or Easements for Recreation Facilities, Open Space, Public Utilities  
Subsection 4.118 (.05)

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

Habitat Friendly Development Practices  
Subsection 4.118 (.09)

**A19.** The applicant will implement habitat-friendly development practices to the extent practicable. Grading will be limited to that needed for the proposed improvements, no significant native vegetation would be retained by an alternative site design, the City's stormwater standards will be met, thus limiting adverse hydrological impacts on water resources, and no impacts on wildlife corridors or fish passages have been identified.



## Planned Development Industrial (PDI) Zone

### Purpose of PDI Zone

Subsection 4.135 (.01)

**A20.** The stated purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses. The proposed development includes an addition to an existing industrial building containing a variety of industrial operations and associated uses consistent with the purpose stated in this subsection.

### Typically Permitted Uses

Subsection 4.135 (.03)

**A21.** The uses proposed in the Stage 2 Final Plan Modification are consistent with the Stage 1 Preliminary Plan. The proposed development consists of an addition to an existing industrial building where the intended uses are office space and warehousing. These uses are consistent with the uses typically permitted and are allowed outright within the PDI zone.

### Block and Access Standards

Subsections 4.131.05 (.07) and 4.131 (.03)

**A22.** The proposal requests no changes to blocks or access spacing.

## Industrial Performance Standards

### Industrial Performance Standards

Subsections 4.135 (.05)

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

- **Pursuant to Standard A** (enclosure of uses and activities), all non-parking activities and uses will be completely enclosed.
- **Pursuant to Standard B** (vibrations), there is no indication that the proposed site modifications will produce vibrations detectable off site without instruments.
- **Pursuant to Standard C** (emissions), there is no indication that odorous gas or other odorous matter will be produced by the existing or proposed use.
- **Pursuant to Standard D** (open storage), outdoor storage of mixed solid waste and recycling will be screened from off-site view.
- **Pursuant to Standard E** (night operations and residential areas), the applicant does not anticipate night operations and the proposed use is not located within 100 feet of a residential district.
- **Pursuant to Standard F** (heat and glare), the applicant proposes no exterior operations creating heat and glare.
- **Pursuant to Standard G** (dangerous substances), there are no prohibited dangerous substances expected on the subject site.
- **Pursuant to Standard H** (liquid and solid wastes), staff has no evidence that the operations would violate standards defined for liquid and solid waste.

- **Pursuant to Standard I** (noise), staff has no evidence that noise generated from operations on the site would violate the City’s Noise Ordinance and noises produced in violation of the Noise Ordinance would be subject to the enforcement procedures established in WC Chapter 6 for such violations.
- **Pursuant to Standard J** (electrical disturbances), staff has no evidence that the proposed use would have any prohibited electrical disturbances.
- **Pursuant to Standard K** (discharge of air pollutants), there is no evidence that any prohibited discharge will be produced by the proposed project.
- **Pursuant to Standard L** (open burning), the applicant proposes no open burning.
- **Pursuant to Standard M** (outdoor storage), the applicant proposes outdoor storage of mixed solid waste and recycling in an enclosure, which will be screened consistent with City standards.
- **Pursuant to Standard N** (unused area landscaping), no unused areas will be bare.

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

### Continuous Pathway System

Subsection 4.154 (.01) B. 1.

**A24.** As shown on the applicant’s site plan in Exhibit B2, the proposed pedestrian pathway system (sidewalks) will provide pedestrian access to the existing public sidewalk along SW Boberg Road. Internal walkways provide a direct connection to the main entrance of the existing building and parking area, as well as to the proposed new addition, providing a continuous pathway throughout the site.

### Safe, Direct, Convenient Pathways

Subsection 4.154 (.01) B. 2.

**A25.** Proposed pedestrian pathways are flat, at least five (5) feet wide, and paved, providing safe, direct, and convenient access for pedestrians. Pathways connect to all primary (and secondary) building entrances.

### Vehicle/Pathway Separation-Vertical or Horizontal

Subsection 4.154 (.01) B. 3.

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

### Crosswalks Clearly Marked

Subsection 4.154 (.01) B. 4.

**A27.** As shown on the applicant’s site plan in Exhibit B2, all pedestrian pathways are concrete and separated from vehicle circulation areas and drive aisles. There are no crossings of drive aisles that require striping.

Pathways Width and Surface-5 Foot Wide, Durable Surface  
 Subsection 4.154 (.01) B. 5.

A28. The applicant proposes pathways at least five (5) feet wide. The applicant proposes concrete pathways throughout the site.

**Parking and Loading**

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

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

Standard	Met	Explanation
Subsection 4.155 (.02) General Standards		
B. All spaces accessible and usable for parking	<input checked="" type="checkbox"/>	The applicant proposes standard parking spaces that are at least 9' by 18' compact spaces that are at least 9" by 15', and drive aisles with maneuvering area for vehicles, meeting the Development Code's standards.
J. Sturdy bumper guards of at least 6 inches to prevent parked vehicles crossing property line or interfering with screening or sidewalks.	<input checked="" type="checkbox"/>	The applicant's plans show bumper guards of at least 6 inches in width where required to prevent interference with sidewalks, especially for the ADA spaces.
K. Surfaced with asphalt, concrete or other approved material.	<input checked="" type="checkbox"/>	Existing parking areas are surfaced with asphalt, concrete or other approved material.
Drainage meeting City standards	<input checked="" type="checkbox"/>	Drainage is professionally designed and being reviewed to meet City standards.
L. Lighting won't shine into adjoining structures or into the eyes of passers-bys.	<input checked="" type="checkbox"/>	Lighting is proposed to be fully shielded and meet the City's Outdoor Lighting Standard. A Condition of Approval ensures the requirements are met.
N. No more than 40% of parking compact spaces.	<input checked="" type="checkbox"/>	Of 12 parking spaces on the site, 11 are standard stalls, one (1) is an ADA accessible stall, and one (1) or roughly 8% are compact stalls, which is less than the allowed 40% maximum.
O. Where vehicles overhang curb, planting areas at least 7 feet in depth.	<input checked="" type="checkbox"/>	No parking spaces are proposed in locations where they overhang curbs.
Subsection 4.155 (.03) General Standards		
A. Access and maneuvering areas adequate.	<input checked="" type="checkbox"/>	Access and maneuvering area adequate to serve the needs of the site are provided.
A.1. Loading and delivery areas and circulation separate from	<input checked="" type="checkbox"/>	The proposal does not include any loading or delivery areas nor does the City require any.

customer/employee parking and pedestrian areas.		
Circulation patterns clearly marked.	<input checked="" type="checkbox"/>	The proposed design is typical industrial parking lot design and intuitive to a driver familiar with industrial parking lots.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	<input checked="" type="checkbox"/>	The plans clearly delineate separate vehicle and pedestrian traffic areas and separate them except for crosswalks.
C. Safe and Convenient Access, meet ADA and ODOT Standards.	<input checked="" type="checkbox"/>	The proposed parking and access enable the meeting of ADA and ODOT standards.
For parking areas with more than 10 spaces, 1 ADA space for every 50 spaces.	<input checked="" type="checkbox"/>	The proposal provides one (1) ADA parking space out of 12 total spaces, meeting the requirement.
D. Where possible, parking areas connect to adjacent sites.	<input checked="" type="checkbox"/>	The parking area connects to SW Boberg Road via two (2) existing driveways and does not connect to any adjacent properties.
Efficient on-site parking and circulation	<input checked="" type="checkbox"/>	The careful and professional design of the parking provides for safety and efficiency and is a typical design with standard parking space and drive aisle size and orientation.

**Minimum and Maximum Number of Parking Spaces**

Subsection 4.155 (.03) G., Table 5

**A30.** The applicant proposes 12 parking spaces. As of January 1, 2023, the subject property is in an area of the City that is exempt from vehicle parking minimums pursuant to OAR 660-012-0430 and OAR 660-012-0440. Therefore, the development is not required meet the parking minimums reflected in Table 5 of Section 4.155 of the Development Code. The maximum number of spaces for the development is 16 and the applicant proposes 12, which is fewer than the maximum. Based on an evaluation of the site plan provided by the applicant the development meets the off-street parking requirements of the above subsections. The calculation of parking spaces is as follows:

Use and Parking Standard	Square Feet	Minimum Off-street Spaces Required	Maximum Off-street Spaces Allowed	Proposed Off-street Spaces	Minimum Bicycle Parking Spaces	Proposed Bicycle Parking Spaces
<b>Office or flex space (except for medical and dental)</b>	2,560 sf	Not Applicable	4.1 per 1,000 = 11	--	1.0 per 5,000 (min 2) = 2	
<b>Warehouse</b>	9,540 sf	Not Applicable	.5 per 1,000 = 5		1.0 per 20,000 (min 2) = 2	
<b>Total</b>	<b>12,100 sf</b>	--	<b>16</b>	<b>12</b>	<b>4</b>	

## **Parking Area Landscaping**

### **Minimizing Visual Dominance of Parking**

Subsection 4.155 (.03) B.

**A31.** Existing landscaping and proposed new landscaping help to minimize the visual dominance of the paved parking area.

### **10% Parking Area Landscape Requirement**

Subsection 4.155 (.03) B. 1.

**A32.** According to the applicant's narrative, the parking area is 5,584 square feet and 1,285 square feet of the parking area is landscaped providing 22% of landscaped area. The landscape area provided is well in excess of the 10% requirement.

### **Landscape Screening of Parking**

Subsection 4.155 (.03) B. 1.

**A33.** Some of the existing landscaping is proposed to remain, and additional landscaping is proposed to be planted, thus screening the parking and circulation area from adjacent rights-of-way, meeting the required landscaping standard.

### **Tree Planting Area Dimensions**

Subsection 4.155 (.03) B. 2.

**A34.** No changes to the dimensions of existing, previously approved tree planting areas in parking areas are proposed with the current application; therefore, the requirement continues to be met.

### **Parking Area Tree Requirement**

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

**A35.** The proposed site plan contains 12 surface parking spaces. One (1) tree is required for every eight (8) parking spaces. The tree planting requirement for the parking lot is two (2) trees. The applicant proposes two (2) new trees in the landscape area around the parking lot area, thus meeting the minimum requirement.

### **Parking Area Landscape Plan**

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

**A36.** The applicant's landscape plan includes the proposed parking area.

### **Parking Area Tree Clearance**

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

**A37.** The applicant could typically maintain all existing trees and those listed for planting in and expected to overhang the parking areas to provide a 7-foot clearance.

## **Bicycle Parking**

### **Required Bicycle Parking**

Section 4.155 (.04) A. 1.

**A38.** Office uses require one bicycle parking space per 5,000 square feet or a minimum of two (2) bicycle parking spaces. Warehouse uses require one bicycle parking space per 20,000 square feet or a minimum of two (2) bicycle parking spaces. The overall requirement for the site is four (4) spaces, and the applicant proposes three (3) spaces in a rack on the north side of the building. The code requires 50% of the total parking requirement for bicycles to be developed as long term bicycle parking spaces when six (6) or more bicycle parking spaces are required; therefore, the current application does not require any long-term spaces. A Condition of Approval ensures the requirement will be met.

### **Bicycle Parking Standards**

Section 4.155 (.04) B.

**A39.** The location of bicycle parking is approximately 30 feet from the entrance door on the north side of the new warehouse building, which meets the requirement. The applicant's plans demonstrate that the bicycle parking spaces will comply with the 2-foot width and 6-foot length requirement with 5 feet of maneuvering space behind each space (see Exhibit B2).

## **Other Parking Standards**

### **Minimum Off-Street Loading Requirements**

Section 4.155 (.05)

**A40.** Based on the square footage of the new warehouse building, one (1) off-street loading space is required. The applicant provides three (3) off street loading berths on the north side of the warehouse building meeting the size requirements of the above standard.

### **Carpool and Vanpool Parking Requirements**

Section 4.155 (.06)

**A41.** The property does not contain over 75 parking spaces, therefore, the applicant is not required to provide carpool/vanpool parking spaces.

## **Other Development Standards**

### **Access, Ingress, and Egress**

Section 4.167

**A42.** Access to the site from SW Boberg Road is provided via two (2) existing driveways at defined points previously approved by the City and no changes are proposed in the current application. As the site's two (2) driveways do not meet the City's minimum access spacing requirements of 300 feet, a Condition of Approval requires that the applicant submit a request for a Public Works Standard deviation for access spacing or submit construction

plans showing the consolidation of driveways to meet the 300-foot access spacing requirement.

## Natural Features and Other Resources

Section 4.171

**A43.** The subject property does not contain natural environmental and scenic features, and no part of the site is protected as part of the City's Significant Resource Overlay Zone (SROZ). There are no structures of any historic or cultural designation and no hillsides, wooded areas, or hazard areas needing protection on the site. No overhead powerlines are located on the site, and there are no high voltage powerline easements or rights-of-way or petroleum pipeline easements on the site.

## Access Drives and Travel Lanes

Subsection 4.177 (.08)

**A44.** The design of the access drives provides clear travel lanes, free from obstructions. The design shows all drive aisles as asphalt.

## Outdoor Lighting

Sections 4.199.20 through 4.199.60

**A45.** Outdoor lighting of the existing building was previously approved and no changes are proposed with the current application. Lighting on the new warehouse building is required to meet the outdoor lighting standards, discussed in more detail under Request B (see Findings B52 through B59).

## Underground Installation of Utilities

Sections 4.300-4.320

**A46.** All utilities on the property are undergrounded and no new utilities are proposed with the current application.

## Public Safety and Crime Prevention

### Design for Public Safety, Surveillance and Access

Subsections 4.175 (.01) and (.03)

**A47.** No changes are proposed with the current application to previously approved outdoor lighting and surveillance systems, which are designed to deter crime. Wall-mounted area lighting is proposed on the east, north and south sides of the new building, which will provide additional safety. The previously approved site layout includes walkways reasonably close to the parking lot and building, and building windows are visible from vehicular areas, providing opportunity for observation into the site.

## Addressing and Directional Signing Subsection 4.175 (.02)

**A48.** Addressing will meet public safety standards. The building permit process will ensure conformance.

## Lighting to Discourage Crime Subsection 4.175 (.04)

**A49.** No changes are proposed with the current application to previously approved outdoor lighting and surveillance systems, which are designed and will continue to discourage crime on the site. As discussed above, wall-mounted area lighting is proposed on the east, north and south sides of the new building, which will provide additional safety.

## Landscaping Standards

### Landscaping Standards Purpose Subsection 4.176 (.01)

**A50.** Through complying with the various landscape standards in Section 4.176 the applicant has demonstrated the Stage 2 Final Plan Modification is in compliance with the landscaping and screening purpose statement.

### Landscape Code Compliance Subsection 4.176 (.02) B.

**A51.** No waivers or variances to landscape standards have been requested, thus all landscaping and screening must comply with the standards of this section.

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

**A52.** The applicant's planting plan implements the landscaping standards and integrates general and low screen landscaping throughout the site, consistent with professional landscaping and design best practices. Plantings meeting the low screen standard will be utilized along the periphery of the parking areas.

### Landscape Area and Locations Subsection 4.176 (.03)

**A53.** The proposed development will exceed the 15% landscaping requirement. The subject property is 40,294 square feet (after right-of-way dedication) and provides 9,351 square feet of landscaping which is 23% of the site. Plantings are proposed along the frontage of SW Boberg Road to soften the appearance of the existing and new buildings, as well as the parking areas of the site. The landscaping will include trees, shrubs, ground cover and grasses planted in parking areas, general landscape areas, and stormwater facilities.



## Buffering and Screening

Subsection 4.176 (.04)

**A54.** The subject property is zoned PDI and borders PDI zoning to the north, east, and south. To the east, the property also borders FDA-H zoned property that contains residential uses. The SB Overlay Zone, defined in Subsection 4.137.5 of the Wilsonville Code (WC), requires appropriate screening and buffering for areas where residential and nonresidential land uses abut. For industrial properties, the SB Overlay Zone requires a 10-foot buffer with landscaping to the High Wall standard or a 20-foot-deep buffer with landscaping to the High Screen standard. Further, there are restrictions on motor vehicle access, exterior operations, and signs, and the DRB may impose additional landscape requirements to minimize visual impacts of any approved vehicle access points.

The proposed development meets the standards of the SB Overlay Zone along the site's frontage on SW Boberg Road (60-70 right-of-way width), which is across the road from a mobile home park in the FDA-H zone to the east. As the site is located across SW Boberg Road from the residential area, landscaping is provided along the site frontage, the existing building is set back from the street, and the new building is behind (west of) the existing building and, thus, partially obscured by it, adequate screening and buffering is provided to conceal the industrial uses from off-site view from adjacent residential uses in the mobile home park.

The applicant's plans (Exhibit B2) indicate that an existing transformer at the northeast corner of the site will be upgraded with bollards added for protection. No landscaping is shown to screen this equipment from off-site view, therefore a Condition of Approval has been added to ensure adequate screening.

## Installation of Sight-Obscuring Fence or Planting

Subsection 4.176 (.05)

**A55.** No new fencing is required or proposed. Existing fencing along the north, west, and south sides of the former storage area is proposed to remain with privacy slats added for additional screening.

## Landscape Plan Requirements

Subsection 4.176 (.09)

**A56.** The applicant's submitted landscape plans are drawn to scale and show the type, installation size, number and placement of materials. Plans include a plant material list identifying plants by both their scientific and common names. A note on the landscape plan indicates the irrigation method.

## Mixed Solid Waste and Recyclables Storage

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

A57. The applicant proposes one (1) combined solid waste and recyclable storage area at the northwest corner of the site (see Exhibit B2). The structure provides 200 square feet of storage area. The minimum requirement for the site is 68 square feet based on the following calculations:

Building	Use	Size	Min. Storage
Existing Building	Office	2,560	4/1,000 sf = 10.24 sf
New Warehouse Building	Warehouse	9,540	6/1,000 sf = 57.24 sf
Total			67.48 sf

The collection area satisfies the spatial demands for the site and meets the access standards of the City's franchised waste hauler. A letter supporting the redesign and trash and recycling locations from Republic Services is included in Exhibit B1.

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

A58. The applicant's Exhibit B1 contains a letter from Republic Services indicating coordination with the franchised hauler, and that the proposed storage area and site plan meets Republic Services requirements.

### Request B: Site Design Review (SDR23-0009)

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

#### Site Design Review

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

B1. Staff summarizes compliance with this subsection as follows:

- **Excessive Uniformity:** The previously approved development is unique to the particular development context and does not create excessive uniformity.
- **Inappropriate or Poor Design of the Exterior Appearance of Structures:** The applicant used appropriate professional services to design structures on the site using quality materials and design. The new warehouse building is attractively designed utilizing metal panels, CMU and brick accents, and black finish details to add visual interest. The design and materials of the addition complement those of the existing building, resulting in a cohesive design.
- **Inappropriate or Poor Design of Signs:** This standard does not apply as no signs are proposed in the current application.

- **Lack of Proper Attention to Site Development:** The appropriate professional services have been used to design the proposed site improvements, demonstrating attention being given to site development.
- **Lack of Proper Attention to Landscaping:** The applicant proposes landscaping exceeding the area requirements professionally designed by a landscape architect, incorporating a variety of plant materials, demonstrating appropriate attention to landscaping.

## Objectives of Site Design Review

### Proper Functioning of the Site

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

- B2.** The professionally designed site improvements ensure proper functioning of the site. A drive aisle on the north side of the parking area and new warehouse building wide enough for vehicle circulation, standard size parking stalls, an internal pathway network, and access meeting City standards are among the site design features contributing to functionality and safety.

### High Quality Visual Environment

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

- B3.** Professionally designed landscaping, building, and site improvements support a quality visual environment.

### Encourage Originality, Flexibility, and Innovation

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

- B4.** The applicant proposes a building addition, landscaping, and other site elements professionally designed for the site. Sufficient flexibility exists to fit the planned development within the site without seeking waivers or variances.

### Discourage Inharmonious Development

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

- B5.** The professional design of the building, landscaping, and other site elements support a high quality visual environment and, thus, prevent monotonous, drab, unsightly, dreary development, and contribute to making the site harmonious with adjacent and nearby development.

### Proper Relationships with Site and Surroundings

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

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

## Regard to Natural Aesthetics

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

- B7.** The site contains six (6) trees, including one (1) Douglas-fir on the boundary between the subject site and adjacent property to the north. Species include red oak, Douglas-fir, red maple, black walnut, and shore pine. All trees on the site, including the boundary tree, are proposed to be removed for site improvements. The trees will be replaced with appropriate landscape species to add variety and natural aesthetics to the site, which will help soften the industrial appearance of the development. The site does not include any area designated Significant Resources Overlay Zone (SROZ).

## Attention to Exterior Appearances

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

- B8.** The applicant used appropriate professional services to design the exterior of the new warehouse building. The building is attractively designed utilizing metal panels, CMU and brick accents, and black finish details to add visual interest, demonstrating attention to exterior appearances. The design and materials of the addition complement those of the existing building and are consistent with other industrial buildings in the general area of the site.



## Protect and Enhance City's Appeal

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

- B9.** The proposed development will enhance the appeal of the City by providing additional industrial warehouse space that is attractively designed to promote the desirability of investment and occupancy in the industrial area.

### Stabilize Property Values/Prevent Blight

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

**B10.** The applicant is improving the subject site with addition of an attractively design industrial building, thus preventing blight and increasing tax revenue within the City.

### Adequate Public Facilities

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

**B11.** As found in the Stage 2 Final Plan Modification review (Request A), adequate public facilities serve the site.

### Pleasing Environments and Behavior

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

**B12.** The proposed development provides a clearly defined layout and is designed in a configuration that meets defensible space guidelines that allow for surveillance and clearly identified structures.

### Civic Pride and Community Spirit

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

**B13.** Through implementing the proposed site improvements the project site will help foster civic pride and community spirit.

### Favorable Environment for Residents

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

**B14.** By constructing a new warehouse addition and completing other site improvements in a predominantly industrial area of the City, the development will provide an overall improved and favorable environment for residents.

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

### Development Must Follow DRB Approved Plans

Section 4.420

**B15.** A Condition of Approval will ensure construction, site development, and landscaping are carried out in substantial accordance with the Development Review Board approved plans, drawings, sketches, and other documents. The City will not issue any building permits for portions of the improvements requiring DRB review prior to DRB approval.

## **Design Standards**

### Preservation of Landscaping

Subsection 4.421 (.01) A.

**B16.** The development requires the removal of all of the trees within the subject site to construct the proposed site improvements. Some existing landscaping will be preserved in planting

areas along the north and south site boundaries. The applicant proposes to replace the removed trees and provide new landscaping where needed.

#### Harmony of Proposed Buildings to Environment

Subsection 4.421 (.01) B.

**B17.** The applicant used appropriate professional services to design the exterior of the new building to ensure harmony with the predominantly industrial environment of the area. The applicant has utilized materials that are typically employed in industrial development, but has utilized a variety of colors, materials, and textures to add interest and create harmony with the adjacent environment. Landscaping is included around all structures to either enhance the appearance of or screen industrial uses.

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

Subsection 4.421 (.01) C.

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

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

Subsection 4.421 (.01) C.

**B19.** All interior circulation areas such as drive aisles, parking areas and walkways, separate pedestrian and vehicular traffic and are professionally designed and convenient for the user.

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

Subsection 4.421 (.01) C.

**B20.** The design separates pedestrian and vehicle circulation except at necessary cross walks.

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

Subsection 4.421 (.01) C.

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

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

Subsection 4.421 (.01) C.

**B22.** The proposed development adequately separates vehicular and pedestrian traffic. Drive aisles and crosswalks are clearly indicated. The proposed parking area is designed to be screened from off-site view through landscaping and does not detract from design of the site.

Special Attention to Surface Water Drainage  
Subsection 4.421 (.01) D.

**B23.** A stormwater facility is proposed at the southwest corner of the site that is accessible for maintenance from both the north and south sides (see applicant's plans in Exhibit B2), demonstrating special attention to surface water draining. The proposed improvements will not adversely affect neighboring properties through the storm drainage system.

Harmonious Above Ground Utility Installations  
Subsection 4.421 (.01) E.

**B24.** No above ground utility installations are proposed.

Indication of Sewage Disposal  
Subsection 4.421 (.01) E.

**B25.** All sewage disposal will be via standard sewer connections to City sewer lines found to be adequate to serve the site as part of the Stage 2 Final Plan Modification (Request A).

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

**B26.** No additional advertising features are proposed in the current application; however, any signage that may be proposed in the future will require subsequent land use review to ensure that it does not detract from the design of the site and surrounding properties.

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

**B27.** The applicant does not propose any special features requiring additional screening or buffering.

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

**B28.** The applicant's design considers the design standards for all buildings, structures, and other features.

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

**B29.** Staff does not recommend any additional conditions of approval to ensure the proper and efficient functioning of the development.

Color or Materials Requirements  
Subsection 4.421 (.06)

**B30.** The colors and materials proposed by the applicant are appropriate. Staff does not recommend any additional requirements or conditions related to colors and materials.

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

### Mixed Solid Waste and Recycling Areas Colocation

Subsection 4.430 (.02) A.

**B31.** The proposal provides an exterior storage area for both solid waste and recyclables.

### Exterior vs Interior Storage, Fire Code, Number of Locations

Subsections 4.430 (.02) C.-F.

**B32.** The applicant proposes a single exterior location at the northwest corner, in the rear yard of the subject site. Review of the Building Permit will ensure meeting of building and fire code. The enclosure is set back two (2) feet from the rear property line and, thus, does not meet the required three (3) foot minimum. A Condition of Approval ensures that the minimum setback requirement is met.

### Collection Vehicle Access, Not Obstruct Traffic or Pedestrians

Subsections 4.430 (.02) G.

**B33.** The applicant has included a letter from Republic Services (Exhibit B1), which indicates the location and arrangement is accessible to collection vehicles. The location of the storage area does not impede sidewalks, parking area aisles, or public street right-of-way.

### Dimensions Adequate to Accommodate Planned Containers

Subsections 4.430 (.03) A.

**B34.** Pursuant to a letter from Republic Services in Exhibit B1, the dimensions are adequate to accommodate the planned containers.

### 6-Foot Screen, 10-Foot Wide Gate

Subsections 4.430 (.03) C.

**B35.** The applicant provides the required screening and gate width.

## **Site Design Review Submission Requirements**

### Submission Requirements

Section 4.440

**B36.** The applicant has submitted materials in addition to requirements of Section 4.035, as applicable.

## **Time Limit on Site Design Review Approvals**

### Void After 2 Years

Section 4.442

**B37.** The applicant plans to develop the proposed project within two (2) years and understands that the approval will expire after two (2) years unless the City grants an extension.



## **Installation of Landscaping**

### Landscape Installation or Bonding

Subsection 4.450 (.01)

**B38.** A Condition of Approval will assure installation or appropriate security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director, is filed with the City assuring such installation within six (6) months of occupancy.

### Approved Landscape Plan

Subsection 4.450 (.02)

**B39.** Action by the City approving a proposed landscape plan is binding on the applicant. A Condition of Approval will ensure that substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan will not be made without official action of the Planning Director or Development Review Board and provide ongoing assurance the criterion is met.

### Landscape Maintenance and Watering

Subsection 4.450 (.03)

**B40.** A Condition of Approval will ensure landscaping is continually maintained in accordance with this subsection.

### Limitation to Modifications of Landscaping

Subsection 4.450 (.04)

**B41.** A Condition of Approval will provide ongoing assurance that this criterion is met by preventing modification or removal of landscaping without appropriate City review.

## **Landscaping Standards**

### Shrubs and Groundcover Materials Requirements

Subsection 4.176 (.06) A.

**B42.** Proposed shrubs on the applicant's Landscape Plan (Exhibit B2) are the required minimum 2-gallon containers and 10-12-inch spread. A Condition of Approval will require that the detailed requirements of this subsection are met.

### Plant Materials-Trees

Subsection 4.176 (.06) B.

**B43.** Landscape trees in the applicant's Landscape Plan (Exhibit B2) are proposed to be 2-inch caliper (deciduous) consistent with the requirement of this subsection. A Condition of Approval will require all trees to be a minimum of 2-inch caliper, balled and burlapped (B&B), well-branched, and typical of their type as described in Current American Association of Nurserymen (AAN) Standards.

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

Subsection 4.176 (.06) C.

**B44.** The new warehouse building is proposed to be 30 feet in height to the ridgeline and 27 feet to the eave, which is slightly taller than the 24-foot height of this standard. However, the size of the building, at 9,540 square feet, is substantially less than 50,000 square feet. In staff's professional opinion, larger or mature plant materials than are proposed are not necessary to break up the height of the façade or otherwise screen or obscure the building from view.

## Plant Materials-Street Trees

Subsection 4.176 (.06) D.

**B45.** The current application is not required to construct frontage improvements or install street trees. However, the applicant proposes to replace the two (2) existing trees in the landscape area on the east side of the site, which provide shade on the sidewalk, with red sunset maple of the required two (2)-inch caliper.

## Types of Plant Species

Subsection 4.176 (.06) E.

**B46.** The applicant has provided sufficient information in their Landscape Plan showing the proposed landscape design meets the standards of this subsection.

## Tree Credit

Subsection 4.176 (.06) F.

**B47.** The applicant is not proposing to preserve any trees to be counted as tree credits.

## Exceeding Plant Standards

Subsection 4.176 (.06) G.

**B48.** The selected landscape materials do not violate any height or vision clearance requirements.

## Landscape Installation and Maintenance Standards

Subsection 4.176 (.07)

**B49.** Conditions of Approval ensure that installation and maintenance standards are or will be met including that plant materials be installed to current industry standards and properly staked to ensure survival, and that plants that die are required to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. Notes on the applicant's Landscape Plan (Exhibit B2) provide for an irrigation system.

## Landscape Plan Requirements

### Subsection 4.176 (.09)

**B50.** The applicant's submitted plans provide the required information, however, the Landscape Plan does not divide landscape areas by projected water consumption for irrigation purposes into high, moderate, low, and interim or unique water usage areas. A Condition of Approval requires identification of water usage areas for proposed site landscaping.

## Completion of Landscaping

### Subsection 4.176 (.10)

**B51.** The applicant has not requested to defer installation of plant materials.

## Outdoor Lighting

### Applicability of Outdoor Lighting Standards

#### Sections 4.199.20 and 4.199.60

**B52.** The existing building does not have lighting, except at doorways, and there is no lighting in the parking lot. One (1) existing street light illuminates the front (east half) of the site and no changes to outdoor lighting in this part of the site are proposed. Wall-mounted lighting is proposed on three sides (west, north, east) of the new warehouse building, thus the outdoor lighting standards apply.

## Outdoor Lighting Zones

### Section 4.199.30

**B53.** The subject property is within LZ2.

## Optional Lighting Compliance Methods

### Subsection 4.199.40 (.01) A.

**B54.** The applicant has the option of the performance or prescriptive method. The applicant has selected to comply with the prescriptive method.

## Maximum Lamp Wattage and Shielding

### Subsection 4.199.40 (.01) B. 1. and Table 7

**B55.** The applicant has selected the prescriptive option for the project's outdoor lighting design. The applicant's narrative states that the proposed lighting will be shielded from adjacent properties for security purposes and will comply with the requirements of Table 7.

## Oregon Energy Efficiency Code Compliance

### Subsection 4.199.40 (.01) B. 2.

**B56.** The applicant will demonstrate compliance with the Oregon Energy Efficiency Code, Exterior Lighting prior to construction.

### Maximum Mounting Height

Subsection 4.199.40 (.01) B. 3.

**B57.** The applicant's narrative states that the proposed mounting height for all proposed exterior wall-mounted lighting will be 20-feet above grade and a minimum of 30-feet from the property line, which complies with the required mounting heights within the LZ2.

### Setback from Property Line

Subsection 4.199.40 (.01) B. 4.

**B58.** The applicant's narrative states that the proposed development meets the criteria outlined in exception 1 within the above subsection as the property abuts properties with the same base and lighting zone. However, the subject property abuts FDA-H zoned property to the east, but no lighting is proposed that would violate the lighting setback provisions of this subsection.

### Lighting Curfew

Subsection 4.199.40 (.01) D.

**B59.** The applicant proposes the standard LZ2 curfew, with only security lighting provided after curfew, unless the tenant operates during this time period. A Condition of Approval ensures the lighting curfew requirements are met.

## Request C: Type C Tree Removal Plan (TPLN23-0004)

### Type C Tree Removal-General

#### Tree Related Site Access

Subsection 4.600.50 (.03) A.

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

#### Review Authority

Subsection 4.610.00 (.03) B.

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

#### Conditions of Approval

Subsection 4.610.00 (.06) A.

**C3.** No additional conditions are recommended pursuant to this subsection.

#### Completion of Operation

Subsection 4.610.00 (.06) B.

**C4.** It is understood the tree removal will be completed prior to construction of the proposed building, which is a reasonable time frame for tree removal.

Security for Permit Compliance  
Subsection 4.610.00 (.06) C.

- C5. No bond is anticipated to be required to ensure compliance with the tree removal plan as a bond is required for overall landscaping.

Tree Removal Standards  
Subsection 4.610.10 (.01)

- C6. The standards of this subsection are met as follows:
- Standard for the Significant Resource Overlay Zone: The site does not include any area in the SROZ; thus, this standard does not apply.
  - Preservation and Conservation. The arborist report inventoried six (6) trees on the subject property, including one (1) boundary tree, and eight (8) off-site trees located on the property to the north, the closest of which is 6.5 feet from the property boundary. Species of the on-site trees includes red oak, Douglas-fir, red maple, black walnut, and shore pine. All trees on the site, including the boundary tree, are proposed to be removed for site improvements. The applicant has provided a letter from the property owner to the north consenting to removal of this boundary tree (see Exhibit B1). The trees will be replaced with appropriate landscape species, including two (2) red sunset maples and four (4) trident maples, to add variety and natural aesthetics to the site. A Condition of Approval will ensure that protective fencing is placed along the north property boundary to protect the drip line of preserved trees on the adjacent property prior to site grading or other site work that could damage the trees.
  - Development Alternatives: The proposed tree removal has been minimized to the extent possible in order to complete the proposed site improvements.
  - Land Clearing: Land clearing and grading is proposed and will be limited to areas necessary for construction of the proposed new building, structures, and other site improvements.
  - Compliance with Statutes and Ordinances: The necessary tree replacement and protection is planned according to the requirements of the tree preservation and protection ordinance.
  - Limitation: Tree removal is limited to where it is necessary for construction or to address nuisances or where the health of the trees warrants removal.
  - Additional Standards: A tree survey has been provided, and no utilities are proposed to be located where they would cause adverse environmental consequences.

Review Process  
Subsection 4.610.40 (.01)

- C7. The plan is being reviewed concurrently with the Stage 2 Final Plan Modification.

Tree Maintenance and Protection Plan  
Section 4.610.40 (.02)

- C8.** The applicant has provided information on tree maintenance and protection in Exhibit B1 (Arborist Report) and Exhibit B2 (Sheet 5, Preliminary Grading and Erosion Control Plan). The tree protection fencing shown indicates fencing around the trees preserved to the north of the site.

**Replacement and Mitigation**

Tree Replacement Requirement  
Subsection 4.620.00 (.01)

- C9.** The applicant proposes removing six (6) trees and replanting six (6) trees as mitigation on the project site, meeting the one-to-one ratio and the requirements of this subsection.

Basis for Determining Replacement and Replacement  
Subsection 4.620.00 (.02) and (.03)

- C10.** Replacement trees will meet the minimum caliper and other replacement requirements.

Replacement Tree Stock Requirements  
Subsection 4.620.00 (.04)

- C11.** The planting notes on the applicant's plans (Exhibit B2) indicate the appropriate quality.

Replacement Trees Locations  
Subsection 4.620.00 (.05) A.

- C12.** The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development.

**Protection of Preserved Trees**

Tree Protection During Construction  
Section 4.620.10

- C13.** A Condition of Approval ensures the applicable requirements of this section will be met.