



**PLANNING COMMISSION MEETING**  
Tuesday, September 12, 2017, 6:30 PM  
Council Chambers, 2nd Floor City Hall  
1300 NE Village Street

**MEETING AGENDA**

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1. **CALL TO ORDER:** 6:30 p.m.
2. **CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS**
3. **REVIEW AND ADOPT MINUTES:** August 29, 2017

**4. PUBLIC HEARING**

TYPE III QUASI –JUDICIAL

File Number 2017-45-DR

Summary: The applicant is seeking design review approval for the construction of a 3-story mixed-use building. The ground floor includes commercial spaces of varying sizes, and the residential entrance. The second and third floors include (11) apartment dwelling units each for a total of (22) units. Vehicle/bicycle parking and a trash/recycling area is included onsite.

Applicable Fairview Municipal Code Criteria:

- FMC 19.400 Administration of Land Use Review
- FMC 19.412 Description of Permit Procedures
- FMC 19.413 Procedures
- FMC 19.110 Village General Provisions
- FMC 19.135 Village Commercial and Mixed Use
- FMC 19.140 Village General Standards
- FMC 19.150 Village Development Standards (Village Office, Village Commercial and Village Mixed-Use Zones)
- FMC 19.163 Landscaping, Street Trees, Fences and Walls
- FMC 19.164 Vehicle and Bicycle Parking
- FMC 19.165 Public Facility Standards

**5. COMMISSION UPDATES**

**6. STAFF UPDATES**

**7. TENTATIVE AGENDA**

**8. ADJOURNMENT**

**TENTATIVE NEXT PLANNING COMMISSION MEETING**  
**TUESDAY, SEPTEMBER 26, 2017**

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Planning Commission hearings are broadcast live on Comcast Cable Channel 22 and Frontier Cable Channel 33. Replays of the hearing are shown on Comcast Channel 22 and Frontier Channel 33 Saturday at 12:00pm and Monday at 2:00pm, and Comcast Channel 30 and Frontier Channel 39 Wednesday at 7:00pm. Further information is available on our web page at [www.fairvieworegon.gov](http://www.fairvieworegon.gov) or by calling Devree Leymaster, City Recorder, 503-674-6224.

The meeting location is wheelchair accessible. A request for an interpreter for the hearing impaired or for other accommodations for person with disabilities should be made at least 48 hours before the meeting to: Devree Leymaster, 503-674-6224.

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MINUTES  
PLANNING COMMISSION MEETING  
1300 NE Village Street  
Fairview, OR 97024  
Tuesday, August 29, 2017

PRESENT: Steven Hook  
Les Bick  
Ed Jones, Chair  
Hollie Holcombe  
Jeff Dennerline

ABSENT: Steve Kaufman  
Russell Williams

STAFF: Erika Palmer, Senior Planner  
Devree Leymaster, City Recorder

**1. CALL TO ORDER**

Chair Jones called the meeting to order.

**2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS**

None.

**3. REVIEW AND ADOPT MINUTES – July 25, 2017**

Commissioner Dennerline moved to approve the July 25, 2017 minutes and Commissioner Bick seconded. Motion passed unanimously.

**4. PUBLIC HEARING**

Application 2017-45-DR

Chair Jones read the Quasi-Judicial opening statement. Senior Planner Palmer recited the applicable criteria.

Senior Planner Palmer reported planning staff recommends continuing the hearing to a date certain; September 12. New information may be provided that may affect the information presented in the application packet.

Commissioner Dennerline moved to continue the hearing to September 12 at 6:30 PM and Commissioner Hook seconded. The motion passed unanimously.

**5. COMMISSION UPDATES**

None.

**6. STAFF UPDATES**

Senior Planner Palmer shared the city is in the process of hiring for two new Engineering positions.

**7. TENTATIVE AGENDA – September 12, 2017**

Continue Public Hearing: 2017-45-DR

**8. ADJOURNMENT**

Meeting adjourned by consensus at 6:40 PM.

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Devree A. Leymaster, CMC  
City Recorder

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Ed Jones  
Chair

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Date



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## PLANNING COMMISSION STAFF REPORT EXHIBIT "A" FINDINGS OF FACT

**Application File Number:** 2017-45-DR

**Application Name:** The Ceeley Building Design Review

**Staff Contact:** Erika Palmer, Senior Planner  
Email: [palmere@ci.fairview.or.us](mailto:palmere@ci.fairview.or.us)  
Phone 503-674-6242

**Date of Report:** August 22, 2017

**Public Hearing Date:** August 29, 2017

**Exhibits:** A. Findings of Fact  
B. Referral Comments

**Attachments:** 1. Description of Project  
2. Site Plan  
3. Ground Floor Plan  
4. Second Floor Plan  
5. Third Floor Plan  
6. Roof Plan  
7. Elevations  
8. Building Section  
9. Renderings

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### 1. APPLICATION

**Proposal:** The applicant is seeking design review approval for the construction of a 3-story mixed-use building. The ground floor includes commercial spaces of varying sizes, and the residential entrance. The second and third floors include

(11) apartment dwelling units each for a total of (22) units. Vehicle/bicycle parking and a trash/recycling area is included onsite.

**Applicant:** Barry Smith Architects

**Property Owners:** Garth Everhart

**Location:** Southwest corner of Market Drive and Village Street. The associated parking for the proposed development is proposed to be located in the adjacent lot (Tract X) of Fairview Village Plat 5, Phase 3.

**Tax Map & Tax Lot:** 2 Parcels: Vacant parcel on Southwest corner of Market Drive and Village Street (Map Reference: 1N3E33AB, Tax Lot 00901) and Tract X (Map Reference: 1N3E33AB, Tax Lot 07600)

**Acreage:** Total site area is 1.05 acres

**Comprehensive Plan Designation:** Village

**Zoning Designation:** Village Mixed-Use (VMU)

**Zoning Overlays:** None

**Surround Land Use/Zoning:**

North: Vacant Lot /Village Mixed Use

South: Townhomes, Live-work units/Village Mixed Use

East: Mixed-use building, Multnomah County Library/ Village Mixed Use

West: Mixed-use building /Village Mixed Use

**Streets/Classification:** The site is a corner lot on Market Drive and Village Street, both of which are local Fairview streets. Access to parking is from an existing driveway on Market Drive.

## **2. NOTICES & REFERRALS**

**Notice:** On August 2<sup>nd</sup>, 2017, notice was mailed to surrounding property owners within 250 ft. of the outer boundaries of the two tax lots. A sign was posted at the site on August 18<sup>th</sup>, 2017. Notice was published in the Gresham Outlook on August 4<sup>th</sup>, 2017.

**Referrals:** On July 28<sup>th</sup>, 2017 referrals were sent to: The City of Fairview Public Works; Fairview Building and Engineering Departments; Gresham Fire Department; and Multnomah County Transportation Department. Multnomah County Transportation Department stated that they did not have any comments on this proposal in an email to Erika Palmer, Senior Planner on August 1, 2017.

At the time of this report, the City has received the following comments:

- 1) Gresham Fire Department (See Exhibit B)

### **3. NARRATIVE/ LOCATION/BACKGROUND/EXISTING CONDITIONS**

**Application Narrative & Location:** The subject property is located in Fairview Village. The applicant is proposing to develop the vacant parcel at the Southwest corner of NE Market Drive and Village Street with a 3-story mixed use building. The building will have commercial on the ground floor with residential units above. The parking associated with this development is located in Tract X of Fairview Village Plat 5 (Tax Lot 7600).

The site will include:

- One 3-story building (7,710 sq. ft. of net leasable space) (8,815 sq. ft. of gross enclosed space), 22 residential units on upper 2<sup>nd</sup> and 3<sup>rd</sup> story floors.
- 78 off-street parking stalls
- Bike parking
- Trash/recycling enclosure

**Background:** In 1998, the Planning Commission approved a design review application for this site. The design review (file name: D-005-98, Market Square South) included four buildings all south of the NE Market Drive and Village Street intersection on both the west and east sides of the street. This application included the building that now houses the Multnomah County Library on Village Street (completed in 2001) and the mixed-use building directly across the street on the west side of Village Street (completed 2008).

In 2004, the City of Fairview evaluated the status of the South Market Square project and found that the project was “vested” allowing the 1998 design review of four buildings to be built as valid as a development right under Oregon common law. A vested right can be abandoned or discontinued according to Oregon courts, and in determining if the vested right is still valid a City should consider its own regulations regarding abandonment and/or discontinuance of a legal nonconforming use which in Fairview’s case is Fairview Municipal Code section 19.530.010.

#### **FMC: 19.530.010 Nonconforming uses**

*Where at the time of adoption of this code a use of land exists which would not be permitted by the regulations imposed by this code and was lawful at the time it was established, the use may be continued as long as it remains otherwise lawful, provided:*

*C. Discontinuation or Abandonment. The nonconforming use of land is not discontinued for any reason for a period of more than 12 months. For purposes of calculating the 12-month period, a use is discontinued or abandoned upon the occurrence of the first of any of the following events:*

- 1. On the date when the use of land is physically vacated;*
- 2. On the date the use ceases to be actively involved in the sale of merchandise or the provision of services;*
- 3. On the date of termination of any lease or contract under which the nonconforming use has occupied the land; or*
- 4. On the date a request for final reading of water and power meters is made to the applicable utility districts.*

*D. Application of Code Criteria and Standards. If the use is discontinued or abandoned for any reason for a period of more than 12 months, any subsequent use of land shall conform to the applicable standards and criteria specified by this code for the land use district in which such land is located.*

When the above Code provision is applied to the vested right, the “nonconforming use” becomes the actual development activity. As such, development in this case had been discontinued for a period of 12 or more months, and the “use” has been determined to be abandoned.

It is this reason why the Planning Commission is hearing this design review request. It has been almost 20 years since the original design approval and the city’s planning program is required to implement State Land Use Goal 1 “Citizen Involvement”.

The applicant is using proposing residential and general office uses and the size/bulk of the building is nearly the same as the one approved in 1998.

**Existing Conditions:**

Site

The site consists of two parcels. The vacant parcel on the Southwest corner of NE Market and NE Village is fairly flat, and Tract X is a developed lot and is a paved parking area. Both parcels were platted as part of the Fairview Village Plat No. 5. Tract X, is associated with the vacant parcel (TL 901) and serves as the parking area for the development on this parcel.

## Utilities

All public utilities were constructed and installed as part of the requirements of the Fairview Village Plat No. 5.

- a. Sanitary Sewer: The site is currently connected to an 8" diameter public sewer line on NE Market Drive.
- b. Water: The site is currently served by two active public water lines in NE Market and NE Village Street.
- c. Storm: The site is currently served by public stormwater facilities within NE Market Drive and Village Street.

## **4. APPLICABLE REVIEW CRITERIA**

This Type III application process requires a Planning Commission decision subject to the requirements of the Fairview Municipal Code (FMC) Title 19:

### A) Application Procedures

- FMC 19.400 Administration of Land Use Review
- FMC 19.412 Description of Permit Procedures
- FMC 19.413 Procedures

### B) Design Review Criteria

- FMC 19.110 Village General Provisions
- FMC 19.135 Village Commercial and Mixed Use
- FMC 19.140 Village General Standards
- FMC 19.150 Village Development Standards (Village Office, Village Commercial and Village Mixed-Use Zones)
- FMC 19.163 Landscaping, Street Trees, Fences and Walls
- FMC 19.164 Vehicle and Bicycle Parking
- FMC 19.165 Public Facility Standards

## **5. APPLICATION PROCEDURES**

### ***FMC 19.400 Administration of Land Use and Development Review***

*19.400.010 Introduction.*

*This article specifies application requirements and procedures for obtaining land use permits required for development within the city of Fairview. Table 19.413.050 provides permit and decision-making requirements for land use permit applications. (Ord. 1-2012 § 1; Ord. 6-2009 § 2 (Att. 1))*

*19.400.030 Time limit on land use decisions for approval.*

*Unless otherwise specified in the decision or elsewhere in this title, an approved land use decision shall expire two years from date of final decision. (Ord. 1-2012 § 1)*

**FINDINGS:** The application and procedures used meets the requirements of this chapter. If approved, the proposed site and design review shall expire two (2) years from the date of the final decision.

**Condition of Approval:** This approval for application 2017-45-DR shall become null and void after two (2) years if construction activities have not commenced.

### ***FMC 19.412 Description of Permit Procedures***

*FMC 19.412.020: Forms, applications, and filing fees, specifies what information must be included in applications and requests for action*

**FINDINGS:** The submitted application is consistent with the applicable code language.

**CONDITION OF APPROVAL:** Prior to receiving development permits all plans must be approved by the City, development permit fees paid, and permits issued.

*FMC 19.412.030: Concurrent review of multiple applications  
Applications for more than one land use review on the same property may be processed in a single hearing. (Ord. 6-2009 § 2 (Att. 1))*

**FINDINGS:** This is a single Type III application review is for a design review and applicable criteria have been met.

*FMC 19.412.050: Determination of completeness  
A. The community development director shall review applications for consistency with submission requirements of the Fairview Municipal Code. Applications that do not meet*

*submission requirements shall be deemed incomplete for the purpose of ORS227.178 and Chapter 19.400 FMC. The community development director shall provide notice to the applicant as to whether an application is complete or incomplete within 30 calendar days of receipt of the application. If the application is deemed incomplete, written notice shall be provided to the applicant that specifies information needed to make the application complete.*

*B. When an application is deemed complete, the community development director shall note the date of completeness.*

**FINDINGS:** A notice of determination of completeness was mailed to the applicant on July 28<sup>th</sup>, 2017. The application is consistent with applicable code language.

### ***FMC 19.413 Type III Procedure***

*FMC 19.413.030: Type III procedure (quasi-judicial)  
Type III decisions are made by the planning commission after a public hearing. Appeals of Type III decisions are reviewed and decided by the city council.*

**FINDINGS:** Application is consistent with applicable code language. The notice of public hearing was sent to the Gresham Outlook to be published on Friday, August 4<sup>th</sup>, 2017. The site was posted on Friday, August 18<sup>th</sup>, 2017. Property owners within 250 ft. of the site were sent notice on Wednesday, August 2<sup>nd</sup>, 2017.

## **6. PROPOSED FINDINGS DESIGN REVIEW**

### ***FMC 19.424 Site Design Review Application Procedures***

*FMC 19.424.010: Procedure  
Site design review shall be conducted as a Type III procedure, as specified in FMC 19.424.020, using the procedures in Chapter 19.410 FMC, and using the approval criteria contained in Chapter 19.426 FMC. (Ord. 6-2001 § 1)*

*FMC 19.424.020: Determination of Type II and Type III applications  
Applications for site design review shall be subject to Type II or Type III review, based on the following criteria:*

*B. Commercial, industrial, public/semi-public, and institutional buildings with 5,000 square feet of gross floor area or smaller shall be reviewed as a Type II application, except when development review is allowed under Chapter 19.423 FMC. Commercial, industrial, public/semi-public, and institutional buildings with greater than 5,000 square feet of gross floor area shall be reviewed as a Type III application.*

*C. Developments with more than one building (e.g., two duplex buildings or an industrial building with accessory workshop) shall be reviewed as Type III applications, notwithstanding the provisions contained in subsections A and B of this section.*

**FINDINGS:** This application is subject to a Type III land use review, as the commercial gross floor area exceeds 5000 sq. feet.

#### ***FMC 19.425 Site Design Review Application Procedures***

*FMC 19.425.010: General submission requirements*

*The applicant shall submit an application containing all of the general information required by FMC 19.413.020 (Type II Application) or FMC 19.413.030 (Type III Application), as applicable. The type of application shall be determined in accordance with FMC 19.424.020. (Ord. 6-2009 § 4; Ord. 6-2001 § 1)*

**FINDINGS:** The applicant's submittal documents are consistent with applicable code language for a Type III application.

#### ***FMC 19.426 Site Design Review Approval Criteria***

*FMC 19.426.001: Site design review approval criteria*

*The review authority shall make written findings with respect to all of the following criteria when approving, approving with conditions, or denying an application. (Ord. 6-2001 § 1)*

*FMC 19.426.010: Complete application*

*The application must be complete, as determined in accordance with FMC 19.412.050, on types of applications, and Chapter 19.425 FMC. (Ord. 6-2009 § 4; Ord. 6-2001 § 1)*

*FMC 19.426.020: Compliance with land use district provisions*

*The application complies with all of the applicable provisions of the underlying land use district, including: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses. (Ord. 6-2001 § 1)*

*FMC 19.426.040: Compliance with design standards*

*The application complies with the design standards contained in Article III of this title. All of the following standards shall be met:*

*A. Chapter 19.162 FMC – Access and Circulation;*

*B. Chapter 19.163 FMC – Landscaping, Street Trees, Fences and Walls;*

C. Chapter 19.164 FMC – Automobile and Bicycle Parking;

D. Chapter 19.165 FMC – Public Facilities Standards;

E. Other standards (telecommunications facilities, solid waste storage, environmental performance, signs), as applicable. (Ord. 6-2001 § 1)

*FMC 19.426.050: Conditions*

*All conditions required as part of an approval shall be met. (Ord. 6-2001 § 1)*

*FMC 19.426.060: Exceptions*

*Exceptions to criteria in FMC 19.426.040(A) through (E) may be granted only when approved as a variance. (Ord. 6-2001 § 1)*

**FINDINGS FMC 19.426.001- FMC 19.426.060:** The application was determined to be complete July 28<sup>th</sup>, 2017.

Per FMC 19.426.020, the proposed land use, a mixed-use building, is substantially in compliance with applicable provisions listed above.

Per FMC 19.426.040, Compliance with land use district and design standards are analyzed below. Findings and conditions are noted for each chapter as follows. All conditions required as part of an approval must be met.

<b><i>FMC 19.135 Village Commercial (VC) and Mixed Use (VMU)</i></b>
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*FMC 19.135.010: Permitted uses*

*7. Residential dwelling units in conjunction with permitted uses when developed in accordance with the VMU design standards of FMC 19.135.030(A)(2).*

**FINDING:** The proposed use of residential dwelling units in conjunction with commercial is an outright permitted use in the VMU Zone.

*FCM 19.135.030: Development standards*

*A. Setbacks and Design Elements.*

*2. Within the VMU zone:*

*a. The VMU area shall be occupied by townhomes and commercial uses.*

**FINDING:** The proposed development is in compliance with this standard.

*b. Parking lots shall occupy no more than 50 percent of the street frontage. One or more pedestrian accessways connecting parking lots to adjacent streets shall be provided at a minimum frequency of 250 feet along the street frontage.*

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**FINDINGS:** No parking lot is proposed along the street frontage. Two pedestrian access ways connecting the parking lot to the adjacent street is proposed. One access way is proposed at NE Village Street along the south side of the building, and the other a sidewalk from NE Market Street on the west side of the building that connects the to the parking lot area. The application is in compliance with this standard.

*c. Retail structure facades must extend to the right-of-way along at least 75 percent of the lot line; or*

*Retail structure facades must extend to within 12 feet of the lot line for 75 percent of the lot line and the space between the building and the lot line must be designed as an extension of the sidewalk and committed to active uses such as sidewalk cafes, vendor's stands, or developed as "stopping places."*

*Such facades shall conform to the blank wall standard described in FMC 19.140.100.*

**FINDINGS:** The proposed structure facades extends to the right-of-way on NE Market Drive. The proposal indicates that the space between the building and the lot line along Village Street will be designed as an extension of the sidewalk to create an active use or used as a stopping place for pedestrians.

*d. All buildings shall be set back at least five feet from property lines abutting residential areas.*

**FINDINGS:** The proposed building does not abut residential areas. All surrounding properties are zoned Village Mix-Use.

*e. Awnings may extend up to four feet into a public right-of-way. Awnings shall have a minimum clearance of 7.0 feet and a maximum height of 12.5 feet. Awning covering material shall be metal, glass, canvas or any combination thereof.*

**FINDINGS:** The proposed rendering of the building does not show awnings.

*f. Buildings in the "four corners area" of the VMU zone (delineated in Figure V-1, following Chapter 19.155 FMC) shall have a minimum front facade height of 18 feet as measured from the finished street grade with residential uses restricted to the second and/or third floor.*

**FINDINGS:** The "four corners area" is the intersection of NE Market Drive and Village Street. The proposed building front façade exceeds the height of 18 ft. and therefore meets this standard. The residential uses proposed are on the second and third floor.

*B. Density. Residential density shall not exceed 45 units per acre.*

**FINDINGS:** The applicant is proposing 22 dwelling units. The application does not exceed 45 units per acre, therefore this criteria is met.

*C. Maximum Lot Coverage. Buildings shall cover no more than 75 percent of each lot in the zone.*

**FINDINGS:** TL 901 is 16,050 sq. feet. The proposed building footprint is 8,958 sq. feet which is 56% of TL 901. This standard is met.

*D. Height Restrictions. Buildings within the Village commercial or Village mixed use zone shall not exceed 45 feet in height except that tower elements may be 60 feet in height with a footprint of no more than 400 square feet.*

*Building front facade height, as measured from the street grade, shall be no less than 18 feet.*

**FINDINGS:** The front façade as measured from the street grade exceeds 18 ft. in height. The front façade of the building is roughly 32 ft. in height. The building height does not exceed 45 ft. in height. As stated above the height of the building is between 36-38 feet. Therefore this standard is met.

*E. Special Development Standards. All development in these zones shall comply with applicable development standards in Chapter 19.150 FMC.*

**FINDINGS:** See findings for FMC Chapter 19.150 below.

*F. Design Review. Design review is required for all uses in the VC and VMU zones. (Ord. 4-2004 § 2; Ord. 6-2001 § 1)*

**FINDINGS:** This standard is met through this Design Review application.

<b><i>FMC 19.140 Village General Standards</i></b>
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*FMC 19.140.010: Pedestrian ways and trails*

*A. Pedestrian ways shall be provided from subdivisions and multifamily developments to:*

*1. Commercial facilities and public amenities such as existing or planned transit stops or facilities, school, park, church, day care center, children's play area, outdoor activity areas, plazas, library, or similar facility;*

*2. A dead-end street, loop, or mid-block where the block is longer than 600 feet;  
and*

3. *Streets or pedestrian ways which abut the site.*

**FINDINGS:** The vacant site was approved as part of the Fairview Village No. 5 plat. All Pedestrian ways have been installed and constructed per the requirements of the Fairview Village No. 5 plat. The Fairview Village Parks, Open Space and Circulation map, Figure V-10 in FMC 19.155 illustrates that pedestrian and bicycle circulation paths for the subject block are within the NE Market Drive and NE Village Street right-of-way improvements which are already built. This criterion does not apply.

*Except as provided in FMC 19.140.020(B) and (H), pedestrian ways shall include at least a 10-foot right-of-way with a minimum five-foot wide paved surface and shall have a maximum slope of five percent wherever practical.*

**FINDINGS:** This criterion does not apply.

*C. Pedestrian ways shall be illuminated so that they may be safely used at night and shall be direct with at least one end of the pedestrian way always visible from any point along the pedestrian way.*

**FINDINGS:** This criterion does not apply.

*D. The maximum height of a fence along such a facility shall not exceed four feet.*

**FINDINGS:** No fences are proposed, this criterion does not apply.

*E. Bollards or other similar treatments may be required in order to prevent cars from entering the pedestrian way.*

**FINDINGS:** This criterion does not apply.

*F. All pedestrian ways shall be landscaped in conformance with FMC 19.140.070.*

**FINDINGS:** This criterion does not apply.

*G. Pedestrian ways depicted on the Fairview Village trail system plan shall be constructed in conjunction with development of the same lot or parcel consistent with the provisions of Chapter 19.155 FMC. (Ord. 11-2014 § 2 (Exh. 2); Ord. 6-2001 § 1)*

**FINDINGS:** As explained and stated above this criterion does not apply.

*FMC: 19.140.020: On-site pedestrian ways for commercial, multifamily (four or more units), institutional and office development.*

*D. Pedestrian ways shall provide direct connections to other portions of the site such as buildings, parking lots, child play areas and outdoor pedestrian-oriented activity areas such as plazas, resting areas and viewpoints.*

**FINDINGS:** There is on-site sidewalk access from NE Village Street along the south side of the building to the parking area. From NE Market Drive a sidewalk access is provided to the parking area. This criterion is met.

*E. Pedestrian ways shall be constructed of concrete or paving bricks and be at least five feet in unobstructed width. ADA certified curb ramps shall be provided where pedestrian ways intersect with streets.*

**FINDINGS:** All pedestrian ways will be constructed of concrete and are at least five feet in width. The ramp at the southwest corner of NE Market and NE Village Street is not in compliance with ADA specifications. The applicant will need to submit for a City of Fairview right-of-way permit and install a ramp at this intersection that meets current ADA specifications.

**Condition of Approval:** Prior to the issuance of building permits the applicant shall submit a right-of-way (row) improvement plan. The ROW improvement plan shall show the sidewalk extension on NE Village Street and an ADA ramp improvement at the corner of NE Market Drive and Village Street that meets current ADA specifications.

*C. Pedestrian ways shall be illuminated throughout the length with pedestrian scale lighting not to exceed 20 feet in height having a minimum of 0.5 foot-candle power average illumination and oriented so as not to shine directly upon adjacent residences.*

**FINDINGS:** Pedestrian lighting is already installed on NE Market Drive and NE Village Streets. This criterion has been met.

*D. Pedestrian ways and pedestrian areas shall be separated from automobile and truck circulation, parking, and loading whenever possible.*

**FINDINGS:** As proposed on the site plan there are internal pedestrian ways abutting the building that lead to the parking area and rear entrance to the building which are separated from auto circulation, parking and loading.

*E. Where a pedestrian way crosses driveways, parking areas, or similar vehicle maneuvering areas, the pedestrian way shall be readily identifiable through the use of elevation changes, speed bumps, different paving materials, or other similar methods.*

**FINDINGS:** None are proposed. This criterion is not applicable.

*F. Where the pedestrian way is parallel and adjacent to an auto travel lane, the safety of the pedestrian shall be assured through a raised path or shall be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used, the ends of the raised portions shall be equipped with ADA certified curb ramps.*

**FINDINGS:** No pedestrian way is parallel to an auto travel lane. Sidewalks have been installed and will be expanded to meet code along NE Market Drive and NE Village Street.

*G. Pedestrian ways shall provide a direct connection between all new development and adjacent streets. Stub connections shall be required between developments and neighboring sites not yet developed or capable of being further subdivided or partitioned.*

*The connections shall be completed when the neighboring site is developed.*

**FINDINGS:** This criterion is not applicable.

*H. Pedestrian ways bordering parking spaces shall be at least seven feet in unobstructed width or a minimum of five feet in unobstructed width when concrete bumpers, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the pedestrian way.*

**FINDINGS:** The pedestrian sidewalk area bordering the parking spaces and the building meets the 5 ft. width in unobstructed width with the curbing to prevent parked vehicles from obstructing the pedestrian way. This criterion is met.

*I. A reduction in the number of pedestrian connections may be granted by the review authority based on a determination that reducing the number of connections would not result in an increase in out of direction pedestrian travel from the street to any main building entrance. (Ord. 11-2014 § 2 (Exh. 2); Ord. 6-2001 § 1)*

**FINDINGS:** This criterion is not applicable.

*FMC 19.140.030: Streets*

*Streets within Fairview Village shall comply with the design standards outlined in Figure V-3, following Chapter 19.155 FMC.*

*A. Cul-de-sacs are permitted only when topographic conditions or existing or planned street patterns preclude future extension of streets. The maximum cul-de-sac radius shall be 40 feet.*

**FINDING:** No cul-de-sacs are proposed. This criterion does not apply.

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*B. All alleys shall constitute public streets with a minimum right-of-way of 16 feet.*

**FINDINGS:** No alleys are proposed. This criterion does not apply.

*C. Intersection dimensions should be minimized to reduce pedestrian crossing distances and to reduce vehicle speeds. At intersections in all Fairview Village zones, curb radii shall be 15 feet with clear zone radii of 25 feet. (Figure V-4, following Chapter 19.155 FMC.)*

**FINDINGS:** The intersection at the southwest corner of NE Market Drive and NE Village a Street was approved and installed as part of the Fairview Village No. 5 plat. This intersection meets the dimensional standards and is conditioned below to meet vision clearance areas.

D. Vision Clearance Areas.

1. Structures or signs may not be located within a vision clearance area as defined in subsection (D)(2) of this section. Support structures for a sign may be located in a vision clearance area only if the combined total width is 12 inches or less and the combined total depth is 12 inches or less.

**FINDINGS:** The applicant has not proposed any signs/ structures in the clearance vision area.

2. Location of Vision Clearance Areas. Vision clearance areas are triangular-shaped areas located at the intersection of any combination of streets and/or alleys. The sides of the triangle extend 15 feet from the intersection of the vehicle travel areas. The height of the vision clearance area is from 42 inches above grade to 10 feet above grade (see Figure V-2, following Chapter 19.155 FMC). This standard shall not apply to public safety signage and street identification signage. (Ord. 11-2014 § 2 (Exh. 2); Ord. 6-2001 § 1)

**CONDITION OF APPROVAL:** Clear vision areas shall be kept clear for vehicular traffic.

*FMC 19.140.040: Minimum required off-street parking requirements  
All base zone parking standards apply (see Chapter 19.164 FMC) except where expressly written otherwise.*

*A. Residential.*

*2. Attached dwellings containing four or more dwelling units including dwelling units above retail uses: one and one-half spaces per dwelling unit.*

**FINDINGS:** Planning staff applied the FMC 19.140.040 base zone parking standards of the VMU zoning district because it is more restrictive and therefore supercedes FMC 19.164 per FMC 19.110.050, Conflict Clause.

Tract X is an existing parking area with 62 stalls. Tax Lot 901 includes 16 stalls. There are also 8 on-street parking stalls that may be applied toward satisfying the parking requirements per FMC 140.040.D. The total number of off-street parking stalls for the proposed project is 78 parking stalls, including the required ADA stall. The total number of parking stalls available for this project is 86, which includes the off-street parking stall in Tract X and within Tax Lot 901, and the on-street parking stalls.

Per FMC 140.040, Minimum required off-street parking requirements, the project includes 22 apartments above retail uses, which requires a minimum of 33 parking stalls (22 x 1.5 = 33 stalls).

FMC 19.164, Vehicle Parking Minimum Standards uses the following ratios for the multi-family residential units which is less restrictive.

Type of Residential Unit	Number of proposed residential units	Minimum parking stalls per FMC 19.164	Number of required parking stalls
1 bedroom 500 sq. ft. or larger	16	1.25 spaces	17.25 rounded to 18
2 bedroom units	6	1.5 spaces	9
<i>Total number of required parking stalls, per FMC 19.164</i>			<i>27 parking stalls</i>

**CONDITION OF APPROVAL:** Prior to receiving final occupancy the applicant shall develop a parking management plan for the residential units. At a minimum this plan shall include the following:

1. Marking and designating parking spaces in Tract X for the individual residential units.
2. Marking and designating the 16 parking spaces in TL 901 closest to the building and an additional 7 parking stalls closest to the building in Tract X, for business parking only.

*B. Commercial.*

*g. General office: one space per 500 square feet of floor area.*

**FINDINGS:** Planning staff applied the FMC 19.164.030, Minimum Standard Parking standards of the VMU zoning district because it is more restrictive and therefore supersedes FMC 19.164 per FMC 19.110.050, Conflict Clause.

The ground floor is planned as multi-tenant general office space. The project includes 7,710 sq. feet of leasable space. To calculate the parking for commercial office on the ground floors the square footage that serves the apartments above (i.e. lobby, hallways, and storage room) was deducted from the overall square footage of the 1<sup>st</sup> floor because this space is not included in the leasable space.

Per FMC 19.140.040(B), the parking requirement ratio for general office is 1/500 sq. feet of area.  $7,710/500 = 16$  parking stalls.

Per FMC 19.164.030, the parking requirement ratio of general office is 2.7 spaces (or 3 spaces rounded up) per 1,000 sq. feet of area.  $3/1000 \times 7,710 \text{ sq. ft.} = 23$  parking stalls.

FMC 19.164.030 exceeds the Village General Standards requirements and therefore supersedes it.

23 parking stalls for ground floor general office space + 33 parking stalls for residential units = 56 vehicle parking stalls required.

The 78 on-site parking stalls in Tract X, in addition to the extra 8 on-street parking stalls, exceed the required 56 parking stalls, and therefore this standard has been met.

**CONDITION OF APPROVAL:** Prior to receiving final occupancy, the applicant shall develop a parking management plan. At a minimum this plan shall include the following:

1. Marking and designating parking spaces in Tract X for the individual residential units.
2. Marking and designating the 16 parking spaces in TL 901 closest to the building and an additional 7 parking stalls closest to the building in Tract X, for business parking only.

*2. Parking Stall and Aisle Dimensions.*

*a. Parking lot aisles shall have a minimum width of 24 feet.*

**FINDINGS:** As presented on the site plan the application meets this criterion.

*b. Standard parking lot stalls shall have a minimum width of nine feet and a minimum depth of 18 feet.*

**FINDINGS:** The existing parking stalls are striped (Tract X) and as presented on the site plan, the new parking stalls meet this standard.

*c. Compact-vehicle parking stalls shall have a minimum width of eight feet and a minimum depth of 16 feet.*

**FINDINGS:** The existing parking stalls are striped (Tract X) and as presented on the site plan, the new parking stalls meet this standard.

*C. Joint Use.....*

**FINDINGS:** The applicant is not proposing any joint use of parking.

*D. On-Street Parking. In the VC, VMU, and VO zones, on-street parking which borders the property frontage shall apply toward satisfying the parking standards in this section.*

**FINDINGS:** As discussed above Tract X provides more than the minimum of vehicle parking spaces required by code. This application meets the required vehicle parking requirement.

*E. In the event that a change in commercial use is proposed different than that in place as of March 9, 2004, a Type II modification of conditions permit shall be required. The permit will be granted upon demonstration that the requirements of subsection B of this section are met by the proposed use. (Ord. 11-2014 § 2 (Exh. 2); Ord. 4-2004 § 3; Ord. 6-2001 § 1)*

**FINDINGS:** This standard does not apply.

*FMC 19.140.050: Street trees.*

*A. Location. Street trees are required along both sides of all collector streets and local streets within the Village adjacent to new development and on at least one side of streets with a higher classification. The spacing requirement shall be on average one tree per 30 linear feet unless the community development director approves a different distance due to constraints such as utilities, rights-of-way, etc. Along collector streets or streets with a higher classification, metal grating, nonmortared brick, grasscrete, or similar material shall be installed at grade over the planting area around street trees, or raised planters shall be constructed to prevent soil compaction and damage to the trunk. Planting strips or tree wells are required along all remaining streets.*

*B. Tree Types. The type of tree to be planted shall be in accordance with the approved street tree list in the city's sidewalk maintenance program handbook. (Ord. 11-2014 § 2 (Exh. 2); Ord. 6-2001 § 1)*

**FINDINGS for FMC 19.140.0050 (A)-(B):** Tree wells abutting the site were installed in the right-of-way as part of the Fairview Village Plat 5, Phase 3 public improvements.

City standards at this time do not require enlarging the tree wells and/or installing at a minimum an 18" root barrier but the applicant may want to consider it. If the applicant chooses to enlarge the tree wells planning staff advises that the dimensions be same as those on Village Street.

**CONDITION OF APPROVAL:** Prior to the issuance of building permits the applicant shall submit a right of way plan and receive an approved right-of-way permit for all improvements made in the public right-of-way along NE Market Drive and NE Village Street.

**CONDITION OF APPROVAL:** Prior to receiving certificate of occupancy the applicant shall be required to plant Pink Flair Flowering Cherry trees, at a minimum caliper of 1.5 inches, in every tree-well abutting the site.

FMC 19.140.060: Erosion control standards

The site must be contoured, planted, or developed to prevent erosion, pollution, and sedimentation into adjacent natural resource areas within six weeks of the issuance of the certificate of occupancy. Erosion control techniques must meet city of Fairview erosion control handbook standards. (Ord. 11-2014 § 2 (Exh.2); Ord. 6-2001 § 1)

**CONDITION OF APPROVAL:** Prior to site disturbance, the applicant shall obtain a grading and erosion control permit from the Public Works Department no more than 30 days before grading is commenced on site.

*FMC 19.140.070: Landscape standards*

*Where the area to be landscaped is less than 30 feet deep, the requirement shall be on average one tree per 30 linear feet. Where the area is 30 feet deep or greater, the requirement is one tree per 800 square feet and either two high shrubs or three low shrubs per 400 square feet of landscaped area. The shrubs and trees may be grouped; provided, that ground cover plants must fully cover the remainder of landscaped area. The landscaping details for the various, respective sectors of Fairview Village shall be presented in a landscape plan in design review or in a development permit application.*

*A. Trees may be deciduous or evergreen. Deciduous trees at the time of planting must be fully branched, have a minimum diameter of two inches, measured five feet above the ground, and have a minimum height of 10 feet. Evergreen trees at the time of planting must be fully branched and a minimum of six feet in height.*

**FINDINGS:** As discussed and conditioned above prior to receiving a final occupancy permit all street trees shall be installed per city standards.

*FMC 19.140.080: Fairview Creek and Clear Creek conservation easements.  
Repealed by Ord. 3-2012. (Ord. 6-2001 § 1)*

*FMC 19.140.090: Bicycle parking*

*A. Number Required.*

- 1. Multifamily dwelling: one space per unit (.25 per unit if occupancy restricted to 55 years or older).*
- 2. Commercial use classifications: five percent of the requirement for automobile parking spaces.....*

**FINDINGS:** 22 bike stalls are required per the multi-family dwelling requirements. Five percent of 23 required vehicle parking spaces for the commercial use classifications is 1.15 (1 rounded down) bike stall. The total number of required bike stalls per FMC 19.140.090 is 23.

The applicant shows a total of 16 bike parking stalls onsite, which does not meet FMC 19.140.090.

**CONDITION OF APPROVAL:** Prior to receiving a building permit the applicant shall revise the submitted plans to show the required number of bike stalls and prior to receiving certificate of occupancy the applicant shall install the required number of bike stalls (23) per FMC 19.140.090.

*B. Bicycle Parking Space and Aisle Dimensions.*

- 1. Uncovered spaces shall be at least six feet long and two feet wide.*
- 2. Covered spaces shall be at least seven feet long and two feet wide.*
- 3. A five-foot-wide aisle is required adjacent to each row of bicycle parking.*

**FINDINGS:** The bike stalls indicated on the plan meet these standards.

*C. Required bicycle parking racks shall be located no further than the closest automobile parking space from the major building entrance.*

**FINDINGS:** The 6 stall bicycle rack, located between the two major building entrances on Village Street, meets this standard.

*D. When more than seven bicycle parking spaces are required, 50 percent of the spaces shall be covered.*

*E. When more than 15 covered bicycle parking spaces are required, 50 percent of the covered spaces shall be enclosed and offer a high level of security (i.e., bicycle lockers or*

*a locked cage or room with locking facilities inside, to provide safe long-term parking).*  
(Ord. 11-2014 § 2 (Exh. 2); Ord. 6-2001 § 1)

**FINDINGS:** Per FMC 19.140.090 (D) & (E) above, 50 percent of the bike spaces shall be covered which equals 11.5 (12 rounded up). The site plan shows a total of 10 covered spaced enclosed in a room with locking facilities to provide safe long-term parking.

**CONDITION OF APPROVAL:** Prior to receiving a building permit the applicant shall revise the submitted plans to show the required number of covered bike stalls and prior to receiving certificate of occupancy the applicant shall install the required number of covered bike stalls (11) per FMC 19.140.090.

*19.140.100 Blank wall standard*

*Windows must occupy at least 50 percent of the length and 25 percent of the ground level wall area. Ground level wall areas include all exterior wall areas up to nine feet above the finished grade. The window requirement applies to the ground level of exterior building walls which abut sidewalks, plazas, or other public open spaces. Walls may be recessed three feet in maximum increments of 15 feet with landscaping in lieu of windows. Recess landscaping shall obscure the wall year-round. (Ord. 11-2014 § 2 (Exh. 2); Ord. 6-2001 § 1)*

**FINDINGS:** As shown on the North and East Elevation windows occupy more than 50 percent of the length, and more than 25 percent of the ground level wall area.

North Elevation = 1,787 sq. ft. of wall area and 955 sq. ft. of window area, which totals 53% of window area of the level wall area, which exceeds the standard of 25%.

North Elevation = 148'-11" wall length (includes brick), 104'-0" window length (calculations do not include the entrance storefront at the angled corner), which totals 70% coverage of windows, which exceeds 50%.

East Elevation = 1,043 sq. ft. of wall area, and 552.33 sq. ft. of window area, which totals 52% of window area of the level wall, which exceeds the standard of 25%

East Elevation = 86'-11" wall length (includes brick), 60'-8" window length (calculations include the entrance storefront at the angles corner), which totals 75% coverage of windows, which exceeds 50%

As shown on the submitted elevations, the proposed plans meet this standard.

*FMC 19.140.110: Signs.*

*Repealed by 2-2010. (Ord. 8-2009 § 2; Ord. 6-2001 § 1)*

**FMC 19.150 SPECIAL DEVELOPMENT STANDARDS – VO, VC, AND VMU ZONES**

*FMC 19.150.010: Applicability*

*The special standards provided in this chapter apply in the Village office (VO), Village commercial (VC) and Village mixed use (VMU) zones unless otherwise provided. (Ord. 6-2001 § 1)*

*FMC 19.150.020: Access and on-site circulation*

*A. Pedestrians. Pedestrian ways shall connect the Village commercial zone with transit facilities and with NE Halsey Street.*

**FINDINGS:** The site includes existing sidewalks that connect to the Village commercial with transit facilities and with NE Halsey Street on NE Market Drive and NE Village Street. This criterion has been met.

*B. Motor Vehicles. The location, design and development of access and on-site circulation shall comply with the following:*

*1. Shared driveway entrances, rear yard parking, shared parking and maneuvering areas, and interior driveways between parking lots shall be required for all nonresidential uses.*

*2. The maximum width for a driveway shall be 35 feet.*

**FINDINGS:** The access and on-site vehicle circulation were approved and installed as part of the Fairview Village Plat 5, Phase III approval. Therefore the standard is met.

*3. Within the Village commercial, mixed use, and Village office, a minimum of five percent, but not fewer than one space, of the employee parking spaces shall be marked and signed for exclusive use as carpool/vanpool spaces. Required carpool/vanpool spaces shall be located closer to the major building entrance than all other spaces except handicapped spaces.*

**FINDINGS:** As discussed above, the applicant is required to have 23 vehicle parking spaces for the general office use proposed. Five percent of the required 23 vehicle parking spaces is 1.15 (1 rounded down). The applicant on the proposed site plan does not indicate a parking space dedicated to carpool/vanpool.

**CONDITION OF APPROVAL:** Prior to receiving a building permit, the applicant shall revise the site plan to show one dedicated carpool/vanpool space close to the building entrance. Prior to final occupancy the carpool/vanpool space shall be signed and/or marked.

4. Village office parking lots shall be placed behind buildings or behind a five-foot landscaped buffer; provided, that such parking lots shall not front more than 50 percent of the block frontage of any public street. (Ord. 6-2001 § 1)

**FINDINGS:** This criterion does not apply as the parcels are not zoned Village Office.

*FMC 19.150.030: Entries*

*A. Primary entries shall face a public street or designated pedestrian way and shall be accessed from a public sidewalk. The entries shall be open to the public during all business hours. Secondary entries may face parking lots or loading areas.*

**FINDINGS:** As shown on the submitted plans primary entries to the general office uses face public streets, this standard is met.

*B. VCM upper story residential uses shall have shared or individual entries every 70 feet on the first level only; no outside staircases are allowed. (Ord. 6-2001 § 1)*

**FINDINGS:** No outside staircases are proposed. There are two proposed shared staircase wells to the upper story which are no more than 70 ft. apart, this standard is met.

*FMC 19.150.040: VO, VC and VCM facade design*

*All VO and VC building facades shall conform to FMC 19.140.100, Blank wall standard. (Ord. 6-2001 § 1)*

**FINDINGS:** This standard is met, see discussion above per FMC 19.140.100.

*FMC 19.150.050: Roofs in the mixed use zone (VMU)*

*Hipped, gambrel or gabled roofs are required. Flat roofs are not permitted except for mechanical equipment areas in VMU zones. Thirty-inch high parapets are required along all street facades where flat roofs are used. (Ord. 6-2001 § 1)*

**FINDINGS:** The applicant has proposed a hipped roof and as discussed above the building meets the standard for height. This standard is met.

*FMC 19.150.060: Materials*

*Exterior finishes of buildings shall be primarily of materials such as masonry, wood siding, shingles or stucco (or similar material). Sheet metal, cinder block, and T1-11 are prohibited as exterior wall material. (Ord. 6-2001 § 1)*

**FINDINGS:** As shown the elevations exterior finishes on the building include brick siding on the ground level, 6" hardie lap siding on the 2<sup>nd</sup> floor, 4" hardie lap siding on the 3 floor, and belly bands (mid-section trim) to provide a visual break-up of the building. This standard is met.

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*FMC 19.150.070: VO and VC landscaping and street furniture*

*A minimum of 15 percent of the developed VO and VC site areas must be used for landscaping....*

**FINDINGS:** This standard does not apply as the parcels are zoned Village Mixed Use.

FMC 19.150.080: Screening

*A. All primary and accessory uses associated with Village office and Village commercial uses, including storage of materials, products, or waste, shall be wholly contained within an approved structure.*

**FINDINGS:** There is an existing and approved trash area on TL 901. This standard is met.

*B. Parking and service areas shall be screened from pedestrian ways or public right-of-way by a three-foot-high hedge or sight-obscuring wall.*

**FINDINGS:** There is an existing approved parking area (Tract X) that was approved constructed as part of the Fairview Village Plat 5, Phase III requirements. This standard has been met.

*C. Loading areas and dumpsters shall be screened from public rights-of-way and pedestrian ways by walls, trellises, fences, or landscaping.*

**FINDINGS:** There is an existing trash/recycling area that is screened and covered. This standard is met.

*D. Mechanical equipment and satellite dishes over one meter in size shall be screened from view from any pedestrian way or public right-of-way. (Ord. 6-2001 § 1)*

**FINDINGS:** The application materials do not show any mechanical equipment or satellite dishes over one meter in size.

**CONDITION OF APPROVAL:** All mechanical equipment and satellite dishes over one meter in size shall be screen from any pedestrian way or public right-of-way.

*19.150.090 Trails*

*All trails will be built according to the Fairview Village trail master plan. (Ord. 6-2001 § 1)*

**FINDINGS:** This standard does not apply. All trails abutting the site have been built according to the Fairview Village trail master plan.

*FMC 19.150.100: Loading areas*

*A. Loading areas within a street right-of-way in the Fairview Village may be approved when all of the following conditions are met....*

**FINDINGS:** The applicant has not indicated any loading areas on the submitted site plan. Typically with general/office uses a loading zone area is not warranted. If a loading is needed, the applicant will need to submit a site plan and approval from the City of Fairview's planning department. The site plan shall meet all standards in FMC 19.150.100: Loading areas.

***FMC 19.163 – Landscaping, Street Trees, Fences and Walls;***

*FMC19.163.020: Landscape conservation*

*A. Applicability. All development sites containing significant vegetation, as defined below, shall comply with the standards of this section. The purpose of this section is to incorporate significant native vegetation into the landscapes of development and protect vegetation that is subject to requirements of the significant environmental concern and riparian buffer overlay zones, Chapter 19.106 FMC. The use of mature, native vegetation within developments is a preferred alternative to removal of vegetation and re-planting. Mature landscaping provides summer shade and wind breaks, and allows for water conservation due to larger plants having established root systems.*

*B. Significant Vegetation....*

**FINDINGS:** This standard does not apply. There is no mapped significant vegetation onsite.

**FMC 19.163.025: Existing landscaping**

*A. Applicability. This section shall apply to all developments.*

**FINDINGS:** This standard does not apply.

**FMC 19.163.030: New landscaping**

*A. Applicability. This section shall apply to all developments requiring site design review, and other developments with required landscaping.....*

**FINDINGS:** This standard does not apply. The landscape area standards does not specify minimum percentage of landscaping in the Village Mixed Use zoning district.

***FMC 19.164 – Vehicle and Bicycle Parking***

*FMC 19.164.010: Purpose*

*The purpose of this chapter is to provide basic and flexible standards for development of vehicle and bicycle parking. The design of parking areas is critically important to the*

*viability of some commercial areas, pedestrian and driver safety, the efficient and safe operation of adjoining streets, and community image and livability....*

*FMC 19.164.020: Applicability*

*All developments subject to site design review Chapter 19.420 FMC, including development of parking facilities, shall comply with the provisions of this chapter. (Ord. 6-2001 § 1)*

*FMC 19.164.030 – 19.164.040: Vehicle parking standards – Bicycle parking standards*

**FINDINGS:** Vehicle and bicycle standards are discussed and conditioned above.

Planning staff used the minimum parking standards in FMC 140.040, “minimum required off-street parking requirements”, in Village, to calculate the required parking spaces for the proposed residential units. This vehicle parking code section is more restrictive than FMC 19.164 and therefore supersedes this code section. When there are two conflicting code criteria, the code language that is more stringent is the one applied per FMC 19.110.050, Conflict Clause.

Planning staff used the minimum parking standards in this chapter FMC 19.164.030.A , “vehicle parking, minimum standards option”, to calculate the required parking spaces for the proposed general office use. This vehicle parking code section is more restrictive than FMC 140.040, “minimum required off-street parking requirements,” in the Village and therefore supersedes that code section. When there are two conflicting code criteria, the code language that is more stringent is the one applied per FMC 19.110.050, Conflict Clause.

<b><i>FMC 19.165 – Public Facilities Standards</i></b>
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*FMC 19.165.010: Purpose and applicability*

*A. Purpose. The purpose of this chapter is to provide planning and design standards for public and private transportation facilities and utilities. Streets are the most common public spaces, touching virtually every parcel of land....*

*B. When Standards Apply. Unless otherwise provided, the standard specifications for construction, reconstruction or repair of transportation facilities, utilities and other public improvements within the city shall occur in accordance with the standards of this chapter....*

*C. Standard Specifications. The city engineer shall establish standard construction specifications consistent with the design standards of this chapter and application of engineering principles. They are incorporated in this code by reference.*

**Condition of Approval:** Prior to the issuance of building permits the applicant shall submit an application and pay all applicable fees for water, sewer, and stormwater services.

*D. Conditions of Development Approval No development may occur unless required public facilities are in place or guaranteed, in conformance with the provisions of this code.....*

**FINDINGS:** As part of the Village Plat No. #5, all public facilities were installed to serve this site (water, sewer, stormwater). As part of the building permit process the applicant will need to submit final engineered construction plans that specify the connections to services and number of water meters, etc. that meet the City of Fairview's specifications and design standards.

*E. Rough Proportionality Report...*

**FINDINGS: (Not applicable)**

*FMC 19.165.020: Transportation standards*

*Transportation standards are necessary so that the Fairview street system remains intact and well connected. Streets are critical to the connection of neighborhoods, businesses, schools, etc. It is important to regulate roadway sizes, locations and right-of-way dimensions.....*

**FINDINGS:** Not applicable. All transportation improvements were installed as part of the Fairview Village Plat No. #5.

FMC 19.165.025: Transportation improvements.

*A. Development Standards. No development shall occur unless the development has frontage or approved access to a public street, in conformance with the provisions of Chapter 19.162 FMC, Access and Circulation....*

**FINDINGS:** Not applicable. All required transportation improvements were approved and constructed as part of the Fairview Village Plat No. #5.

*B. Variances.*

**FINDINGS:** Not applicable.

*C. Creation of Rights-of-Way for Streets and Related Purposes...*

**FINDINGS:** Not applicable, all rights-of-way were installed as part of the Fairview Village Plat No. #5.

*D. Creation of Access Easements...*

**FINDINGS:** Not applicable.

*E. Street Location, Width and Grade....*

**FINDINGS:** Not applicable.

*F. Minimum Rights-of-Way and Street Sections.....*

**FINDINGS:** Not applicable.

*G. Traffic Signals and Traffic Calming Features...*

**FINDINGS:** Not applicable.

*H. Future Street Plan and Extension of Streets.*

**FINDINGS:** Not applicable

*I. Street Alignment and Connections.*

**FINDINGS:** Not applicable.

*J. Sidewalks, Planter Strips, Bicycle Lanes. Sidewalks, planter strips, and bicycle lanes shall be installed in conformance with the standards in Figures 19.165.025(F)(1) to (6), applicable provisions of the transportation system plan, the Comprehensive Plan, and adopted street plans. Maintenance of sidewalks, curbs, and planter strips is the continuing obligation of the adjacent property owner. All work must comply with the city of Fairview public works construction standards.*

**FINDINGS:** The site plan shows that additional sidewalk (15 ft. in total on NE Market and NE Village St.) will be installed to meet the ROW standards. The ADA sidewalk access ramp will need to be updated to meet current code.

**CONDITION OF APPROVAL:** Prior to receiving a building permit the applicant shall submit a ROW improvement plan and obtain a right-of-way permit.

**CONDITION OF APPROVAL:** Maintenance of sidewalks, curbs and any planting areas in the public right-of-way is the obligation of the adjacent property owner.

*K. Intersection Angles...*

**Findings:** Not applicable as all streets were approved, constructed and installed as part of the Fairview Village Plat No. 5 requirements.

*L. Existing Rights-of-Way...*

**Findings:** Not applicable as all streets were approved, constructed and installed as part of the Fairview Village Plat No. 5 requirements.

*M. Cul-de-Sacs...*

**(Not applicable)**

*N. Grades and Curves...*

**(Not applicable)**

*O. Curbs, Curb Cuts, Ramps, and Driveway Approaches. Concrete curbs, curb cuts, wheelchair, bicycle ramps and driveway approaches shall be constructed in accordance with standards specified in Chapter 19.162 FMC, Access and Circulation.*

**FINDINGS:** As discussed above the applicant will need to submit a ROW improvement plan for approval of a ROW permit. The ROW plan will show sidewalk and ADA ramp improvements that meet city and current ADA specifications.

*P. Streets Adjacent to Railroad Right-of-Way...*

**(Not applicable)**

*Q. Development Adjoining Arterial Streets...*

**(Not applicable)**

*R. Alleys, Public or Private. Alleys...*

**(Not applicable)**

*S. Private Streets...*

**(Not applicable)**

*T. Street Names...*

**(Not applicable)**

*U. Survey Monuments...*

**(Not applicable)**

*V. Street Signs. The city, county or state with jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.*

**FINDINGS:** Existing Street name and traffic control signs are installed. This standard is met.

*W. Mail Boxes. Plans for mail boxes to be used shall be approved by the United States Postal Service.*

**Condition of Approval:** Prior to final occupancy all mail boxes shall be installed in accordance with approved plan from USPS.

*X. Streetlight Standards. Streetlights shall be installed in accordance with city standards.*

**FINDINGS:** There are existing streetlights installed in accordance with city standards. This standard is met.

*Y. Street Cross-Sections...*

**FINDINGS:** Not applicable as all streets were approved, constructed and installed as part of the Fairview Village Plat No. 5 requirements. As discussed and conditioned the applicant will be extending the sidewalk on NE Market Drive.

*FMC 19.165.040: Sanitary sewer and water service improvements  
The sanitary sewer and water service improvements ensure adequate sanitary sewer services to new developments.*

*A. Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the city's construction specifications and the applicable Comprehensive Plan policies.*

*B. Sewer and Water Plan Approval. Development permits for sewer and water improvements shall not be issued until the city engineer has approved all sanitary sewer and water plans in conformance with city standards.*

*C. Oversizing. Proposed sewer and water systems shall be sized to accommodate additional development within the area as projected by the Comprehensive Plan. The developer shall be entitled to system development charge credits for the oversizing.*

*D. Permits Denied. Development permits may be restricted by the city where a deficiency exists in the existing water or sewer system which cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. Building moratoriums shall conform to the criteria and procedures contained in ORS 197.505 to 197.520. (Ord. 6-2001 § 1)*

**FINDINGS:**

Water

**FINDINGS:** The site is currently served from an 10” diameter city water line on NE Market Drive and an 8” water line on Village Street. Currently there are 4 lateral connections to meter boxes.

**CONDITION OF APPROVAL:** Prior to receiving a building permit the applicant shall submit a water connection application and pay all applicable fees.

**CONDITION OF APPROVAL:** Prior to receiving a building permit the development will need to meet fire flow verification standards set by Gresham Fire and Emergency Services.

**CONDITION OF APPROVAL:** Public Works shall approve backflow assembly devices to be installed at appropriate service locations.

Sewer

**FINDINGS:** The current sewer lateral is 8” diameter in NE Market Drive that will serve the site.

**CONDITION OF APPROVAL:** Prior to the issuance of building permits the applicant shall prepare a final public facilities plan (sewer, water, storm, ROW improvements) to be reviewed and approved that shall show the sewer connection.

*FMC 19.165.050: Storm drainage*

*The storm drainage section requires developers to accommodate and treat stormwater runoff from buildings and parking lots.*

*A. General Provisions. The city shall issue a development permit only where adequate provisions for stormwater and flood water runoff have been made.*

*B. Accommodation of Upstream Drainage. Culverts and other drainage facilities shall be large enough to accommodate potential runoff from the entire upstream drainage area, whether inside or outside the development. Such facilities shall be subject to review and approval by the city engineer.*

*C. Effect on Downstream Drainage. Where it is anticipated by the city engineer that the additional runoff resulting from the development will overload an existing drainage facility, the city may deny approval of the development permit unless provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with city standards.*

*D. Easements. Where a development is traversed by a watercourse, drainage way, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance. (Ord. 6-2001 § 1)*

**FINDINGS:** The site is currently served with stormwater infrastructure. The existing public stormwater system was engineered and installed during the development of Fairview Village. This system is designed to receive the additional stormwater from the undeveloped lots within the Village. This standard is met.

*FMC 9.165.060: Utilities*

*The utilities section provides standards regarding electric lines and cable. Many types of utilities now must be installed underground for safety and aesthetic purposes.*

A. Underground Utilities.

**(Not Applicable)**

*FMC 19.165.070: Easements*

*The easements section provisions reserve adequate space for utilities....*

**FINDINGS:** No easements are included on applicant's site plans.

*FMC 19.165.080: Construction plan approval and assurances*

*The construction plan approval portion ensures the completion of a development by a builder.*

**CONDITION OF APPROVAL:** Prior to receiving development permits all construction plans must be approved by the City, development permit fees paid, and permits issued.

*FMC 19.165.090: Installation*

*A. Conformance Required. Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this chapter, approved construction plans, and to improvement standards and specifications adopted by the city.*

*B. Adopted Installation Standards. The Standard Specifications for Public Works Construction, Oregon Chapter APWA shall be a part of the city's adopted installation standard(s); other standards may also be required upon recommendation of the city engineer.*

*C. Commencement. Work shall not begin until the city has been notified in advance.*

*D. Resumption. If work is discontinued for more than one month, it shall not be resumed until the city is notified.*

*E. City Inspection. Improvements shall be constructed under the inspection and to the satisfaction of the city. The city may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications requested by the developer shall be subject to land use review under Chapter 19.415 FMC, Modifications to Approved Plans and Conditions of Approval. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements.*

*F. Engineer's Certification and As-Built Plans*

**Condition of Approval:** The applicant agrees to comply with all regulations and requirements of the Fairview City Code which are current on this date, EXCEPT where variance or deviation from such regulation and requirements have been specifically approved by formal Planning Commission action as documented by the records of this decision and/or the associated Conditions of Approval.

## **8. PLANNING COMMISSION ALTERNATIVES**

1. Approve the application based on the findings of compliance with City regulations and conditions of approval.
2. Modify the findings, reasons, or conditions, and approve the request as modified.
3. Deny the application based on the Commission's findings.
4. Continue the Public Hearing to a date certain if more information is needed.

## **9. STAFF RECOMMENDATION**

Staff finds that the proposed application will meet the requirements of the City Code as conditioned, and recommends approval of the site design review subject to the conditions of approval below.

## **10. CONDITIONS OF APPROVAL**

The application, as presented, meets or can meet applicable City codes and requirements, provided that the following conditions of approval are met. The site shall

be developed in accordance with the applicant's approved plans, as attached and modified below.

**A. General Requirements**

1. Approval for application shall be shown on:  
Exhibits "A" Findings of Fact  
"B" Referral Comments  
Attachments "1-8"
2. Any modifications to the approved plans or changes of use, except those changes relating to the Building Codes, will require approval by the Planning Director or Planning Commission.
3. Regardless of the content of material presented for this Planning Commission, including application text and exhibits, staff reports, testimony and/or discussions, the applicant agrees to comply with all regulations and requirements of the Fairview City Code which are current on this date, EXCEPT where variance or deviation from such regulation and requirements have been specifically approved by formal Planning Commission action as documented by the records of this decision and/or the associated Conditions of Approval.
4. This approval for application 2017-45-DR shall become null and void after two (2) years if construction activities has not commenced.
5. Prior to receiving development permits all plans must be approved by the City, development permit fees paid, and permits issued.
6. No signs shall be installed without a sign permit issued by the City of Fairview. Sign area, size and location shall be in accordance with the City's Development Code Title 19.170.

**B. Prior to grading/site disturbance**

1. Prior to the issuance of any development permit or construction activity on the site, the applicant shall submit a construction management plan for review and approval by the Public Works Department. The plan shall include but is not limited to, a tentative development timeline, any significant impacts (noise/vibrations, street closures, etc.), a construction vehicle parking plan, names of persons who can be contacted to correct problems, hours of construction activity, and any work that may occur within a public right-of-way.

2. Prior to site disturbance the applicant shall obtain a grading and erosion control permit from the Public Works Department no more than 30 days before grading is commenced on site.

#### **C. Plan Check Review/Prior to Construction**

1. Prior to the issuance of building permits the applicant shall submit final engineered construction plans for public facilities (water, sewer, storm drainage and Right of Way improvements) to Public Works for review and approval that meet city design standards.
2. Prior to the issuance of building permits applicant shall submit a right-of-way (row) improvement plan. The ROW improvement plan shall show the sidewalk extension on NE Village Street and an ADA ramp improvement at the corner of NE Market Drive and Village Street that meets current ADA specifications.
3. Prior to the issuance of building permits the applicant shall submit an application and pay all applicable fees for water, sewer, and stormwater services.
4. Prior to the issuance of building permits the applicant shall prepare a final Fire Access and Water Supply Plans to be reviewed and approved by Gresham Fire. The Plans shall address all of the Oregon Fire Code standards as stated in the Gresham Fire comments in Exhibit B.

#### **D. Landscaping/Street Trees**

1. All plantings within the vision clearance area shall not exceed three (3) feet in height.
2. Prior to receiving certificate of occupancy the applicant shall be required to plant Pink Flair Flowering Cherry trees, at a minimum caliper of 1.5 inches in every tree-well abutting the site.
3. Prior to final occupancy the street trees must be installed and inspected or a performance bond shall be posted in an amount determined by the city engineer to ensure planting of the trees.

#### **E. Vehicle/Bike Parking**

1. Clear vision areas shall be kept clear for vehicular traffic.

2. Prior to receiving final occupancy the applicant shall develop a parking management plan for the residential and general office units. At a minimum this plan shall include marking the designated parking spaces in Tract X for the individual residential units.
3. Prior to receiving a building permit the applicant shall revise the submitted plans to show the required number of bike stalls and prior to receiving certificate of occupancy the applicant shall install the required number of bike stalls (23) per FMC 19.140.090.
4. Prior to receiving a building permit the applicant shall revise the submitted plans to show the required number of covered bike stalls and prior to receiving certificate of occupancy the applicant shall install the required number of covered bike stalls (11) per FMC 19.140.090.
5. Prior to receiving a building permit, the applicant shall revise the site plan to show one dedicated carpool/vanpool space close to the building entrance. Prior to final occupancy the carpool/vanpool space shall be signed and/or marked.

**F. Prior to Final Occupancy**

1. Prior to final occupancy all mail boxes shall be installed in accordance with approved plan from USPS.
2. All mechanical equipment and satellite dishes over one meter in size shall be screen from any pedestrian way or public right-of-way.
3. Public Works shall approve backflow assembly devices to be installed at appropriate service locations.

**G. Advisory Notes**

1. Maintenance of sidewalks, curbs and planter strips is the obligation of the adjacent property owner.

**Fairview File #: 17-45**

**Multi Use Commercial Bldg/SW Corner of Market Dr. & Village St.**

**FROM: Kyle Stuart, Gresham Fire ([kyle.stuart@GreshamOregon.gov](mailto:kyle.stuart@GreshamOregon.gov))**

**DATE: 8/11/2017**

**FIRE COMMENTS:**

***NOTE: Limited information at this time. All of the following will need to be provided on a separate FIRE ACCESS and WATER SUPPLY page with the building permit plans.***

1. Provide fire flow per Oregon Fire Code Appendix B. Fire flow for apartment buildings varies based on construction and square footage. **OFC App B Table B105.1.**
2. A temporary address of 6" shall be provided at each construction entrance prior to the arrival of materials or workers. **OFC 505 & 3301**
3. The site addressing shall meet the Gresham Fire Addressing Policy. Each building shall have a sign placard with a minimum 10" address letters and 6" unit numbers. Each individual apartment shall have a minimum 4" address numbers and commercial tenant spaces a minimum 6" numbers. **OFC 505.1**
4. Public fire hydrant locations are not indicated on the plans. They must be shown. A public hydrant may be required to be added near the entrance off Halsey. The onsite Private fire hydrants on the East and West sides shall be moved to the same side of the street as the FDC's. Another hydrant will be required to be added to the South side of Building D to meet spacing requirements. All fire hydrants shall have STORZ quick adapters on the large port. The model required is Harrington HPHA50-45NHWCAP. **OFC 507**
5. A fire hydrant shall be within 50 feet of the fire sprinkler system "FDC's". **OFC Appendix C 102.2 & NFPA 13E**
6. Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be BLUE. They shall be located adjacent and to the side of the centerline of the access road way that the fire hydrant is located on. In case that there is no center line, then assume a centerline, and place the marker accordingly. **OFC 508.5.4**
7. Prior to applying for a building permit provide a fire flow test and report. The fire flow report will verify that the correct fire flow is available and will be required to have been conducted within the last 12 months. **OFC 507.3 & B-101.1**
8. All Fire Dept. Access Roads shall be drawn to scale and shown clearly on plans. The access roads shall be constructed and maintained prior to and during construction. The

minimum width is 26' wide to provide access for aerial ladder trucks. **OFC 1410, 503.2.1 & D103.1**

9. Required Fire Dept. Access Roads on site shall be designed to support an apparatus weighing 75,000 lb. gross vehicle weight. Provide an engineer's letter stating the access road meets those requirements at time of building permit submittal. **OFC, Appendix D, Section D102.1**
10. At least one of the required aerial fire access roads shall be located a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. This will be required to be approved by the fire code official. **OFC App D-105.3**
11. No Parking Fire Lane signage or curb marking will be required. Fire access roads 20' – 26' wide do not allow parking on either side within that space. Parking spaces outside that space are acceptable. Indicate signage or curb marking on the building permit plans. I can email you our policy. **OFC D 103.6**
12. Each building is required to be provided with fire sprinklers. This includes balconies, decks and ground floor patios. **903, 903.3.1.2**
13. A fire alarm system will be required. **OFC 903.4 and 907**

# MARKETPLACE D — THE CEELEY

## GENERAL NOTES:

- CONSTRUCTION SHALL COMPLY WITH ALL CODES AS ADMINISTERED BY THE AUTHORITIES HAVING JURISDICTION. ALL WORK SHALL CONFORM TO ORDINANCES OR REGULATIONS RELATING TO ENVIRONMENTAL POLLUTION AND PRESERVATION OF NATURAL RESOURCES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL BURIED SERVICES IN UNDAMAGED CONDITION DURING CONSTRUCTION. CONTRACTOR SHALL VERIFY UTILITY LOCATIONS AND CONNECTIONS.
- CONTRACTOR SHALL INSURE ALL SCAFFOLDING, TEMPORARY FLOORS, ETC., FURNISHED BY HIMSELF OR SUBCONTRACTORS FOR INSTALLATION OF WORK TO BE BUILT AND MAINTAINED TO SAFELY SUPPORT REQUIRED LOADS. COMPLY WITH ALL APPLICABLE LOCAL SAFETY CODES AND SPECIFICALLY THE OCCUPATIONAL SAFETY AND HEALTH ACT FOR THE CONSTRUCTION INDUSTRY.
- PERFORM ALL WORK IN A FIRE-SAFE MANNER AND SUPPLY AND MAINTAIN ADEQUATE FIRST-AID AND FIRE FIGHTING EQUIPMENT CAPABLE OF EXTINGUISHING INCIPIENT FIRES. COMPLY WITH LOCAL AND STATE FIRE PREVENTION REGULATIONS.
- PROVIDE ADEQUATE SAFETY AND PROTECTIVE DEVICES FOR WORKMEN DURING EXCAVATION AND CLEARING. REVIEW LOCATION OF EXISTING SERVICES AND UTILITY LINES. PROVIDE PROTECTIONS NECESSARY TO PREVENT DAMAGE TO EXISTING IMPROVEMENTS AND SURVEY MARKERS. PROVIDE EROSION CONTROL PER BUILDING DEPARTMENT REQUIREMENTS.
- PROVIDE SHORING, SHEETING AND BRACING WHEREVER NECESSARY TO PREVENT CAVING DURING EXCAVATION OR TO PROTECT ADJACENT IMPROVEMENTS, PROPERTY, WORKMEN AND THE PUBLIC.
- SOILS ENGINEER SHALL INSPECT AND APPROVE CUT-OUT FOR FOUNDATION AND FOUNDATION PLAN.
- CONCRETE TESTING SHALL BE REQUIRED SEE STRUCTURAL GENERAL NOTES FOR TESTING REQUIREMENTS.
- FURNISH AND PLACE HOLDOWNS AND DEFORMED STEEL AS INDICATED BY THE STRUCTURAL ENGINEER. STRUCTURAL ENGINEER SHALL INSPECT ALL HOLDOWNS AND STEEL FOR CONFORMANCE. CONTRACTOR SHALL PROVIDE UL RATINGS FOR RATED STEEL PROTECTION, SEE DRAWINGS FOR RATED REQUIREMENTS.
- RAPIDLY HANDLE CONCRETE FROM MIXER TO FORMS AND DEPOSIT AS NEAR AS POSSIBLE TO ITS FINAL POSITION TO AVOID SEGREGATION DUE TO HANDLING. SEE STRUCTURAL FOR ADDITIONAL REQUIREMENTS.
- EXAMINE DRAWINGS FOR REQUIRED ROUGH CARPENTRY MATERIALS INCLUDING PLATES, STUDS, FIRE-STOPS, SOLID BLOCKING, BRIDGING, POSTS, BLOCKS, SUB-FLOORING AND SHEATHING. LUMBER SHALL BE DOUGLAS-FIR (STANDARD), TREATED LUMBER WITH A NET RETENTION OF 0.25 PCF. GYPSUM BOARD SHALL BE AS NOTED ON DRAWINGS. USE EXTERIOR GYPSUM BOARD FOR SOFFITS AND PORCH CEILINGS AND WATERPROOF IN BATHROOMS. PROVIDE ALL GLUE LAMINATED MEMBERS AS INDICATED BY STRUCTURAL. BUILDING PAPER SHALL BE NO. 15 LB. ASPHALT SATURATED ROOFING FELT. ALL HANGERS AND HOLDOWNS SHALL BE HOT DIPPED GALVANIZED. USE KRAFT FACE FIBERGLASS INSULATION; SEE ENERGY CODE COMPLIANCE. I-JOISTS BY TRUSS JOIST CORPORATION SHALL HAVE HOLES KNOCKED OUT AT FACTORY. INSTALL WITH HOLES UP. SIZE AND DETAILS OF JOISTS SHALL FIT DIMENSIONS AND LOADS AS INDICATED ON DRAWINGS.
- ALL MANUFACTURED MATERIALS, COMPONENTS, FASTENERS, ASSEMBLIES, ETC., SHALL BE HANDLED AND INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS AND PROVISIONS OF APPLICABLE ICBO RESEARCH RECOMMENDATIONS.
- PROVIDE SHOP DRAWINGS FOR ALL PRE-ENGINEERED PRODUCTS (I-JOISTS, ROOF TRUSSES, ETC.) FOR STRUCTURAL REVIEW.
- IMMEDIATELY NOTIFY ARCHITECT IN WRITING OF ANY DISREPECINCS BETWEEN CONSTRUCTION DOCUMENTS AND ACTUAL CONDITIONS. CORRECTIONS SHALL BE THE RESPONSIBILITY OF THE OWNER/CONTRACTOR.
- MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE BIDDER DESIGNED AND UNDER SEPARATE PERMIT. CONTRACTOR SHALL PROVIDE ALL REQUISITE SYSTEM DESIGN DOCUMENTS, LOAD CALCULATIONS AND SHOP DRAWINGS REQUIRED FOR REVIEW.

## ZONING CODE ANALYSIS:



76 VICINITY PHOTO  
A0.0 SCALE: N.T.S.

## OWNER/DEVELOPER:

GARTH EVERHART  
1800 W. 51ST AVENUE  
KENNEWICK, WASHINGTON 99337  
contact: GARTH EVERHART  
PH: 503.407.7080  
FAX: N/A  
EM: garth@everhartco.com

## ARCHITECT:

BARRY R. SMITH, PC, ARCHITECT  
715 SW MORRISON STREET, SUITE 909  
PORTLAND, OREGON 97205-3105  
contact: TRAVIS SOWERBY  
PH: 503.241.7966  
FAX: 503.229.0622  
EM: travis@barryrsmith.com

## GENERAL CONTRACTOR:

## STRUCTURAL ENGINEER:

## CIVIL ENGINEER:

## PLUMBING:

## ELECTRICAL:

## MECHANICAL:

## GEOTECHNICAL:



56 PROJECT RENDERING  
A0.0 SCALE: N.T.S.

## PROJECT DESCRIPTION

THE PROJECT IS A MIXED USE BUILDING CONSISTING OF (3) STORIES OF TYPE VA CONSTRUCTION. THE GROUND FLOOR INCLUDES (4) COMMERCIAL SPACES OF VARYING SIZES, A RESIDENTIAL ENTRANCE & CORRIDOR, AND MEPS ROOM. THE SECOND AND THIRD FLOORS INCLUDE (11) APARTMENT DWELLING UNITS EACH FOR A TOTAL OF (22) UNITS. VEHICLE AND BICYCLE PARKING, AND TRASH/RECYCLE AREA IS INCLUDED ON-SITE.

## PROPERTY:

SITE ADDRESS: SW, SE CORNER OF NE VILLAGE STREET AND NE MARKET DRIVE: "MARKET SQUARE SOUTH"  
FAIRVIEW, OREGON 97024  
LEGAL DESCRIPTION: TAX LOT 244 OF SECTION 33 T1N R3E, WM  
SITE SIZE: 45,713 SF (INCLUDES PARCEL 1 AND TRACT X)  
ZONING: VMU – VILLAGE MIXED USE  
COMP. PLAN DESIG. FAIRVIEW VILLAGE PLAN DISTRICT

## SEPARATE PERMITS REQUIRED

- AUTOMATIC SPRINKLER SYSTEM NFPA 13
- UNDERGROUND FIRE LINES
- FIRE ALARM SYSTEMS
- MECHANICAL PLANS
- ELECTRICAL PLANS
- PLUMBING PLANS

## DEFERRED SUBMITTALS

## CODE APPEALS

## ADD. GENERAL CONTRACTOR NOTES

THE GENERAL CONTRACTOR SHALL SCHEDULE A FIRESTOPPING MEETING WITH THE BUILDING INSPECTOR AND ALL SUBCONTRACTORS THAT WILL BE INSTALLING FIRESTOPPING MATERIALS. EACH SUBCONTRACTOR WILL PROVIDE A LIST OF FIRESTOP MATERIALS/ASSEMBLIES WHICH WILL BE USED, THE TYPE OF PENETRATIONS WHERE EACH MATERIAL/ASSEMBLY WILL BE USED; AND THE LISTING AND APPROVAL INFORMATION (I.E. UL, ICC, OR OTHER APPROVED REPORTS/LISTING NUMBERS). THIS INFORMATION MUST BE SUBMITTED TO, AND APPROVED BY, THE BUILDING INSPECTOR PRIOR TO ANY INSTALLATION.

## DRAWING INDEX:

- ARCHITECTURAL**  
A0.0 TITLE SHEET  
A10 SITE PLAN  
A20 COMPOSITE FLOOR PLANS  
A21 COMPOSITE FLOOR PLANS  
A22 COMPOSITE FLOOR PLANS  
A40 ROOF PLAN  
A50 EXTERIOR ELEVATIONS  
A60 BUILDING SECTIONS



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FAIRVIEW VILLAGE — MARKETPLACE D  
for GARTH EVERHART  
FAIRVIEW, OR  
TITLE PAGE

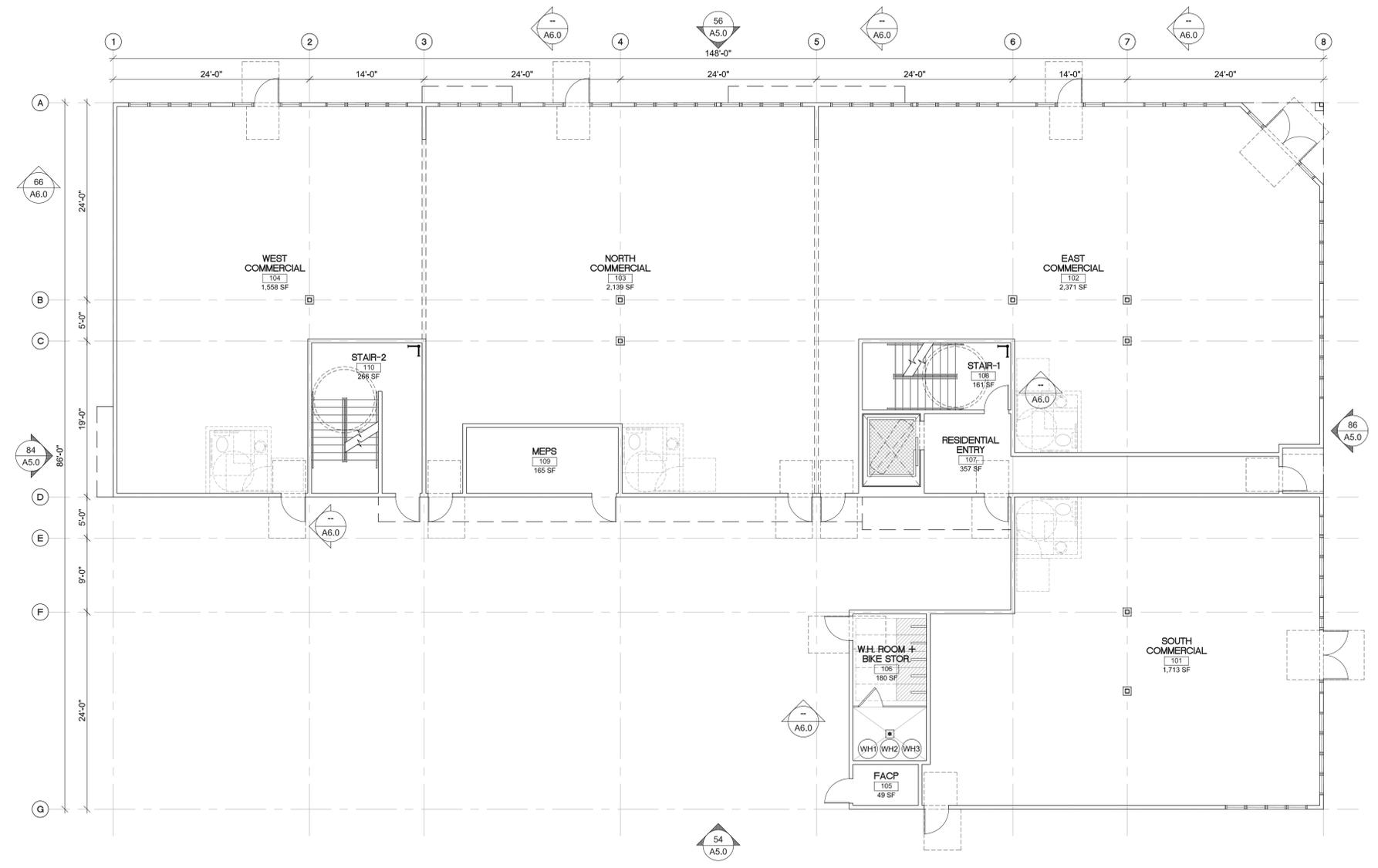
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A0.0

07.07.2017





66  
A2.0  
GROUND FLOOR PLAN  
SCALE: 1/8" = 1'-0"

8,958 SF GROSS  
NORTH

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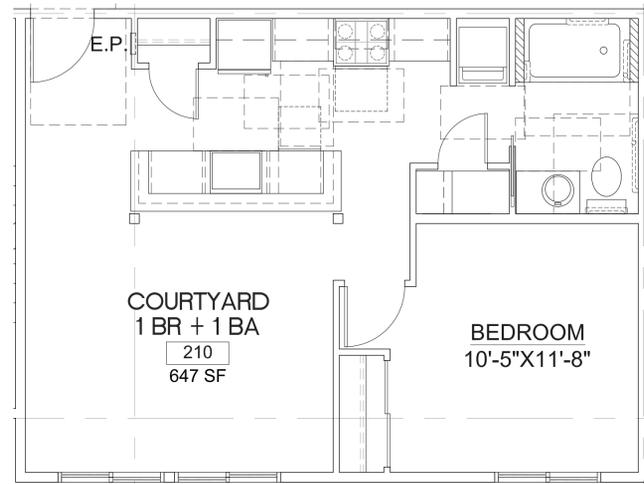
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for GARTH EVERHART  
FAIRVIEW, OR  
COMPOSITE FLOOR PLANS

DD SET

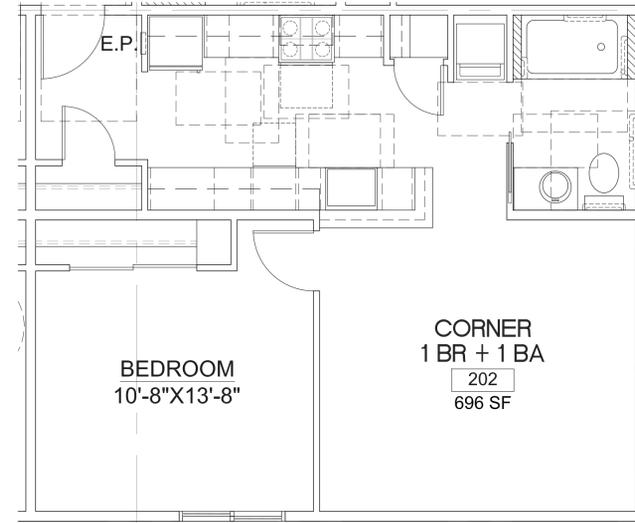
0897MDFVBD - 02

**A2.0**

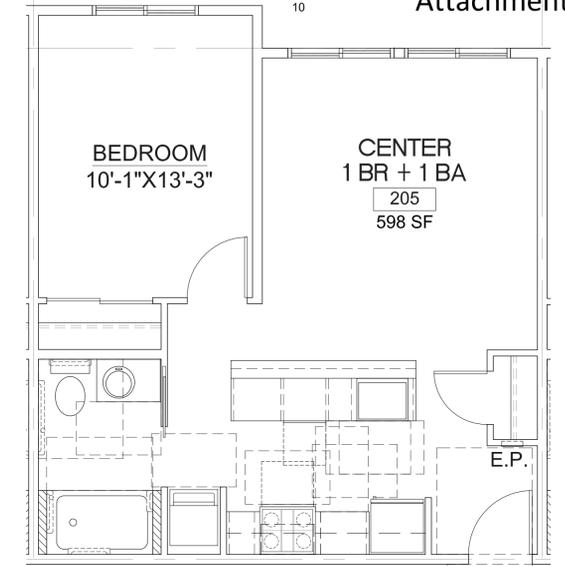
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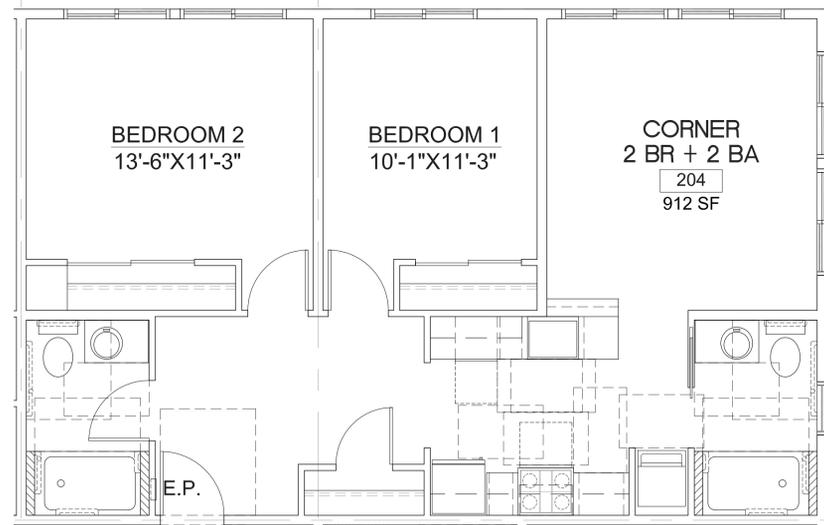
72 ENLARGED TYP. COURTYARD 1BD+1BA  
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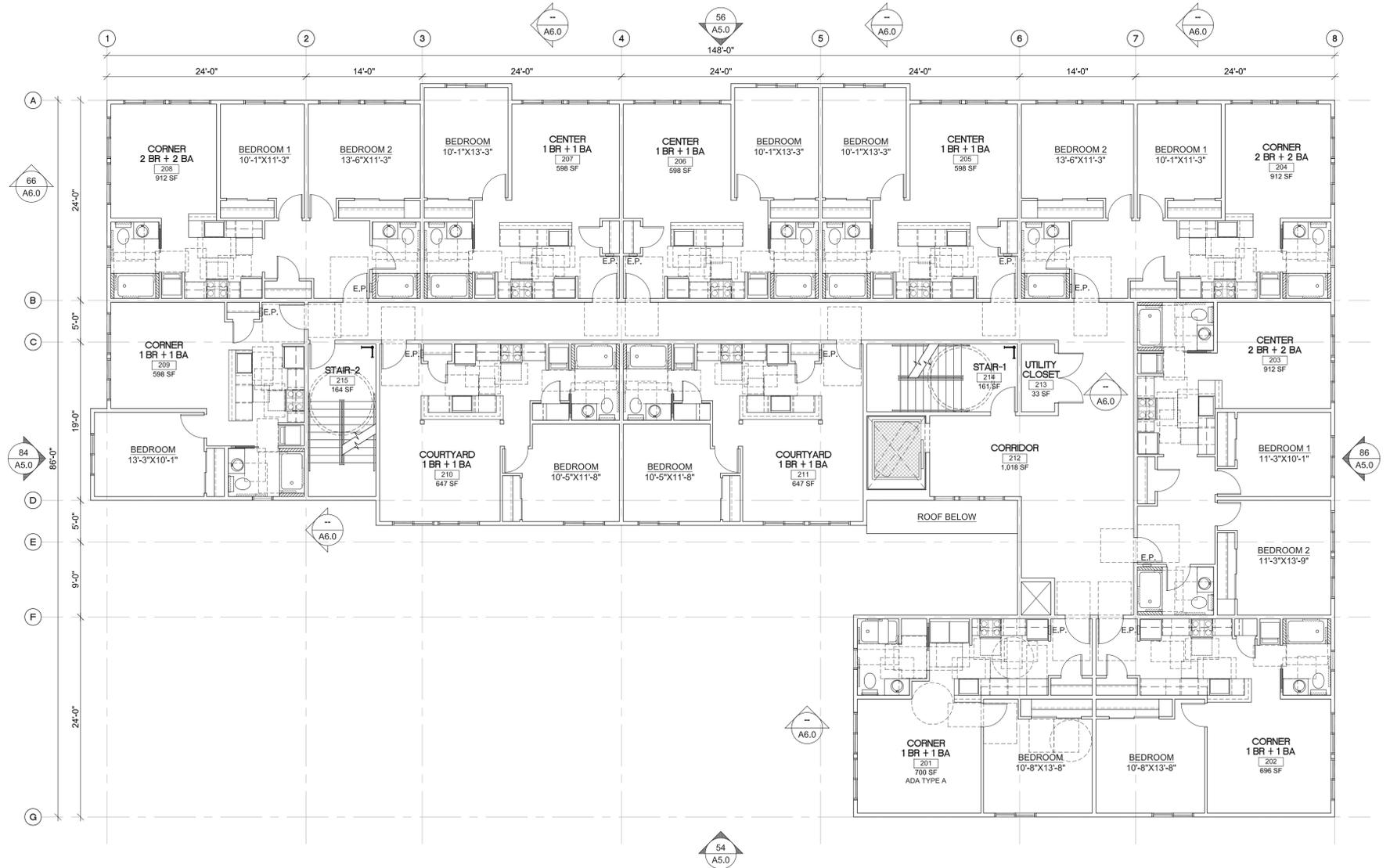
42 ENLARGED TYP. CORNER 1BD+1BA  
A2.1 SCALE: 1/4" = 1'-0"



22 ENLARGED TYP. CENTER 1BD+1BA  
A2.1 SCALE: 1/4" = 1'-0"



85 ENLARGED TYP. 2BD+2BA  
A2.1 SCALE: 1/4" = 1'-0"



66 SECOND FLOOR PLAN  
A2.1 SCALE: 1/8" = 1'-0"

9,301 SF GROSS NORTH



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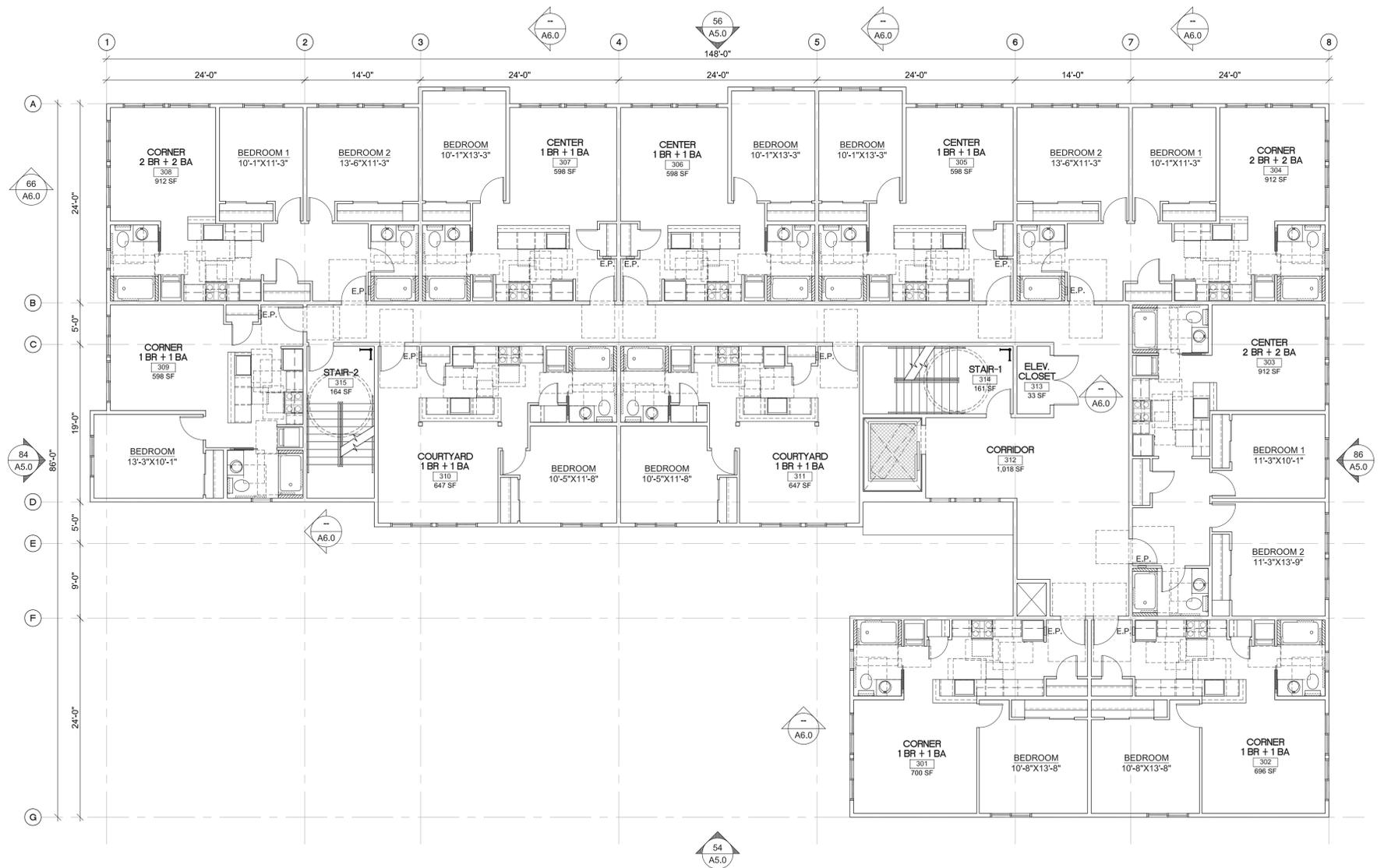
**FAIRVIEW VILLAGE — MARKETPLACE D**  
FAIRVIEW, OR  
for GARTH EVERHART  
COMPOSITE FLOOR PLANS

DD SET

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A2.1

07.07.2017



66 THIRD FLOOR PLAN  
A2.2 SCALE: 1/8" = 1'-0"

9,301 SF GROSS NORTH



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**FAIRVIEW VILLAGE — MARKETPLACE D**  
FAIRVIEW, OR  
for GARTH EVERHART  
COMPOSITE FLOOR PLANS

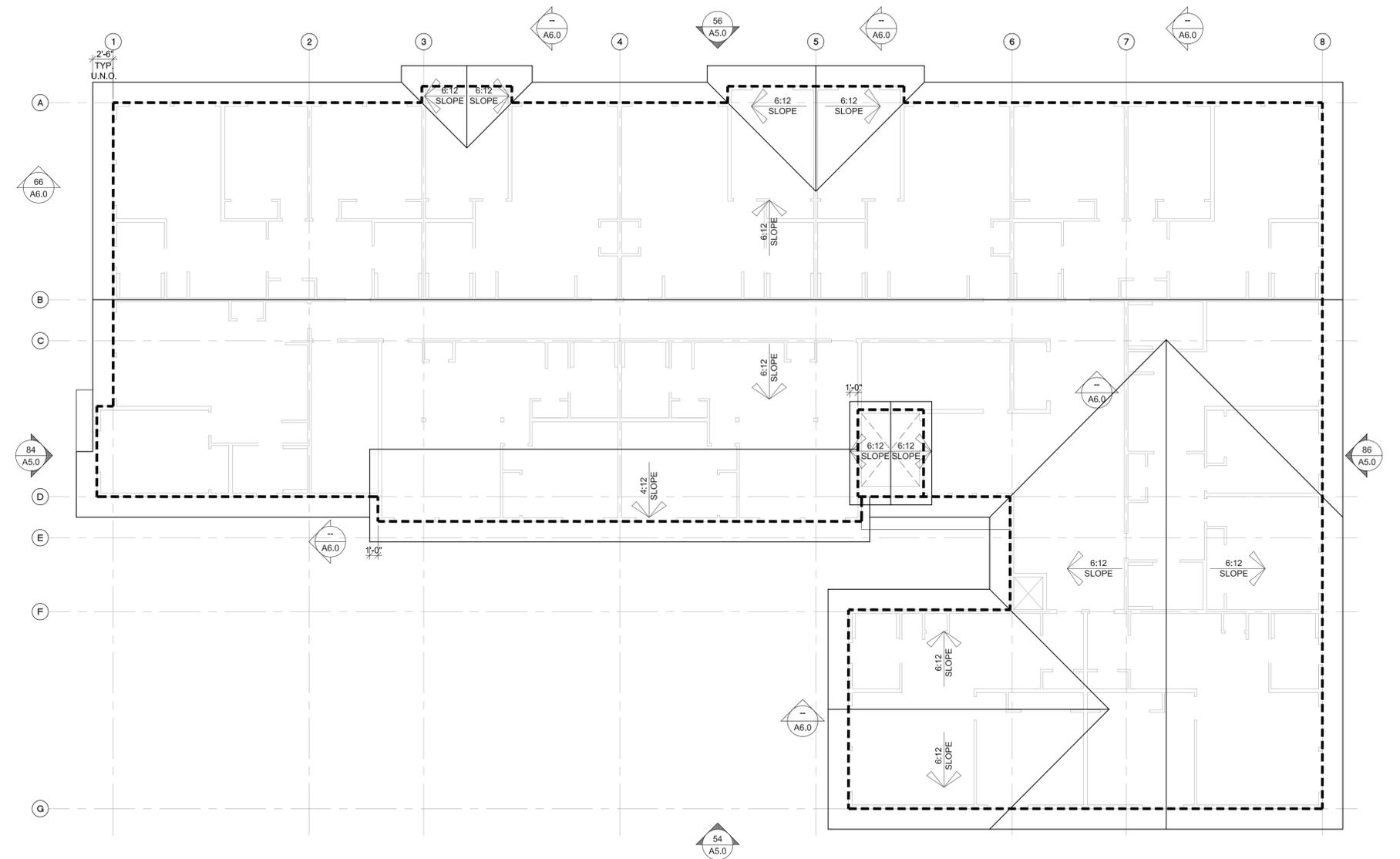
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A2.2

07.07.2017

Attachment 6



66 ROOF PLAN  
A4.0 SCALE: 1/8" = 1'-0"



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**FAIRVIEW VILLAGE - MARKETPLACE D**  
FAIRVIEW, OR  
for GARTH EVERHART  
ROOF PLAN

DD SET

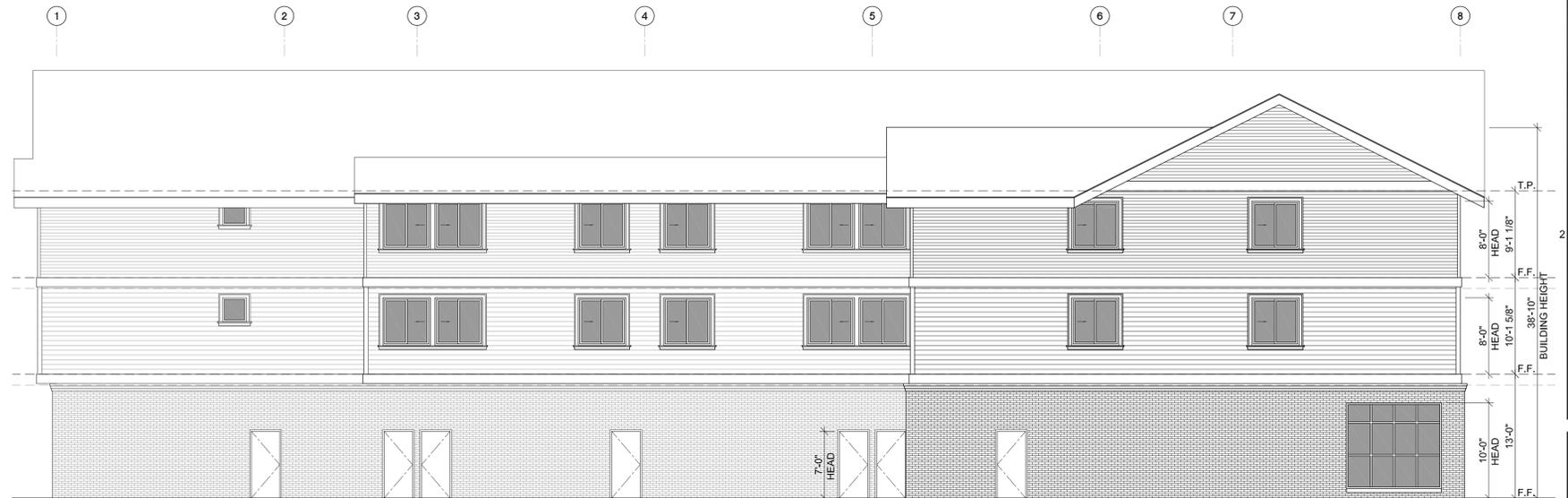
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**A4.0**

07.07.2017



84 WEST ELEVATION  
A5.0 SCALE: 1/8" = 1'-0"



54 SOUTH ELEVATION  
A5.0 SCALE: 1/8" = 1'-0"



86 EAST ELEVATION - VILLAGE STREET  
A5.0 SCALE: 1/8" = 1'-0"



56 NORTH ELEVATION - MARKET DRIVE  
A5.0 SCALE: 1/8" = 1'-0"



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**FAIRVIEW VILLAGE - MARKETPLACE D**  
FAIRVIEW, OR  
for GARTH EVERHART  
EXTERIOR ELEVATIONS

DD SET

0897MDFVBD - 05

A5.0

07.07.2017

80 70 60 50 40 30 20 10 0

1

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3

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80

70

60

50

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30

20

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**BARRY R SMITH, PC Architect**  
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 PORTLAND OR 97205 503.295.6261 www.barrysmith.com

**FAIRVIEW VILLAGE – MARKETPLACE D**  
 for GARTH EVERHART  
 FAIRVIEW, OR  
 BUILDING SECTIONS

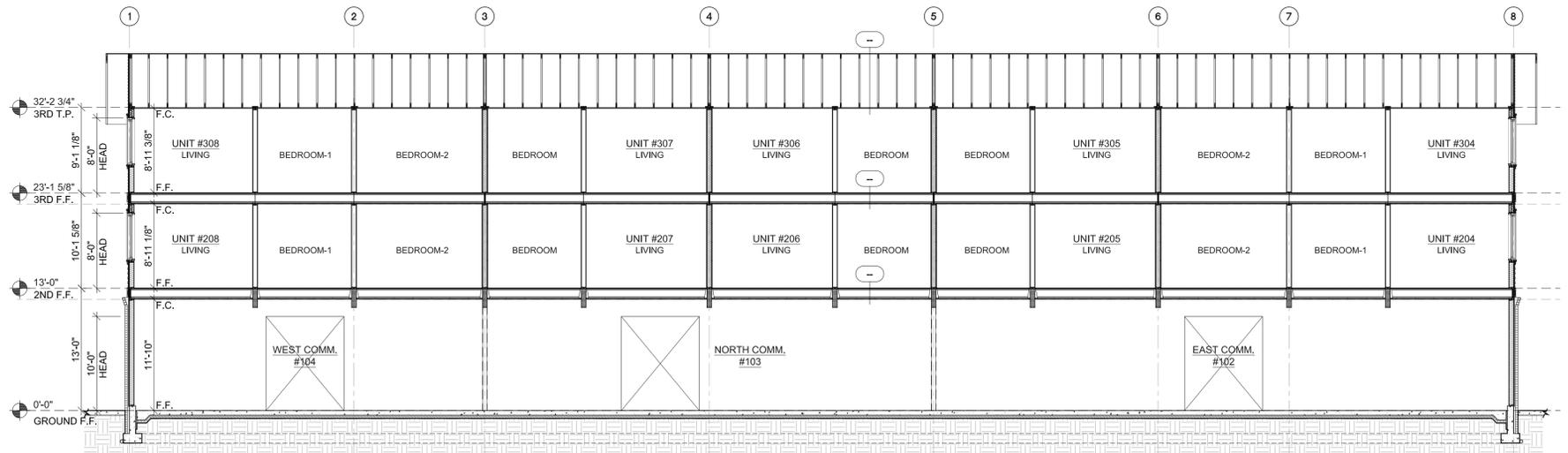
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0897MDFVBD - 06

**A6.0**

07.07.2017

**BUILDING SECTION NOTES:**  
 - SEE STRUCTURAL PLANS FOR THE FOLLOWING ITEMS:  
 • CONCRETE SLAB AND FOUNDATION  
 • FLOOR FRAMING MEMBERS & SHEATHING  
 • ROOF FRAMING MEMBERS & SHEATHING  
 • WALL FRAMING MEMBERS  
 • BEAMS  
 • HEADERS  
 • CONNECTION DETAILS  
 • SHEARWALL LOCATIONS  
 - SEE WALL / FLOOR / CEILING / ROOF ASSEMBLY TYPES AND ENERGY CODE COMPLIANCE TABLE FOR REQUIRED INSULATION VALUES.  
 ○ INDICATES WALL/FLOOR/CEILING/ROOF ASSEMBLY, SEE DETAILS ON SHEET AXX



66 **BUILDING SECTION**  
 A6.0 SCALE: 1/8" = 1'-0"

80 70 60 50 40 30 20 10 0







