PLANNING COMMISSION MEETING

Tuesday, August 14, 2018, 6:30 PM

Fairview City Hall – Council Chambers, 2nd Floor
1300 NE Village Street, Fairview, OR 97024

MEETING AGENDA

1. **CALL TO ORDER:** 6:30 p.m.

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

3. **PUBLIC HEARINGS**

   a. **File Number 2018-21-DR-CUP** – ***Continued from July 10, 2018***

   Fairview Villas Apartments (20922 NE Sandy Blvd.)
   Type III Quasi-Judicial Procedure

   Summary: The applicant is requesting Site Design Review and Conditional Use approval for a mixed use development. The development will include new landscaping, 67 off-street parking spaces and a four-story mixed use building with 1,000 SF commercial space and 48 residential units.

   The applicant is also requesting a variance to Multnomah County Road Rules standards to allow a secondary access from Sandy Blvd. The secondary access will be provided via an existing driveway for the All-Stor Storage Condominiums development. Multnomah County Transportation is reviewing this request in parallel with the land use review.

   Applicable Fairview Municipal Code Criteria:
   FMC 19.400 Administration of Land Use and Development Review
   FMC 19.412 Description of Permit Procedures
   FMC 19.413 Procedures
   FMC 19.424 Site Design Review – Application Review Procedure
   FMC 19.425 Site Design Review – Application Submission Requirements
   FMC 19.426 Site Design Review – Approval Criteria
   FMC 19.440 Conditional Use Permit
   FMC 19.70 Corridor Commercial District
   FMC 19.162 Access and Circulation
   FMC 19.163 Landscaping, Street Trees, Fences and Walls
   FMC 19.164 Vehicle and Bicycle Parking
   FMC 19.165 Public Facilities Standards
   FMC 19.170 Sign Regulations

b. File Number 2018-14-DR

Environmental Works (22820 NE Sandy Blvd.)
Type III Quasi-Judicial Procedure

Summary:
The applicant is requesting Site Design Review approval for a new 12,000 sq. ft. pre-manufactured industrial metal building and outdoor vehicle/equipment storage at 22820 NE Sandy Blvd. in the General Industrial (GI) zone. The building would provide storage and maintenance space, along with corporate offices.

Applicable Fairview Municipal Code Criteria:
FMC 19.400 Administration of Land Use and Development Review
FMC 19.412 Description of Permit Procedures
FMC 19.413 Procedures
FMC 19.424 Site Design Review – Application Review Procedure
FMC 19.425 Site Design Review – Application Submission Requirements
FMC 19.426 Site Design Review – Approval Criteria
FMC 19.85 General Industrial District
FMC 19.106 Natural Resource Regulations
FMC 19.162 Access and Circulation
FMC 19.163 Landscaping, Street Trees, Fences and Walls
FMC 19.164 Vehicle and Bicycle Parking
FMC 19.165 Public Facilities Standards
FMC 19.170 Sign Regulations

4. FINDINGS, CONCLUSION AND ORDER

File Number 2018-45-ZC

Accessory Dwelling Unit Code Amendments
Type IV Legislative Procedure

5. COMMISSION AND STAFF UPDATES

6. TENTATIVE AGENDA

7. ADJOURNMENT

NEXT PLANNING COMMISSION MEETING: TUESDAY, SEPT. 11, 2018

Planning Commission hearings are broadcast live on Comcast Cable Channel 30 and Frontier FiOs Channel 38. Replays of the meeting are shown on Saturday at 12:30pm and Monday at 2:00pm following the original broadcast date. Meetings are also available for viewing on the MetroEast website. Further information is available on our web page at 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.

MEMORANDUM

DATE: August 7, 2018 **MEETING DATE:** August 14, 2018

TO: Planning Commission

FROM: Eric Rutledge, Associate Planner

SUBJECT: Summary of staff findings on revised land use application #2018-21-DR CUP

ISSUE

The public hearing for land use application #2018-21-DR CUP was continued from July 10, 2018 to August 14, 2018. The Commission continued the hearing to give the applicant an opportunity to respond to recommended conditions of approval, and to resolve the issues raised at the hearing, including the preservation of significant trees and inclusion of a sufficient commercial component to be classified as a "mixed-use" development. The continuance was also granted to allow for the submission of an arborist report for four significant trees on site, and consideration of potential impacts to the site design, parking count, and commercial square footage that may result from tree preservation.

The applicant has submitted an arborist report, tree protection plan, and revised drawings and is now seeking Site Design Review approval for the modified application. This memorandum will provide a summary of the new materials submitted by the applicant following the July 10 public hearing, including staff findings on compliance with the Fairview development code. A revised staff report, findings and staff recommendation are attached to this memo, along with the following new exhibits. Exhibit A.4 Arborist Report with Tree Protection Plan (dated July 15, 2018)

Exhibit A.5 Applicant's Summary of Revisions (dated August 3, 2018)
Exhibit B.12 Revised Site Plan (dated August 6, 2018)
Exhibit B.12 Revised Building Elevations (dated August 6, 2018)

BACKGROUND

Fairway Properties 1 LLC is seeking Site Design Review approval for a new 4-story, mixed-use building located at 20922 NE Sandy Blvd (Land Use File #2018-21-DR CUP). The application was first considered at the July 24, 2018 planning commission meeting. The public hearing was continued to August 14, 2018, until an arborist report could be produced to determine tree protection requirements for four trees on site and any related impacts to parking and building design. An arborist report was not included in the original

application and the commission felt an assessment by a qualified professional was necessary before determining tree preservation requirements.

The applicant has submitted an arborist report prepared by Springwater Aboriculture, LLC, that provides an individual health assessment, preservation recommendation, and protection plan for the subject trees. The report recommends removing one tree in hazardous condition and protecting the remaining three trees in fair-good condition. The applicant has also provided an updated site plan and building elevation drawings that address some of the conditions of approval recommended by staff during the public hearing on July 24.

DISCUSSION OF PROPOSED CHANGES

Arborist Report and Tree Protection

The development site contains 10 significant trees, defined as trees with a diameter of 6" or greater at breast height. The applicant's original proposal was to remove all significant trees on site due to conflicts with new parking, building, and landscaped areas. The original Planning Commission staff report recommended protecting four significant trees at the northeast corner of the property, to improve site aesthetics and provide immediate shade, habitat, and erosion control. Preservation of the four trees would provide immediate environmental benefits while allowing practicable development of the site. The commission requested an arborist report be submitted for the four trees before determining preservation requirements.

The arborist report submitted by the applicant recommends removing one of the trees, which is in hazardous condition, and retaining the other three in fair-good condition. Fairview Municipal Code (FMC) 19.163.025(C) "Exemptions" allows hazardous trees to be removed, subject to an arborist report from a qualified professional. Staff finds the applicant has met this requirement and the hazardous tree should be removed.

A tree protection plan has been submitted for the other three trees to ensure protection before, during and after construction. This plan allows a mature grove of trees to be preserved while allowing practicable development of the site. Tree preservation will not result in the reduction of parking, residential units or commercial space.

Site Plan

The applicant has submitted a revised site plan to address development features that did not meet development standards in the original submission. The changes include:

- Relocating the pedestrian pathway connecting NE Sandy Blvd. to the building entrance to the mid-point of the street frontage
- Relocating the trash enclosure to minimize pedestrian-vehicle conflicts

The relocation of the pedestrian pathway and trash enclosure resulted in the loss of one parking space. As a result, the applicant has proposed reducing the commercial space from 1,000 SF to 800 SF, in order to meet minimum parking requirements. The tree protection plan will not result in the loss of parking or a reduction in residential units or commercial space. The Staff finds that the revised site plan complies or can be conditioned to comply with all applicable development standards.

Building Height
The allowed building height in the Corridor Commercial zone is 45 ft. A "performance option" allows building heights up to 55 ft., subject to a conditional use permit issued by the Planning Commission. The applicant originally sought to take advantage of the performance option and build a 51 ft. 6 in. building, providing tall ceilings on all floors and a pitched roof. The original Planning Commission staff report recommended a number of conditions of approval to mitigate the impact of the taller building on the adjacent mobile home park to the east of the development site. The conditions included:

- Increasing the east side setback from 11 ft. to 15 ft.
- Revise the east building elevation to add additional façade articulation, color, and building material
- Revise the landscape plan to provide trees at regular spacing along the east side of the building, reaching a mature height of 20 ft.

The applicant has revised the building design and is now proposing a height of 44 ft. 10.5 in. The ground floor has been reduced from 12 ft. to 9 ft. 6 in. and all other floors have been reduced from 11 ft. to 10 ft. 2 in. The new building height is allowed by right in the Corridor Commercial zone, and the conditions of approval sought to minimize the impact of the taller building on the adjacent property no longer apply. The east side setback, building elevation, and landscaping will be as proposed in the original application.

RECOMMENDED ACTION:
Staff finds that the proposed application will meet the requirements of the City Code as conditioned in the Planning Commission staff report dated August 7, 2018, and recommends approval by the commission.

ALTERNATIVE ACTIONS

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.

ATTACHMENTS

1. Revised Planning Commission Findings and Staff Recommendation (dated August 7, 2018) with New Exhibits A4, A5, B12 and B13.

PLANNING COMMISSION STAFF REPORT
TYPE III SITE DESIGN REVIEW
FINDINGS AND STAFF RECOMMENDATION

Date of Report:	August 7, 2018
Staff Contact:	Eric Rutledge, Associate Planner rutledgee@ci.fairview.or.us 503-674-6205
Application Number:	2018-21-DR CUP
Property Owner:	Fairway Properties 1 LLC
Applicant:	Fairway Properties 1 LLC
Site Address:	20922 NE Sandy Blvd
Parcel Number/Tax ID:	R575543 / 1N3E28BD -00904
Proposal:	Four story mixed-use building with 48 residential units, 66 parking spaces, and 800 SF of office space
Recommendation:	**Approval with Conditions**
Exhibits:	**A. Applicant's Narrative & Written Materials** 1. Applicant's narrative 2. Trip Generation & Distribution Study 3. Stormwater Presumptive Approach Calculator Report 4. Arborist Report with Tree Protection Plan (dated July 15, 2018) 5. Applicant's Summary of Revisions (dated August 3, 2018)

B. Plans/Drawings

1. Cover Sheet
2. Existing Conditions
3. Utility Plan
4. Grading Plan
5. Landscaping Plan
6. Site Analysis Map
7. Fire Department Access Plan
8. Site Plan
9. Upper Level Floor Plan
10. Exterior Elevations
11. Color Building Elevations
12. Revised Site Plan (dated August 6, 2018)
13. Revised Building Elevations (dated August 6, 2018)

C. Department Referral Comments

1. Multnomah County Transportation Comments
2. Gresham Fire Comments

I. BACKGROUND & EXISTING CONDITIONS

Address/Location: 20922 NE Sandy Blvd

Acreage: 0.78 Acres – 34,063 SF

Comprehensive Plan: Commercial

Zoning Designation: Corridor Commercial

Zoning Overlays: None

Surround Land Use/Zoning:

North: Sandy Blvd, Osborn Creek
South: All-Stor Storage (mini-storage)
East: Quail Hollow Mobile Home Park
West: All-Stor Storage, vacant land

Streets/Classification: Sandy Blvd. is a Minor Arterial under Multnomah County jurisdiction

Application Narrative:
The applicant proposes a four story mixed-use building including (27) one-bedroom apartments, (18) two-bedroom apartments, (3) studios, and 800 SF of office space. There will be (38) garage parking spaces within the building's first floor, plus (28) spaces outside the building including compact and accessible spaces. Tenant storage and long-term bicycle spaces will also be provided within and adjacent to the garage parking area.

Two access points are proposed from Sandy Blvd. The primary access will be from a driveway on the east side of the property and secondary access will be provided via an existing shared driveway along the west border of the property (shared with All-Stor Storage).

The proposed building height is 44 ft. 10.5 in. Setbacks on the east, south, and west sides of the building will provide space for landscaping and small decks.

Existing Site Conditions:
The site currently features a single-family house, shed, gate, driveway, and large grassy area. A stand of mature trees is located at the northeast corner of the property near the existing driveway access. The existing house is served by an underground water line and overhead power line. The site slops gently from southeast to northwest. There are no water bodies or natural resources on the property.

II. NOTICES & REFERRALS

Application Date:	March 21, 2018
Application Deemed Complete:	June 4, 2018
Public Hearing Date:	July 10, 2018 & August 14, 2018
Public Notice Date/Type:	June 18, 2018 Notice to Property Owners (250 ft.) June 19, 2018 Notice in Outlook June 28, 2018 Notice Posted to Site
Referrals:	Multnomah County Transportation Division Gresham Fire

III. APPLICABLE CRITERIA

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

A) Application Review Procedures
- FMC 19.400 Administration of Land Use Review
- FMC 19.413.030 Type III Procedures (Quasi-Judicial)
- FMC 19.424 Site Design Review – Application Review Procedure
- FMC 19.425 Site Design Review – Application Submission Requirements
- FMC 19.426 Site Design Review – Approval Criteria

B) Land Use Districts
- FMC 19.70 Corridor Commercial District (CC)

C) Design Standards
- FMC 19.162 Access and Circulation
- FMC 19.163 Landscaping, Street Trees, Fences, and Walls
- FMC 19.164 Vehicle and Bicycle Parking
- FMC 19.165 Public Facilities Standards
- FMC 19.170 Sign Regulations

IV. APPLICATION REVIEW PROCEDURE FINDINGS

Chapter 19.400 Administration of Land Use Review

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.

FINDINGS: If approved, this Site Design Review shall expire two (2) years from the date of final decision.

Condition of Approval: The approval for application 2018-21-DR CUP shall become null and void after two (2) years if construction activities have not commenced.

Chapter 19.413 Procedures

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.

A. Public Notification. Notice of the public hearing shall be mailed to the property owner and applicant, if different, and to all property owners within 250 feet of the outer boundaries of the site, not less than 20 days prior to the date of the hearing. Notice must also be provided in a public newspaper at least 20 days prior to the hearing date. In addition, a sign indicating the date of the public hearing, shall be posted on the subject property not less than 10 days prior to the date of the hearing. Notice must also be provided at least 20 days prior to the scheduled hearing to any neighborhood or community organization recognized by the city whose boundaries include the subject property.

FINDINGS: A planning commission hearing on the application was held on July 10, 2018 and public notification was provided by City staff in accordance with the requirements listed above. The July 10, 2018 public hearing was continued to August 14, 2018 after the commission requested the applicant submit an arborist report for four significant trees on the site prior to adopting final findings.

Chapter 19.424 Site Design Review – Application Review Procedures

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:

A. Residential buildings with three or fewer dwelling units shall be reviewed as a Type II application, except when development review is allowed

under Chapter 19.423 FMC. Residential buildings with greater than three units shall be reviewed as a Type III application.

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.

D. Developments with 25 or fewer off-street vehicle parking spaces shall be reviewed as Type II applications, and those with more than 25 off-street vehicle parking spaces shall be reviewed as Type III applications, notwithstanding the provisions contained in subsections A through C and E and F of this section.

FINDINGS: The development proposes more than 3 residential units, more than 5,000 SF, and more than 25 off-street parking spaces, and is therefore subject to a Type III review.

Chapter 19.425 Site Design Review – Application Submission Requirements
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.

FINDINGS: The applicant has submitted an application containing all of the information required for the Type III application and Site Design Review. The application was routed to all agencies with an interest in the development and was deemed complete on June 4, 2018.

Chapter 19.426 Site Design Review – Approval Criteria
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.

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.
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.

19.426.030 Upgrade existing development.
The applicant shall be required to upgrade any existing development that does not comply with the applicable land use district standards, in conformance with Chapter 19.530 FMC, Nonconforming Uses and Development.

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)

19.426.050 Conditions.
All conditions required as part of an approval shall be met.

19.426.060 Exceptions.
Exceptions to criteria in FMC 19.426.040(A) through (E) may be granted only when approved as a variance.

FINDINGS: This application was deemed complete on June 4, 2018. Per FMC 19.426.020 and 19.426.40, compliance with the underlying land use district and the design standards in FMC Article III are analyzed below. All conditions required as part of this approval must be met.

V. LAND USE DISTRICT FINDINGS

Chapter 19.70 Corridor Commercial (CC) District

19.70.010 Purpose.

The corridor commercial district is intended to allow auto-accommodating commercial development while encouraging walking, bicycling, and transit. The district allows a full range of retail and service businesses with a local or regional market. Industrial uses are allowed but are limited in size to avoid adverse effects and ensure that they do not dominate the character of the commercial area. The district's development standards promote attractive development, an open and pleasant street appearance and compatibility with adjacent residential areas. Development is intended to be aesthetically pleasing for motorists, transit users, pedestrians, and the businesses themselves.

19.70.020 Permitted land uses.

A. Permitted Uses. The land uses listed in Table 19.70.020.A are permitted in the corridor commercial district, subject to the provisions of this chapter.

FINDINGS: Mixed use development, including housing and other permitted uses are allowed outright in the CC zone. Outright permitted commercial uses include office, personal and professional services, repair services, retail trade, and more (full list in FMC 19.70.020.A). Mixed-use development in the CC zone is classified as a commercial use, with housing allowed when combined with another permitted commercial use.

The applicant is proposing 800 SF of commercial office space on the ground floor with housing above. The commercial space will be divided into two 400 SF spaces, including one to be used for property management operations. An office space used for property management operations of the residential building is an accessory use, as property management offices are customarily incidental and subordinate to apartment buildings and complexes.

FMC 19.70.010 "Purpose" describes the purpose of the Corridor Commercial district as allowing "auto-accommodating commercial development" including a "full range of retail and service businesses with a local or regional market". Commercial use, including office and retail, is the primary land use intended for the Corridor Commercial zone. A building used solely for residential living including a ground floor office space supporting the residential operations does not meet the intended purpose of the Corridor Commercial zone.

Condition of Approval: To ensure the building functions as a mixed-use building including a commercial component envisioned by the Corridor Commercial zone,

at least one of the commercial spaces must be occupied by a use that is not accessory to the primary residential use.

19.70.030 Corridor commercial setback standards.

A. Building Setbacks. In the corridor commercial district, setback standards are flexible to allow parking to be located near the entrance of new commercial development. Building setbacks are measured from the wall or facade to the respective property line. The setback standards apply to primary structures as well as accessory structures. The standards may be modified only by approval of a variance.

FINDINGS: The proposed building and accessory structures meet the setback requirements, as described in the table below (see Exhibit B12 Revised Site Plan).

Setback	Min. Required	Proposed
Front	0 ft.	49-90 ft.
Rear	0 ft., except when abutting residential district, 15 ft. min. is required	10 ft.
Side	0 ft.	11 ft. east 10 ft. west

19.70.040 Lot coverage and floor area ratio.
There are no maximum lot coverage or floor area ratio requirements, except that compliance with other sections of this code may preclude full (100 percent) lot coverage for some land uses.

19.70.050 Site layout and building orientation.
This section is intended to encourage the efficient use of space, and connectivity to parking areas. The standards, as listed on the following page and illustrated above, complement the front setback standards in FMC 19.70.030.

A. Applicability. This section applies to all new land divisions, site design review, and conditional use applications.

Compliance with all of the provisions of subsections B through E of this section is required. As an alternative to meeting the requirements of subsections B through E, the applicant may propose alternative design solutions that satisfy the criteria in subsection F.

FINDINGS: Site design review approval is required this standard applies.

B. Pedestrian Access Standard. New land divisions and developments, which are subject to site design review or conditional use permits, shall provide pedestrian pathways as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking.

1. From adjoining street right-of-way to building entrances and off-street parking these pathways shall be provided with an average maximum interval of 100 feet along the street right-of-way.

FINDINGS: A 5 ft. wide pedestrian pathway connecting Sandy Blvd. to the parking area and building entrance is provided approximately 94 ft. east of the western property line and 92 ft. west of the east property line. This standard is met. See Exhibit B12 Revised Site Plan.

2. Between adjoining developments where practical.

FINDINGS: The 5 ft. wide pedestrian pathway is proposed to connect the western stair tower to the adjacent All-Stor Storage property to the west for emergency egress. The pathway will lead to a landscaped area on the All-Stor property, making the egress route unsuitable for regular use by building tenants. An access easement is recorded over the All-Stor storage property allowing ingress and egress from the applicant's property.

Condition of Approval: The pedestrian pathway connecting the wester stair tower to the All-Stor Storage property shall be used for emergency egress only. Signs shall be provided for the pathway and stair tower door leading to the pathway.

3. In conformity with applicable requirements in Chapter 19.162 FMC, Access and Circulation.

FINDINGS: Compliance with FMC 19.162 Access and Circulation is addressed below.

C. Building Orientation Standard. All of the developments listed in subsection A of this section are encouraged to be oriented to a street. The building orientation standard is met when all of the following criteria are met:

1. *Buildings shall have their primary entrance(s) oriented to (facing) the street with a direct pedestrian walkway connecting with the adjoining street right-of-way. Building entrances may include entrances to individual units, lobby entrances, entrances oriented to pedestrian plazas, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance facing a side when a direct pedestrian walkway not exceeding 30 feet in length is provided between the building entrance and the street right-of-way.*

FINDINGS: The proposed building is oriented towards the street with a direct pedestrian pathway connecting the building to the street right-of-way. This recommended standard is met.

2. *Off-street parking, driveways or other vehicular circulation should not be placed between a building and the street. On corner lots, buildings and their entrances should be oriented to the street corner. Parking, driveways and other vehicle areas shall not be permitted adjacent to street corners.*

FINDINGS: The Building Orientation Standard "encourages" development to be oriented to the street, but does not require the standard to be met. The proposed site plan places off-street parking and vehicular access between the building and the street and does not meet this recommended standard. The building setback is proposed to reduce noise and emission impacts from Sandy Blvd. to future residents.

19.70.060 Building height.
All buildings in the corridor commercial district shall comply with the following building height standards. The standards are intended to allow for development of appropriately scaled buildings.

A. *Maximum Height. Buildings shall be no more than 45 feet in height.*

B. *Method of Measurement. "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:*

1. *The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the*

building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;

2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection (B)(1) of this section is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Not included in the maximum height are: chimneys, bell towers, steeples, roof equipment, flag poles, and similar features which are not for human occupancy.

FINDINGS: The proposed building height is 44 ft. 10.5 in. The height was measured using method B1 above (see Exhibit B13 Revised Building Elevations). This standard is met.

19.70.070 Architectural guidelines and standards.

A. Purpose and Applicability. The corridor commercial district architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles. This section applies to all development applications that are subject to site plan review or conditional use permits.

FINDINGS: Site design review approval is required as part of this application and this standard applies.

B. Guidelines and Standards. Each of the following standards shall be met. An architectural feature used to comply with more than one standard in this title.

1. Pedestrian-Oriented Design. All buildings shall contribute to the desired pedestrian-friendly character of corridor commercial district buildings. This criterion shall be met by providing all of the architectural features listed in subsections (B)(1)(a) through (d) of this section, along the front building elevation (i.e., facing the street), as applicable.

a. Corner building entrances on corner lots. Alternatively, a building entrance may be located away from the corner when the building corner is beveled or incorporates other detailing to reduce the angular appearance of the building at the street corner.

FINDINGS: The development site is not located on a corner. This standard does not apply.

b. Regularly spaced and similar-shaped windows with window hoods or trim (all building stories).

FINDINGS: The exterior elevation drawings for the north (front) facade show regularly spaced and similar-shaped windows. A window hood is also provided around the windows (see Exhibit B13 Revised Building Elevations). This standard is met.

c. Large display windows on the ground floor. Bulkheads, piers and a storefront cornice (i.e., separates ground floor from second story) shall frame display windows.

FINDINGS: The exterior elevation drawings for the north façade show large displays windows for the ground floor entry and commercial space; however, bulkheads, piers, and a storefront cornice are not evident (see Exhibit B13 Revised Building Elevations)

Condition of Approval: Prior to the issuance of building permits, the applicant shall submit an updated drawing of the north facade that shows compliance with subsection (c) above.

d. Decorative cornice at the top of a building (flat roof); or eaves provided with pitched roof.

FINDINGS: The pitched roof includes eaves around the building. This standard is met.

2. Design of Large-Scale Buildings and Developments. The standards in subsection (B)(2)(c) of this section shall apply to large-scale buildings and developments, as defined in subsections (B)(2) (a) and (b) of this section:

a. Buildings with greater than 20,000 square feet of enclosed ground-floor space (i.e., "large-scale"). Multitenant buildings shall be counted as the sum of all tenant spaces within the same building shell;

b. Multiple-building developments with a combined ground-floor space (enclosed) greater than 40,000 square feet (i.e.,

shopping centers, public/institutional campuses, and similar developments);

FINDINGS: A single building is proposed with less than 20,000 square feet of enclosed ground floor space. This standard does not apply.

19.70.080 Pedestrian and transit amenities.

A. Purpose and Applicability. This section is intended to complement the building orientation standards in FMC 19.70.050, and the street standards in Chapter 19.165 FMC, by providing pedestrian spaces within the corridor center commercial district. This section applies to all development applications that are subject to site design review or conditional use permits.

FINDINGS: Site design review approval is required as part of this application and this standard applies.

B. Guidelines and Standards. Every development shall provide at least one of the "pedestrian amenities" listed in subsections (B)(1) through (4) of this section. Pedestrian amenities may be provided within a public right-of-way when approved by the applicable jurisdiction.

1. A plaza, courtyard, square or extra-wide sidewalk next to the building entrance (minimum width of eight feet);

2. Sitting space (i.e., dining area, benches or ledges between the building entrance and sidewalk (minimum of 16 inches in height and 30 inches in width);

3. Building canopy, awning, pergola, or similar weather protection (minimum projection of four feet over a sidewalk or other pedestrian space);

4. Public art which incorporates seating (e.g., fountain, sculpture, etc.).

FINDINGS: An 8 ft. building canopy is provided over the entryway sidewalk, providing shelter immediately in front of the commercial spaces and resident entryway. The sidewalk in this area is 10 ft. 6 in. and includes short-term bike parking. A bench is also proposed. This standard is met. See Exhibit B12 Revised Site Plan.

C. Transit Amenities. Development on sites that are adjacent to or incorporate transit streets shall provide improvements as described in this section at any existing or planned transit stop located along the site's frontage, unless waived by the community development director.

FINDINGS: The site is located along TriMet Route 21, however, there are no bus stops along the immediate site frontage. This standard does not apply.

19.70.090 Special standards for certain uses.
This section supplements the standards contained in FMC 19.70.030 through 19.70.080. It provides additional standards for the following land uses in order to control the scale and compatibility of those uses within the corridor commercial district:

- *Accessory Uses and Structures*
- *Automobile-Oriented Uses and Facilities*
- *Sidewalk Displays*
- *Light Industrial*

FINDINGS: The proposal does not include any uses that require compliance with this code section. This standard does not apply.

VI. DESIGN STANDARDS FINDINGS

Chapter 19.162 Access and Circulation
19.162.010 Purpose.
The purpose of this chapter is to ensure that developments provide safe and efficient access and circulation, for pedestrians and vehicles. FMC 19.162.020 provides standards for vehicular access and circulation. FMC 19.162.030 provides standards for pedestrian access and circulation. Standards for transportation improvements are provided in Chapter 19.165 FMC.

FMC 19.162.020 Vehicular Access and circulation

B. Applicability. This section shall apply to all public streets within the city and to all properties that abut these streets.

FINDINGS: NE Sandy Blvd. is a Multnomah County road. Access, circulation, and traffic requirements are being reviewed for compliance with Multnomah County road standards and are approved separately by County transportation staff (see Exhibit C1 for Multnomah County Transportation comments). The sections of this chapter that apply are addressed below.

M. Fire Access and Parking Area Turnarounds. A fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive. Parking areas shall provide adequate aisles or turnaround areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner. For requirements related to cul-de-sacs, please refer to Chapter 19.165 FMC.

FINDINGS: The applicant has submitted a fire access plan that has been reviewed by Gresham Fire. The applicant is required to comply with the written comments submitted by Gresham Fire. See Exhibit B7 Fire Dept. Access Plan.

Condition of Approval: Prior to final occupancy, the applicant shall provide a final Fire Access and Water Supply Plan to be reviewed by Gresham Fire and show compliance with all of the comments provided by Gresham Fire in Exhibit C2.

N. Vertical Clearances. Driveways, private streets, aisles, turnaround areas and ramps shall have a minimum vertical clearance of 13 feet 6 inches for their entire length and width.

FINDINGS: All portions of proposed driveways, aisles, turnaround areas, and ramps have a vertical clearance of at least 13 ft. 6 in. This standard is met.

P. Construction. The following development and maintenance standards shall apply to all driveways and private streets, except that the standards do not apply to driveways serving one single-family detached dwelling:

1. Surface Options. Driveways, parking areas, aisles, and turnarounds may be paved with asphalt, concrete or comparable surfacing, or a durable nonpaving material may be used to reduce surface water runoff and protect water quality. Paving surfaces shall be subject to review and approval by the city engineer.

FINDINGS: The parking and driving area will be constructed with asphaltic concrete. This standard is met.

2. Surface Water Management. When a paved surface is used, all driveways, parking areas, aisles and turnarounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with city standards.

FINDINGS: Storm water drains are provided throughout the site, leading to a 300 SF water quality facility at the northwest corner of the site. A final stormwater report is required to ensure the water quality facility is adequately sized for the development. See Exhibit B3 Utility Plan.

Condition of Approval: Prior to issuance of building permits, a final stormwater management plan is required showing the site complies with the 2014 Portland Stormwater Management Manual. Surface water facilities shall be constructed in conformance with city standards.

19.162.030 Pedestrian access and circulation.
The standards presented in this code provide standards for safe, connected and user-friendly pedestrian connections and pathways that join neighborhoods and buildings within a development.

A. Pedestrian Access and Circulation. To ensure safe, direct and convenient pedestrian circulation, all developments, except single-family detached housing (i.e., on individual lots), shall provide a continuous pedestrian and/or multi-use pathway system. (Pathways only provide for pedestrian circulation. Multi-use pathways accommodate pedestrians and bicycles.) The system of pathways shall be designed based on the standards in subsections (A)(1) through (5) of this section:

1. Continuous Pathways. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas whenever possible. The developer may also be required to connect or stub pathway(s) to adjacent streets and private property, in accordance with the provisions of FMC 19.162.020, Vehicular access and circulation, and the transportation standards in Chapter 19.165 FMC.

FINDINGS: The proposed pathway system provides a connection between the primary building entrance and NE Sandy Blvd. There are no future phases of development, adjacent trails, or public parks/open space nearby. This standard is met.

2. Safe, Direct, and Convenient Pathways. Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:

a. "Reasonably direct" means a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

b. "Safe and convenient" means bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

c. For commercial, industrial, mixed use, public, and institutional buildings, the "primary entrance" is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

d. For residential buildings the "primary entrance" is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard or breezeway, which serves as a common entrance for more than one dwelling.

FINDINGS: The pathway system provides direct and safe access from NE Sandy Blvd. to the primary building entrance (Exhibit B12 Revised Site Plan). This standard is met.

3. Connections within Development. For all developments subject to site design review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable.

FINDINGS: The two stair towers on the west and east side of the building will be used for emergency egress from the building to the side yards, and pedestrian ingress/egress from the interior garage to upper story residential units. The front (north) building entrance is the only entrance that will provide pedestrian access to the building from the outside.

Convenient pedestrian access is provided to the front entrance from all parking areas. A pedestrian path also provides a direct connection from the front building entrance to the trash/recycle storage area, which abuts the building on the north side. This standard is met.

FINDINGS: Outdoor pedestrian pathways are not required to connect the two stair towers on the west and east side of the building because they are not proposed to be used for resident/tenant entrance. The stair tower doors to the side yards shall be designed and marked for emergency egress only.

4. Street Connectivity. Pathways (for pedestrians and bicycles) shall be provided at or near midblock where the block length exceeds the length required by FMC 19.162.020. Pathways shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments, as applicable. Pathways used to comply with these standards shall conform to all of the following criteria:

FINDINGS: The block formation standard required for land divisions and large site developments in FMC 19.162.020(K) does not apply to this site. This standard does not apply.

5. Connections to Other Facilities. Proposed pathways shall be located to provide access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas and park and transit facilities. To the greatest extent possible, access shall be reasonably direct, providing a route or routes that do not deviate unnecessarily from a straight line or that do not involve a significant amount of out-of-direction travel.

FINDINGS: The surrounding land uses do not include any existing or planned commercial services or neighborhood facilities. This standard does not apply.

B. Design and Construction. Pathways shall conform to all of the standards in subsections (B)(1) through (B)(5) of this section:

1. Vehicle/Pathway Separation. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised six inches and curbed, or separated from the driveway/street by a five-foot minimum strip with bollards, a landscape buffer, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps.

FINDINGS: Pedestrian pathways are not proposed parallel or adjacent to a driveway or street. This standard does not apply.

2. *Housing/Pathway Separation. Pedestrian pathways shall be separated a minimum of five feet from all residential living areas on the ground floor, except at building entrances. Separation is measured as measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of Chapter 19.163 FMC, Landscaping, Street Trees, Fences and Walls. No pathway/building separation is required for commercial, industrial, public, or institutional uses.*

FINDINGS: Housing is not proposed on the ground floor. This standard does not apply.

3. *Crosswalks. Where pathways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials, humps/raised crossings.*

Condition of Approval: All pathways crossing a parking area or driveway must be clearly marked with contrasting paving material or humped/raised crossings.

4. *Pathway Surface. Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, at least six feet wide, and shall conform to ADA requirements. Multi-use paths (i.e., for bicycles and pedestrians) shall be the same materials, at least 10 feet wide. (See also Chapter 19.165 FMC, Transportation Standards for public, multi-use pathway standard.)*

FINDINGS: The Fairview Development code allows for two different pedestrian pathway widths. In addition to the 6 ft. standard noted above, the Public Facilities standards in FMC 19.165.025(K) "Transportation Improvements – Internal Pathways" call for internal pathways to be at least 5 ft. in width. The Planning Commission has previously found that a 5 ft. width complies with ADA requirements and that the differing requirements created an unintended conflicts, and have approved pedestrian pathways at the 5 ft. width.

The sidewalk adjacent to the north building elevation is 6' 6" and meets the required width standard. The west/east building sidewalks and pedestrian crosswalks through the parking lot are proposed at 5 ft. and meet the lesser of the pathway width standards in the development code. All sidewalks adjacent to the building will be concrete. This standard is met. See Exhibit B12 Revised Site Plan.

5. Accessible Routes. Pathways shall comply with the Americans with Disabilities Act, which requires accessible routes of travel.

Condition of Approval: Prior to the issuance of building permits, site development plans must comply with applicable ADA requirements.

Chapter 19.163 Landscaping, Street Trees, Fences and Walls

19.163.020 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. "Significant vegetation" means:

1. Significant Trees and Shrubs. Individual trees and shrubs with a trunk diameter of six inches or greater, as measured four feet above the ground (DBH), and all plants within the drip line of such trees and shrubs, shall be protected.

FINDINGS: A grove of mature trees is present along the east and northeast property line. This standard applies to the following significant vegetation currently on the site (see Exhibit B5 Landscape Plan and Exhibit A4 Arborist Report):

Size (dbh)	Species	Location
12"	Douglas fir	Just east of NE corner of proposed building
18"	Douglas fir	Just north of NE corner of proposed building
24"	Douglas fir	Just north of NE corner of proposed building
24"	Douglas fir	Landscape area – east side of site
24" (29" in Exhibit A5)	Douglas fir	Parking area – east side of site near driveway
36"	Douglas fir	Parking/landscape area –

		east side of site
36”	Douglas fir	NE corner of proposed building
36”	Douglas fir	NE corner of proposed building
48” (38” in Exhibit A5)	Douglas fir	Landscape area – east side of site
10”	Doug Fir (Western Red Cedar in Exhibit A5)	NE corner of site, just east of 48” fir

2. *Sensitive Lands. Trees and shrubs on sites that have been designated as “sensitive lands,” in accordance with Chapter 19.106 FMC, Natural Resource Regulations, and Chapter 19.105 FMC, Floodplain Overlay (e.g., due to slope, natural resource areas, wildlife habitat, etc.) shall be protected.*

FINDINGS: The site does not contain any sensitive lands as described in the Natural Resource or Floodplain Overlay sections.

3. *Exception. Protection shall not be required for plants listed as non-native, invasive plants by the Oregon State University Extension Service in the applicable OSU bulletins for Multnomah County.*

FINDINGS: None of the trees listed as significant vegetation are considered non-native, invasive plants.

C. *Mapping and Protection Required. Significant vegetation shall be mapped as required by this code. Significant trees shall be mapped individually and identified by species and size (diameter at four feet above grade, or “DBH”). A “protection” area shall be defined around the edge of all branches (drip-line) of each tree (drip lines may overlap between trees). The city also may require an inventory, survey, or assessment prepared by a qualified professional when necessary to determine vegetation boundaries, building setbacks, and other protection or mitigation requirements.*

D. *Protection Standards. All of the following protection standards shall apply to significant vegetation areas:*

1. *Protection of Significant Trees. Significant trees identified as meeting the criteria in subsection (B)(1) of this section shall be*

retained whenever practicable. Preservation may become impracticable when it would prevent reasonable development of public streets, utilities, or land uses permitted by the applicable land use district.

FINDINGS: The original site plan (Exhibit B8) maps significant vegetation by type and size, including a drip line for each tree. The applicant has provided an arborist report and tree protection plan (Exhibit A4) recommending preservation of three significant trees clustered at the northwest corner of the site. Two significant cedar trees are also located in the road easement immediately to the north. This grove of mature trees will provide a buffer between developments and aesthetic value to the site. The trees also provide shade, habitat, and protection from stormwater runoff to the development site.

All other significant trees will be removed to accommodate the building, front sidewalk, and parking area. The tree protection plan allows a mature grove of trees to be preserved while allowing reasonable development of the site.

Condition of Approval: The three trees listed below shall remain on site and protected before, during, and after construction by adhering to the tree protection plan (Exhibit A4). All construction plans and activity must comply with the tree protection plan.

Size (dbh)	**Species**	**Location**
24”	Douglas fir	Landscape area – east side of site
48” (38” in Exhibit A4)	Douglas fir	Landscape area – east side of site
10”	Douglas fir (Western Red Cedar in Exhibit A4).	NE corner of site, just east of 48” fir

2. *Sensitive Lands. Sensitive lands shall be protected in conformance with the provisions of Chapters 19.105 and 19.106 FMC.*

FINDINGS: There are no sensitive lands on the site. This standard does not apply.

3. *Conservation Easements and Dedications. When necessary to implement the Comprehensive Plan, the city may require dedication of land or recordation of a conservation easement to*

protect sensitive lands, including groves of significant trees. This will be addressed on a case by case basis.

FINDINGS: Conservation easements and/or dedications are not required.

19.163.025 Existing landscaping.

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

FINDINGS: This section applies to the proposed development.

B. Construction. All areas of significant vegetation shall be protected prior to, during, and after construction. Grading and operation of vehicles and heavy equipment is prohibited within significant vegetation areas, except as approved by the city for installation of utilities or streets. Such approval shall only be granted after finding that there is no other reasonable alternative to avoid the protected area, and any required mitigation is provided in conformance with Chapter 19.105 FMC, Floodplain Overlay and Chapter 19.106 FMC, Natural Resource Regulations.

FINDINGS: 10 existing trees are defined as "significant vegetation". Three of the 10 are required to be protected before, after, and during construction in accordance with the tree protection plan.

Condition of Approval: Grading and operation of vehicles and heavy equipment is prohibited within significant vegetation areas, as described in the tree protection plan (Exhibit A4).

C. Exemptions. The protection standards in FMC 19.163.020(D) shall not apply in the following situations:

1. Dead, Diseased, and/or Hazardous Vegetation. Vegetation that is dead or diseased, or poses a hazard to personal safety, property or the health of other trees, may be removed. Prior to tree removal, the applicant shall provide a report from a certified arborist or other qualified professional to determine whether the subject tree is diseased or poses a hazard, and any possible treatment to avoid removal, except as provided by subsection (C)(2) of this section.

2. Emergencies. Significant vegetation may be removed in the event of an emergency without land use approval when the vegetation poses an immediate threat to life or safety, as determined by the planning director. The planning director shall prepare a notice or

letter of decision within 10 days of the tree(s) being removed. The decision letter or notice shall explain the nature of the emergency and be on file and available for public review at City Hall.

FINDINGS: A 29 in. Douglas fir is proposed to be removed because it is hazardous condition, as determined in the tree report (Exhibit A4).

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: Site design review is required and this section applies.

B. Landscaping Plan Required. A landscape plan is required at the time of design review or other pertinent applications. All landscape plans shall conform to the requirements in FMC 19.420.020 (E), Landscape plans.

FINDINGS: A landscape plan has been submitted as part of the design review application (Exhibit B5). This standard is met.

C. Landscape Area Standards. The minimum percentage of required landscaping equals:

5. Corridor commercial district: five percent of the site.

FINDINGS: The total site area is 34,063 SF. A total of 5,606 SF of landscaping will be provided, or 16.4%. This standard is met. (See Exhibit B12 Revised Site Plan).

D. Landscape Materials. This section provides guidelines that ensure significant vegetation growth and establishment using a variety of size specifications and coverage recommendations.

Landscape materials include trees, shrubs, ground cover plants, nonplant ground covers, and outdoor hardscape features, as described below:

1. Native Vegetation. Native vegetation shall be preserved or planted where practicable.

FINDINGS: The landscape plan includes native vegetation such as Mountain hemlock, Douglas' spirea, Creeping orange grape, Pacific wax myrtle, and Western strawberry. See Exhibit B5 Landscaping Plan. This standard is met.

2. *Plant Selection. A combination of deciduous and evergreen trees, shrubs and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions. As necessary, soils shall be amended to allow for healthy plant growth.*

FINDINGS: A variety of trees, shrubs, and ground covers will be used to fit the space and provide screening and shade. All plants chosen are well suited for the local climate. This standard is met.

3. *Non-native, invasive plants, as per FMC 19.164.020(B), shall be prohibited.*

FINDINGS: Non-native plants are not proposed. This standard is met.

4. *Hardscape features (i.e., patios, decks, plazas, etc.) may cover up to 15 percent of the required landscape area. Swimming pools, sports courts and similar active recreation facilities may not be counted toward fulfilling the landscape requirement.*

FINDINGS: The concrete pavers adjacent to the parking spaces are the only hardscape features proposed as part of the landscaping and do not cover 15% of the required 5% landscaping. This standard is met.

5. *Nonplant Ground Covers. Bark dust, chips, aggregate or other nonplant ground covers may be used, but shall cover no more than five percent of the area to be landscaped. "Coverage" is measured based on the size of plants at maturity or after five years of growth, whichever comes sooner.*

FINDINGS: Nonplant ground covers are not included in the landscape plan. The applicant meets the minimum landscaping requirements. This standard is met.

6. *Tree Size. Trees shall have a minimum caliper size of 1.5 inches or greater, or be six feet or taller, at time of planting.*

FINDINGS: All of the proposed trees will be 1.5 inch caliper at the time of planting (See Exhibit B5 Landscaping Plan). This standard is met.

7. *Shrub Size. Shrubs shall be planted from one-gallon containers or larger.*

FINDINGS: All of the proposed shrubs will be from 1 or 2 gallon containers at time of planting (See Exhibit B5 Landscaping Plan). This standard is met.

8. Ground Cover Size. Ground cover plants shall be sized and spaced so that they grow together to cover a minimum of 80 percent of the underlying soil within three years.

FINDINGS: Ground cover will include Western strawberry and turf. The applicant narrative indicates the groundcover will be designed to cover 80% of the underlying soil within three years. This standard is met.

9. Significant Vegetation. Significant vegetation preserved in accordance with FMC 19.163.020 may be credited toward meeting the minimum landscape area standards. Credit shall be granted on a per square foot basis. The street tree standards of FMC 19.163.040 may be waived when trees preserved within the front yard provide the same or better shading and visual quality as would otherwise be provided by street trees.

FINDINGS: The significant vegetation to be preserved on site is located in a proposed landscaped area and will be counted towards the meeting the landscape standards.

10. Stormwater Facilities. Stormwater facilities (e.g., detention/retention ponds and swales) shall be landscaped with water tolerant, native plants.

FINDINGS: A 300 SF water quality planter is proposed at the northwest corner of the site. The storm facility with be planted with Pacific wax myrtle, Douglas spirea, and common rush, all native plants. This standard is met.

E. Landscape Design Standards. The landscape design standards provide guidelines within setback areas, parking areas, etc.

All yards, parking lots and required street tree planter strips shall be landscaped in accordance with the provisions of this chapter. Landscaping shall be installed with development to provide erosion control, visual interest, buffering, privacy, open space and pathway identification, shading and wind buffering, based on the following standards:

1. Yard Setback Landscaping. Landscaping shall satisfy the following criteria:

a. Provide visual screening and privacy within side and rear yards; while leaving front yards and building entrances mostly visible for security purposes;

b. Use shrubs and trees as windbreaks, as appropriate;

c. Retain natural vegetation, as practicable;

d. Define pedestrian pathways and open space areas with landscape materials;

e. Provide focal points within a development, such as signature trees (i.e., large or unique trees), hedges and flowering plants;

f. Use trees to provide summer shading within common open space areas, and within front yards when street trees cannot be provided;

g. Use a combination of plants for year-long color and interest;

h. Use landscaping to screen outdoor storage and mechanical equipment areas, and to enhance graded areas such as berms, swales and detention/retention ponds.

FINDINGS: The site plan proposes setbacks and setback landscaping along all perimeters to buffer impacts to adjacent properties and improve site aesthetics. The proposed setback landscaping meets this standard by using trees and shrubs for screening, windbreaks, and shade. The landscape plan also utilizes a combination of plants for year-long color and interest.

2. Parking Areas. A minimum of five percent of the combined area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of an evenly distributed mix of shade trees with shrubs and/or ground cover plants. "Evenly distributed" means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy. At a minimum, one tree per five parking spaces total shall be planted to create a partial tree canopy over and around the parking area. All parking areas with more than 20 spaces shall include landscape islands with trees to break up the

parking area into rows of not more than 12 contiguous parking spaces. All landscaped areas shall have minimum dimensions of four feet by four feet to ensure adequate soil, water, and space for healthy plant growth.

FINDINGS: The total exterior parking area is 9,452 SF and the parking area landscaping is 2,732 SF or 28.9%. A total of 10 parking lot trees will be provided for 29 exterior parking spaces, including the 3 significant trees to be preserved on-site. Trees and shrubs are evenly distributed around the parking lot perimeter to provide a partial canopy. All landscape areas have a minimum dimension of 4 ft. x 4 ft. See Exhibit B12 Revised Site Plan and Exhibit B5 Landscape Plan. This standard is met.

Condition of Approval: The landscape plan does not reflect the new location of the trash enclosure and pedestrian pathway connecting NE Sandy Blvd. to the building entrance. The final location of the parking lot trees shall be in the same general location as indicated on the landscape plan.

3. Buffering and Screening Required. Buffering and screening are required under the following conditions:

a. Parking/Maneuvering Area Adjacent to Streets and Drives. Where a parking or maneuvering area is adjacent and parallel to a street or driveway, a decorative wall (masonry or similar quality material), arcade, trellis, evergreen hedge, or similar screen shall be established parallel to the street or driveway. The required wall or screening shall provide breaks, as necessary, to allow for access to the site and sidewalk by pedestrians via pathways. The design of the wall or screening shall also allow for visual surveillance of the site for security. Evergreen hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number and spacing to provide the required screening within one year after planting. Any areas between the wall/hedge and the street/driveway line shall be landscaped with plants or other ground cover. All walls shall be maintained in good condition, or otherwise replaced by the owner.

FINDINGS: An evergreen hedge using Darwin's barberry is proposed between Sandy Blvd and the parking area. A break is proposed in the hedge to allow pedestrian access from Sandy Blvd. Occasional trees and a grass lawn will be planted in the remaining front setback area. This standard is met.

b. Parking/Maneuvering Area Adjacent to Building. Where a parking or maneuvering area, or driveway, is adjacent to a building, the area shall be separated from the building by a raised pathway, plaza, or landscaped buffer no less than four feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect buildings from being damaged by vehicles. When parking areas are located adjacent to residential ground-floor living space, a landscape buffer is required to fulfill this requirement.

FINDINGS: A 6 ft. 6 in. wide raised sidewalk is proposed between the parking area and the building. This standard is met.

c. Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas, and Automobile-Oriented Uses. All mechanical equipment, outdoor storage and manufacturing, and service and delivery areas, shall be screened from view from all public streets and residential districts. Screening shall be provided by one or more of the following: decorative wall (i.e., masonry or similar quality material), evergreen hedge, non-see-through fence, or a similar feature that provides a non-see-through barrier. Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation, in accordance with Chapter 19.162 FMC, Access and Circulation.

FINDINGS: An enclosed area for trash and recycling is proposed near the northwest corner of the building. The storage area will be screened from NE Sandy Blvd by the hedge and trees along the street frontage. Walls and two swinging gates will provide additional screening.

19.163.040 Street trees.
The guidelines provided in this section promote healthy street trees and adequate canopy cover to provide shade, reduce stormwater runoff, and improve the appearance of a development.

FINDINGS: NE Sandy Blvd. is a county road and street tree requirements are under the jurisdiction of Multnomah County. This standard does not apply. Exhibit C1 provides full comments and requirements from Multnomah County.

19.163.050 Fences and walls.

The fences and walls section provides height limits for construction of new walls. The guidelines prevent walls that reduce pedestrian connectivity and sight clearance. The standards also provide guidelines relating to maintenance.

The following standards shall apply to all fences and walls:

A. General Requirements. All fences and walls shall comply with the standards of this section. The city may require installation of walls and/or fences as a condition of development approval, in accordance with conditional use permits or site design review. Walls built for required landscape buffers shall comply with FMC 19.163.030.

B. Dimensions.

1. The maximum allowable height of fences and walls is six feet, as measured from the lowest grade at the base of the wall or fence, except that retaining walls and terraced walls may exceed six feet when permitted as part of a site development approval, or as necessary to construct streets and sidewalks. A building permit is required for walls exceeding six feet in height, in conformance with the Uniform Building Code.

FINDINGS: The existing metal fence along the west and south property lines will remain on site. A new 6 ft. tall wood fence will be constructed along the east property line, adjacent to the mobile home park. See Exhibit B12 Revised Site Plan. This standard is met.

2. The height of fences and walls within a front yard setback shall not exceed four feet (except decorative arbors, gates, etc.), as measured from the grade closest to the street right-of-way.

3. Walls and fences to be built for required buffers shall comply with FMC 19.163.030.

FINDINGS: No buffers are required for this site in the CC zone. This standard does not apply.

4. Fences and walls shall comply with the vision clearance standards of FMC 19.162.020.

FINDINGS: No fences or walls are proposed in the vision clearance area. This standard is met.

C. Maintenance. For safety and for compliance with the purpose of this chapter, walls and fences required as a condition of development

approval shall be maintained in good condition, or otherwise replaced by the owner.

Condition of Approval: Fences are walls constructed as part of this development shall be maintained in good condition or otherwise replaced by the owner.

D. Fences – Recreational Courts.

E. Swimming Pool Fences.

F. Barbed Wire Fencing.

G. Electrically Charged or Sharp Pointed Fencing.

H. Critical Facility Security Fences.

FINDINGS: Recreational courts, swimming pool fences, barbed wire fencing, electrically charged/sharp pointed fencing, and critical facility security fencing are not proposed. Standards D-H above do not apply.

Chapter 19.164 Vehicle and Bicycle Parking
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.

FINDINGS: Site design review is required as part of this application and this chapter applies.

19.164.030 Vehicle parking standards.
A. The minimum number of required off-street vehicle parking spaces (i.e., parking that is located in parking lots and garages and not in the street right-of-way) shall be determined based on the standards in Table 19.164.030.A.

Type of Use	Parking Ratio	Proposed # Units/SF	Min. # Spaces Required
Studio <500 SF	1 space per unit	3	3
One bedroom >500 SF	1.25 spaces per unit	27	33.75
Two bedroom	1.5 spaces per unit	18	27
General office	2.7 spaces per 1,000 SF	800 SF	2.16
Total number of spaces required			**65.91**
Total number of spaces proposed			**66**

B. Credit for On-Street Parking.

1. The credit for on-street parking allows a reduction of one off-street parking space for every one on-street parking space adjacent to the development if deemed appropriate by the city.

FINDINGS: The applicant is not seeking credit for on street parking, and on-street parking is not permitted for new development along Sandy Blvd. as part of the Urban Arterial roadway cross section. This standard does not apply.

C. Parking Location and Shared Parking.

1. Location. Vehicle parking is allowed only on approved parking shoulders (streets), within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this code. Specific locations for parking are indicated in Article II of this title for some land uses (e.g., the requirement that parking be located to side or rear of buildings, with access from alleys, for some uses). (See also Chapter 19.162 FMC, Access and Circulation.)

FINDINGS: Vehicle parking will be located in a ground floor garage and outdoor surface level lot. The proposed location meets the location requirements outlined in Article II. This standard is met.

2. Off-Site Parking. Except for single-family dwellings, the vehicle parking spaces required by this chapter may be located on another parcel of land, provided the parcel is within 500 feet walking distance of the use it serves. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.

FINDINGS: No off-site parking is proposed.

3. Mixed Uses. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street vehicle parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (i.e., the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly.

FINDINGS: The required parking was calculated using the sum of the residential and commercial uses. This standard is met.

4. *Shared Parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use.*

FINDINGS: The applicant is not proposing shared parking facilities. This standard does not apply.

5. *Availability of Facilities. Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers and/or employees, as applicable. Signs shall conform to the standards of Chapter 19.170 FMC, Sign Regulations.*

D. *Maximum Number of Parking Spaces. The number of parking spaces provided shall not exceed the standards in the following table:*

Use	***Max in Transit/Ped Areas***	***Max in Non-Transit Areas***	***Proposed***
General office	3.4 per 1,000 SF	4.1 per 1,000 SF	2.7 per 1,000 SF
Residential	none	none	64

FINDINGS: The proposed parking does not exceed the allowed maximum. This standard is met.

E. *Parking Management. The planning director may require a parking management plan for development of any use that requires more than 10 parking spaces based on the minimum parking spaces provided in Table 19.164.030.A.*

FINDINGS: Parking management issues related to the mixed use nature of the development are not anticipated. The development meets the minimum parking requirements and a management study is not required.

F. Parking Stall Standard Dimensions and Compact Parking Spaces. All off-street parking stalls shall be improved to conform to city standards for surfacing, stormwater management and striping, and provide dimensions in accordance with the following table. Disabled person parking shall conform to the standards and dimensions of this chapter. The number of compact parking spaces shall not exceed 40 percent of all parking spaces provided on site.

FINDINGS: A total of 26 of the 66 parking spaces (39.39%) are proposed to be compact. This standard is met.

Condition of Approval: Prior to final occupancy, all off-street parking stalls shall be improved to conform to city standards for surfacing, stormwater, and striping.

G. Variances. Developments may request exceptions to the parking standards; see FMC 19.520.030(A)(4).

FINDINGS: The applicant is not requesting a parking variance.

H. Disabled Person Parking Spaces. The following parking shall be provided for disabled persons, in conformance with the Americans with Disabilities Act (ADA)

FINDINGS: A parking area with 66 parking spaces requires one ADA space with a 96 in. wide access aisle and two ADA spaces with 60 in. wide access aisles. The proposed parking area includes two ADA spaces with a 96" wide aisle access and one space with a 60" wide aisle access. This standard is met.

I. In parking lots three acres and larger intended for use by the general public, pedestrian pathways shall be raised or separated from parking, parking aisles and travel lanes by a raised curb, concrete bumpers, bollards, landscaping or other physical barrier. If a raised pathway is used, curb ramps shall be provided in accordance with the Americans with Disabilities Act Accessibility Guidelines.

FINDINGS: The proposed parking is not over 3 acres. This standard does not apply.

19.164.040 Bicycle parking standards.
All uses which are subject to site design review shall provide bicycle parking, in conformance with the following standards, which are evaluated during site design review:

A. Number of Bicycle Parking Spaces. A minimum of two bicycle parking spaces per use is required for all uses with greater than 10 vehicle parking spaces. The following additional standards apply to specific types of development:

1. Multifamily Residences. Every residential use of four or more dwelling units shall provide bicycle parking spaces according to the following standards:

a. Short-term bicycle parking shall be provided at a ratio of one bicycle space for every 10 vehicle parking spaces and shall be located within 30 feet of the main entrance to the building, in a location that is easily accessible for bicycles.

FINDINGS: 64 vehicle parking spaces are required for the multifamily use, which requires a minimum of 7 short-term bicycle parking spaces. A total of 8 short-term bicycle parking spaces are proposed near the main building entrance, including 7 for the residential building users. See Exhibit B12 Revised Site Plan This standard is met.

b. Long-term bicycle parking shall be provided at a ratio of one bicycle space per dwelling unit. Sheltered bicycle parking spaces may be located within a garage, storage shed, basement, utility room or similar area. In those instances in which the residential complex has no garage or other easily accessible storage unit, the bicycle parking spaces may be sheltered from sun and precipitation under an eave, overhang, an independent structure, or similar cover.

FINDINGS: 48 residential units are proposed and a minimum of 48 long-term bicycle parking spaces are required. A total of 56 long-term bicycle spaces will be provided, including 48 spaces for the residential building users. The long-term bicycle parking enclosure will be located at the SE corner of the parking garage, providing shelter and security. See Exhibit B8 Site Plan. This standard is met.

2. Commercial Retail, Office, and Institutional Developments. Commercial retail, office, and institutional developments shall provide bicycle parking spaces according to the following standards:

a. Short-term bicycle parking shall be provided at a ratio of one bicycle space for every 10 vehicle parking spaces and shall be located within 50 feet of the main entrance to the building, in a location that is easily accessible for bicycles.

Findings: 2.16 vehicle parking spaces are required for the commercial use, which translates to a requirement of one short-term commercial bike parking space. A total of 8 short term bicycle parking will be provided near the main building entrance, including 1 for commercial building users. This standard is met.

b. Long-term bicycle parking shall be provided at a ratio of one bicycle space per employee.

FINDINGS: It is estimated the 800 SF commercial space will employ a maximum of 8 employees. A total of 56 long-term bicycle spaces will be provided, including 8 spaces for employees. This standard is met.

3. Schools.

4. Colleges and Trade Schools.

5. Town Center Commercial District.

6. Multiple Uses.

FINDINGS: Subsections 3-6 above do not apply.

B. Exemptions. This section does not apply to single-family, two-family, and three-family housing (attached, detached or manufactured housing), home occupations, agriculture and livestock uses, or other developments with fewer than eight vehicle parking spaces.

C. Location and Design. Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one building entrance (e.g., no farther away than the closest parking space). It should be incorporated whenever possible into building design and coordinated with the design of street furniture when it is provided. Street furniture includes benches, streetlights, planters and other pedestrian amenities.

FINDINGS: The short term bicycle parking is located under the canopy near the primary building entrance, with direct access to Sandy Blvd. via the striped pedestrian aisle through the parking lot. The long term parking bicycle parking is

located near a side entrance to the garage with pedestrian access. This standard is met.

D. Visibility and Security. Bicycle parking should be visible to cyclists from street sidewalks or building entrances, so that it provides sufficient security from theft and damage.

FINDINGS: The short term bicycle parking is located near the front building entrance with good visibility. This standard is met.

E. Options for Storage. Bicycle parking requirements for long-term and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building.

FINDINGS: The long term bicycle parking is provided via a secure enclosure in the garage. This standard is met.

F. Lighting. Bicycle parking shall be at least as well lit as vehicle parking for security.

FINDINGS: Both bicycle parking locations will receive the same amount of light as the vehicle parking. This standard is met.

G. Reserved Areas. Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

Condition of Approval: Bicycle parking shall be clearly marked and reserved for bicycle parking only.

H. Hazards. Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards (Chapter 19.162 FMC, Access and Circulation).

FINDINGS: The short-term bicycle parking is proposed to be located in the 10 ft. 6 in. pedestrian walkway in front of the primary building entrance while retaining 6 ft. 6 in. of pathway clearance. This standard is met.

Chapter 19.165 Public Facilities Standards

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.

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. Improvements required as a condition of development approval that require a dedication of property for a public use, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact of the proposed development on public facilities.

E. Rough Proportionality Report. Where the applicant objects to the imposition of any applicable development standard under this chapter that required a dedication of property for a public use, the applicant must provide a rough proportionality report justifying an alternative level of improvements including:…

FINDINGS: NE Sandy Blvd. is a Multnomah County road. Any public improvement requirements associated the roadway shall meet Multnomah County standards (e.g. sidewalks, curb cuts, stormwater, etc.). All other public improvements are subject to the standards in this chapter.

19.165.025 Transportation improvements.

FINDINGS: Subsections A-J address public streets, which are under Multnomah County's jurisdiction. The proposal shall comply with all Multnomah County requirements for the design and construction of improvements along Sandy Blvd. See Multnomah County comments in Exhibit C1.

A previous payment in lieu of road improvements (PILO) has been paid to the County. If the previous PILO does not cover the cost of required improvements, the applicant may be required to pay additional funds.

Condition of Approval: Prior to final occupancy, the applicant shall meet all of the Conditions of Approval required by Multnomah County for transportation improvements (see Exhibit C1).

K. Internal Pathways. Pathways shall be at least five feet in unobstructed width and shall be constructed to sidewalk standards found in Standard Specifications for Public Works Construction, or according to Multnomah County or ODOT standards as applicable. The property owner shall keep a minimum of five feet of the pathway width clear of both permanent and temporary obstructions (e.g., utility poles, sandwich signs). Maintenance of internal pathways is the continuing obligation of the property owner or adjacent property owner. All work must comply with the city of Fairview public works construction standards.

FINDINGS: All pathways are at least 5 ft. in width. This standard is met.

Condition of Approval: Maintenance of internal pathways is the continuing obligation of the property owner. All work and future work must comply with the City of Fairview public works construction standards.

Standards L-O, Q-W, and Z:

FINDINGS: These standards do not apply. They address the creation of new streets and alleys, none of which are proposed.

P. 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.

Condition of Approval: Facilities within the Multnomah County right-of-way shall be constructed in accordance with County standards. Facilities constructed on-site shall meet the standards specified in FMC 19.162 Access and Circulation.

X. Mail Boxes. Plans for mail boxes to be used shall be approved by the United States Postal Service (USPS).

FINDINGS: Mailboxes are proposed in the lobby of the first floor.

Condition of Approval: Prior to final occupancy, mailboxes shall be installed in accordance with approved plans from USPS.

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

FINDINGS: The property is located within the mid-county lighting district and is subject to district standards.

Condition of Approval: Prior to final occupancy the applicant shall meet the street light requirements of mid-county lighting district.

19.165.030 Public use areas.
Public use areas implement Comprehensive Plan policies that may require a developer to reserve a piece of land for future park and open space to serve the residents of the new development. Specific issues to consider include the amount of time the city has to purchase parkland and whether dedication of park land should count as a credit towards SDCs.

Findings: Dedication of a future park or open space area is not appropriate for this site. This standard does not apply.

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

FINDINGS (water): A 10" PVC water main is available north of the site in NE Sandy Blvd.

Condition of Approval: Per the City of Fairview Standard Details, all public water systems must be located within public rights of way.

Condition of Approval: Existing water laterals that will not be used must be abandoned and capped at the main.

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

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.

FINDINGS (sewer): A 21" sanitary sewer main is available north of the site in NE Sandy Blvd.

Condition of Approval: Per the City of Fairview Standard Details, all public sewer systems must be located within public rights of way.

Condition of Approval: The applicant shall provide sanitary sewer capacity (in gpd) in writing to determine capacity accommodation with the City's existing sanitary sewer system designed capacity.

Condition of Approval: Existing sewer laterals that will not be used must be abandoned and capped at the main. If there is an existing private wastewater disposal system on site it shall be abandoned in accordance with the regulations of the Oregon Department of Environmental Quality.

Condition of Approval: Per the City of Fairview Standard Details, all public sewer systems must be located within public rights of way.

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.

Condition of Approval: Prior to the issuance of building permits the applicant shall provide the city with a final stormwater management plan and Stormwater Facility Operations & Maintenance agreement demonstrating compliance with the 2014 Portland Stormwater Management Manual.

19.165.060 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. All utility lines including, but not limited to, those required for electric, communication, lighting and cable television services and related facilities shall be placed underground, except for surface-mounted transformers, surface-mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above. The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities:

B. Easements. Easements shall be provided for all underground utility facilities.

C. Exception to Undergrounding Requirement. The standard applies only to proposed subdivisions. An exception to the undergrounding requirement may be granted due to physical constraints, such as steep topography, sensitive lands, Chapter 19.106 FMC, or existing development conditions.

FINDINGS: The applicant's narrative indicates all utilities will be placed underground. See Exhibit A1. This standard is met.

19.165.070 Easements.
The easements section provisions reserve adequate space for utilities.
Easements for sewers, storm drainage and water quality facilities, water mains, electric lines or other public utilities shall be dedicated on a final plat, or provided for in the deed restrictions. See also, Chapter 19.420 FMC, Development Review and Site Design Review and Chapter 19.430, Land Divisions and Lot Line Adjustments. The developer or applicant shall make arrangements with the city, the applicable district and each utility franchise for the provision and dedication of utility easements necessary to provide full services to

the development. The city's standard width for public main line utility easements shall be 20 feet unless otherwise specified by the utility company, applicable district, or city engineer.

FINDINGS: New utility easements dedicated to the City of Fairview are not required for this development.

19.165.080 Construction plan approval and assurances.
The construction plan approval portion ensures the completion of a development by a builder.

No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements, shall be undertaken except after the plans have been approved by the city, permit fee paid, and permit issued. The permit fee is required to defray the cost and expenses incurred by the city for construction and other services in connection with the improvement. The permit fee shall be set by the city council. The city may require the developer or subdivider to provide bonding or other performance guarantees to ensure completion of required public improvements.

Condition of Approval: Prior to beginning construction, all construction plans must be approved by the City and Multnomah County, development permit fees paid, and permits issued.

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. A registered civil engineer shall provide written certification in a form required by the city that all improvements, workmanship and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to city acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide three sets (one mylar, one electronic, one paper copy) of "as-built" plans, in conformance with the city engineer's specifications, for permanent filing with the city.

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.

Chapter 19.170 Sign Regulations

19.170.030 Sign permit required.

Sign permits are subject to a Type I review process. Building and electrical permits and corresponding inspections may be required based on size and weight requirements.

Condition of Approval: Any signs on the site, including monument signs for the development and building signs for the commercial uses, must obtain a sign permit and comply with FMC 19.170.

VII. CONCLUSION AND RECOMMENDATIONS

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 permit.

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.

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. 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 as described in FMC 19.415 Amendments to Decisions.

2. 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.

3. This approval for application 2018-21-DR CUP shall become null and void after two (2) years if construction activities has not commenced.

4. Prior to receiving permits all plans must be approved by the City, applicable fees paid, and permits issued.

5. Any signs on the site, including monument signs for the development and building signs for the commercial uses, must obtain a sign permit and comply with FMC 19.170.

6. To ensure the building functions as a mixed-use building including a commercial component envisioned by the Corridor Commercial zone, at least one of the commercial spaces must be occupied by a use that is not accessory to the primary residential use.

7. The pedestrian pathway connecting the wester stair tower to the All-Stor Storage property shall be used for emergency egress only. Signs shall be provided for the pathway and stair tower door leading to the pathway.

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. The applicant shall obtain a grading and erosion control permit from the Fairview Public Works Department. The City of Fairview permit shall be obtained 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 an updated drawing of the north facade that shows compliance with FMC 19.70.070(B)(1)(c).

2. Prior to the issuance of building permits the applicant shall prepare a final Fire Access and Water Supply Plan 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 C2.

3. Prior to the issuance of building permits the applicant shall provide the city with a final stormwater management plan and stormwater facility Operations & Maintenance Agreement in compliance with the 2016 Portland Stormwater Management manual.

4. Prior to issuance of building permits, site development plans must comply with applicable ADA requirements.

5. Prior to receiving a building permit the applicant shall submit a water connection application and pay all applicable fees.

6. Prior to issuance of building permits, the development shall meet fire flow verification standards set by Gresham Fire and Emergency Services.

7. Prior to issuance of building permits, the applicant shall provide sanitary sewer capacity (in gpd) in writing to determine capacity accommodation with the City's existing sanitary sewer system designed capacity.

8. Prior to beginning construction, all construction plans must be approved by the City and Multnomah County, development permit fees paid, and permits issued.

D. Landscaping/Street Trees

1. Prior to final occupancy, all vegetation shall be planted in the quantities, location, and sizes as shown on the Landscape Plan.

2. The property owner shall maintain all landscaped areas in perpetuity upon completion and they shall be kept free from weeds and debris and maintained in a healthy, growing condition and shall receive regular pruning, fertilizing, mowing and trimming. Any damaged, dead, diseased, or decaying plant material shall be replaced within 30 days.

3. The three significant trees identified for protection in Exhibit A4 shall remain on site and protected before, during, and after construction by adhering to the tree protection plan. All construction plans and activity must comply with the tree protection plan.

4. Grading and operation of vehicles and heavy equipment is prohibited within significant vegetation areas, as described in the tree protection plan (Exhibit A4).

5. The landscape plan does not reflect the new location of the trash enclosure and pedestrian pathway connecting NE Sandy Blvd. to the building entrance. The final location of the parking lot trees shall be in the same general location as indicated on the landscape plan.

E. Vehicle/Bike Parking and Pedestrian Access

1. All pedestrian access and circulation including any portion of raised walkway shall comply with ADA requirements.

2. All pathways crossing a parking area or driveway must be clearly marked with contrasting paving material or humped/raised crossings.

3. All off-street parking stalls shall be improved to conform to city standards for surfacing, stormwater, and striping.

4. Five (5) ADA parking spaces shall be marked and signed, per FMC 19.164.030.H.

5. Bicycle parking shall be clearly marked and reserved for bicycle parking only.

6. Maintenance of internal pathways is the continuing obligation of the property owner. All work and future work must comply with the City of Fairview public works construction standards.

F. Prior to Final Occupancy

1. Copies of any applicable CC&R's and Operations and Maintenance Agreements must be recorded and provided to the city.

2. All mail boxes shall be installed in accordance with approved plan from USPS.

3. Public Works shall approve backflow assembly devices to be installed at appropriate service locations.

4. All mechanical equipment and satellite dishes over one meter in size shall be screened from any pedestrian way or public right-of-way.

5. The applicant shall meet all of the Conditions of Approval required by Multnomah County for transportation improvements (see Exhibit C1).

8. The applicant shall meet the street light requirements of mid-county lighting district.

9. Facilities within the Multnomah County right-of-way shall be constructed in accordance with County standards. Facilities constructed on-site shall meet the standards specified in FMC 19.162 Access and Circulation.

10. Per the City of Fairview Standard Details, all public water systems must be located within public rights of way.

11. Existing water laterals that will not be used must be abandoned and capped at the main.

12. Existing sewer laterals that will not be used must be abandoned and capped at the main. If there is an existing private wastewater disposal system on site it shall be abandoned in accordance with the regulations of the Oregon Department of Environmental Quality.

13. Per the City of Fairview Standard Details, all public sewer systems must be located within public rights of way.

14. Public Works shall approve backflow assembly devices to be installed at appropriate service locations.

15. All onsite external lighting shall be designed and installed to have no off-site glare.

G. Multnomah County Transportation Conditions:

1. Prior to issuance of the Certificate of Occupancy, dedicate 5 feet of right-of-way along the site's Sandy Boulevard frontage to Multnomah County for road purposes.

2. Prior to issuance of the Certificate of Occupancy, dedicate a five-foot slope/utility/drainage/sidewalk/landscaping/traffic control device easement along the site's NE Sandy Boulevard frontage for the benefit of Multnomah County.

3. Prior to issuance of the Certificate of Occupancy, construct half-street improvements to Multnomah County standards along the site's Sandy Blvd and obtain a Construction Permit from Multnomah County for all improvements within the County right of way. Half street improvements include: Grade/rock/pave to commercial depth between existing pavement and new curb; Construct bicycle lanes as required; Furnish street trees as required; Furnish street lighting facilities as required; Construct Multnomah County standard concrete curb and 6-foot wide concrete sidewalk in compliance with ADA specifications; Install underground traffic control devices conduit and related equipment as required; Construct storm drainage facilities as required or provide payment to Multnomah County in-lieu of constructing the improvements.

4. Maintain sight distance at all access points on Sandy serving the property consistent with AASHTO requirements.

5. Any work in the right of way, including the removal of trees, lanscaping, encroachments

in the right-of-way or any increase in storm-water drainage from the site to the right of way will require review and a permit from Multnomah County.

6. Prior to issuance of the Certificate of Occupancy, acquire driveway permits for the site's access to NE Sandy Blvd.

7. Prior to issuance of the Certificate of Occupancy, a Level of Service (LOS) Analysis for the intersections of Sandy/Fairview Parkway, the driveways and Sandy Blvd, and 223rd/Sandy Blvd. shall be completed and submitted to the county for review. If impacts are found, the developer shall mitigate impacts.

Exhibit A1

AXIS DESIGN GROUP
ARCHITECTURE & ENGINEERING, INC.

FAIRVIEW VILLA APARTMENTS

A MIXED USE DEVELOPMENT

Design Review Application

March 20, 2018

PREPARED FOR:
Fairview Villa Apartments
Fairway Properties 1, LLC
20922 N.E. Sandy Blvd.
Fairview, OR 97024

11104 S.E. STARK ST., PORTLAND, OR 97216 | 52 N.W. 2ND ST., GRESHAM, OR 97030 | 503.284.0988 | AXISDESIGNGROUP.COM

Exhibit A1

Exhibit A1

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19.164 – Automotive and Bike Parking **9-10**

19.165.025 – Transportation Improvements **10**

19.165.030 – N/A **10**

19.165.040 – Sanitary Sewer and Water Service Improvements **10**

19.165.050 – Storm Drainage **10**

19.165.060 - Utilities **11**

19.165.070 - Easements **11**

INTRODUCTION TO DEVELOPMENT PROJECT

i. General Information

Applicant (Owner):	**Les Bick**
Address:	Fairway Properties 1, LLC 3561 N.E. 215th Court Fairview, OR 97024
Phone:	(503) 328-6282
Email:	lesbick@comcast.net
Project Location:	20922 N.E. Sandy Blvd. Fairview, OR 97024
Application Type:	Design Review
Property ID:	R575543
County:	Multnomah County
State ID (Primary):	1N3E288BD 904
Alt Account #:	R649856860
Site Size:	0.78 Acres – 34,063 S.F
Use:	Mixed Use – Residential/Commercial
Zoning:	CC Corridor Commercial
Architect:	**Bill Whitney**
	AXIS Design Group Architecture & Engineering, Inc.
Address:	52 N.W. 2nd Street Gresham, OR 97030
Phone:	(503) 667-4252
Fax:	(503) 546-9276
Email:	BillW@axisdesigngroup.com
Civil Engineer:	**Tom Sisul**
	Sisul Engineering
Address:	375 Portland Avenue Gladstone, OR 97027
Phone:	(503) 657-0188
Email:	TomSisul@sisulengineering.com
Landscape Architect:	**Ms. Gregg S. Everhart ASLA**
	Everhart Landscape Architecture, LLC
Address:	4014 S.E. Taylor Street Portland, OR 97214
Phone:	(503) 235-1815
Email:	gseverhart@gmail.com

ii. Summary of Application

This application includes the required City application form, preliminary project plans, required application fee, and all other required information. This application has been prepared pursuant to direction provided at a Pre-Application Conference held with city staff and subsequent correspondence with city staff 1/11/18.

iii. Existing Conditions

0.78 acres at 20922 N.E. Sandy Boulevard. Parcel #R575543. Tax Lot #1N3E28BD00904. Zoned Corridor Commercial.

North: The property fronts along N.E. Sandy Boulevard.
South: This part of the parcel is adjacent to the, 'ALL-STOR Storage - Self Storage' units. (Corridor Commercial Zone)
East: The property is next to the, 'Quail Hollow Mobile Home Park'. (R/MH Zone)
West: the shared-access driveway forms the west side of the property. (Corridor Commercial Zone)

The site is basically flat, with a slight sloping from the S.E. corner toward the N.W. corner.

iv. Proposed Development

To build a four-story mixed use development as permitted by the Corridor Commercial Zoning. The structure will contain 61,104 S.F., consisting of (27) one-bedroom apartments, (18) two-bedroom units, (3) studios, and 500 S.F. of office space. There will be (38) secured parking spaces within the building's first floor, plus (29) spaces outside the building including compact and (2) accessible spaces. Tenant storage units and (48) long-term bicycle spaces will also be provided within and adjacent to the garage parking area. The required parking for the entire project is (64) spaces which is what our plans show. Eight short term bike spaces are provided in front of the building.

There will be two access points from Sandy Blvd. The primary access will be from a driveway on the northeast side of the street frontage. Secondary access will be shared driveway along the west border of the property. This access will be shared, as called for in a recorded deed, with the 'ALL-STOR Storage' facility to the west and south of the property. The ten foot setbacks on the East, South, and West sides of the building will provide space for landscaping and small decks. Additional landscaping, play area for children, benches and picnic area may also be provided for tenants and guests on the roof (second floor) of the commercial/office space.

Planned height of the building will be 45 feet to the roof eave. A Conditional Use Approval is being sought to permit the roof height to be extended higher. Actual roof height will be 51' – 6" per the FDC 19.85.060 standard of measurement. This will result in an appealing residential character with sloped roof. The upper units may have vaulted ceilings. A sloped roof will also help to avoid leaking problems associated with a flat roof.

Required landscaping is 5% of the site (1,703 S.F.). 5,298 S.F. will be provided around the perimeter of the building, at the N.W. corner of the property, and on top of the commercial/office space. The trash/recycling containers will be enclosed per FDC standards and located at the N.W. corner as well. Columnar shaped trees will be planted around the perimeter of the site.

All utilities serve the parcel. The adjacent parcels contain a storm water planter which will be part of the storm water management system for this project. A water quality planter will be integrated into the landscaped area along the Sandy Blvd. frontage. Site Lighting will be included with a Photometric Plan that will be submitted with the Building Permit application Drawings. We'll need the input of our Lighting Consultant to determine proper fixture selection, location, and lot coverage.

19.70.020 – Permitted Land Use

Mixed use (apartment/office) is allowed per 4. Commercial (e). Mixed Use as noted in Table 19.70.020.A

19.70.030 – Corridor Commercial Setback Standards

Building setbacks are flexible to allow parking to be located near the entrance of new commercial development.

1. Front setbacks. Minimum allowable front setback is zero feet. There is no maximum front setback. Actual setback is 49' – 10" at the N.E. property corner.
2. Rear setback. Minimum rear setback for all structures shall be zero feet for street-access lots. Actual setback is 10'.
3. Side setback. There is no minimum side setback required, except that buildings shall conform to vision clearance standards in Chapter 19.162 FMC, the landscape and buffering requirements in Chapter 19.163 FMC and applicable fire and building codes. Actual side setback is 10' on the west and 11' on the east.

   19.162 FMC is not applicable because building setback from N.E. Sandy Blvd.

   19.163.030 requires a minimum of 5% of the site area be landscaped for projects requiring site design approval.

   19.163.040 requires street trees for projects requiring site design review.

   19.163.050 fences and walls restricts the height of any fences to 6 FT or 4 FT along street frontages.

19.70.040 – Lot Coverage

There are no maximum lot coverage or floor area ratio requirements that would restrict this project.

19.70.050 – Site Layout and Building Orientation

B. Pedestrian Access Standard
   1. From adjoining street right of way to building entrances and off street parking.
   2. N/A
   3. Conformity with requirements of 19.162 Access and Circulation. Use of both existing north driveway at Sandy Blvd. and the west driveway to the shared access provide efficient site circulation good access to both points of entry/exit to covered parking under the building. They also are the preferred circulation system of the Gresham Fire Department.

C. Building Orientation Standard
   1. The building main entrance faces Sandy Blvd. and is located to provide proper sight lines for safety and convenience it will be connected to the Sandy frontage with a pedestrian walk. The entry will be covered by a large canopy providing space also for bench and short term bike parking.

2. Off street parking is located between the building and the street for maximum visibility, convenience and safety. Residents require the use of their cars as this is not a pedestrian type part of town. The covered enclosed portion of parking is preferred for resident security.

19.70.060 – Building Height

A. Maximum height shall be no more than 45 feet. A conditional use approval is being applied for permitting up to 55 feet of height.
B. Method of measurement. Actual height is 51' – 6" per FMC 19.85.060 standard of measurement.
C. Performance option allows for increase to 55 feet as part of Conditional Use Permit.

19.70.070 – Architectural Guidelines and Standards

1. Pedestrian Oriented Design
    a. Corner lot – N/A
    b. Windows – window shapes and sizes will be fairly simple and repetitive for a well integrated appearance. Sliding glass doors at decks will be recessed and all vinyl windows will have 5/4 x 4 wood trim. The common area and commercial tenant space on the ground floor will be large aluminum store front windows.
    c. Same as (b.) above.
    d. Roof will be sloped with 4:12 pitch. Eave overhang will be 2' at the building perimeter. The roof over the central common area and commercial tenant space will be flat. A canopy will extend out over the main entrance providing cover for short term bike parking, bench, and a portion of the front walk.

2. Design of Large Scale Buildings – N/A

19.70.080 – Pedestrian and Transit Amenities

B. Guidelines and Standards
    1-3. An extra wide sidewalk (10' – 6" deep) is proposed for the area adjacent to the main entrance. It will be 40' wide and covered by canopy extending 8' out from the face of the building. It will have space for short term bike parking and a bench.
    4-5. N/A

19.70.090 – N/A

19.426.030 – Upgrade Existing Development

19.530 – Non Conforming Uses and Development - Existing building(s) on the site will be demolished.

19.162.020 – Vehicular Access and Circulation

The existing driveway location is to be retained and improved. We are in the process of securing an access permit from Multnomah County. We are also seeking a determination on frontage public improvements or payment in lieu of. We will be dedicating property per Fairview and Multnomah County direction for future street widening and slope/drainage/sidewalk/landscaping/easement.

19.163 – Landscaping, Significant Vegetation, Street Trees, Fences and Walls

Landscape description: The building is on the south side of the site to provide more space for landscaping along Sandy Blvd., as well as more distance from street noise for residents. Two types of deciduous trees and evergreen conifer surround the parking lot in order to provide shade and wind protection. The new conifers are located in the northeast portion of the site in order to block east winds. A buffer or evergreen shrubs next to parking lot and in storm water planter will screen parking from the road. Various types of evergreen shrubs and deciduous trees are located to west, south and east of building. Each tree or shrub was selected to thrive in the growing conditions which range from nearly full shade on the east to full sun on southern exposure. The trees are columnar and placed to either shade windows or frame views of Mt. Hood.

19.163.010 – Landscape Conservation

All existing vegetation is shown on the Existing Conditions drawing. The largest trees are along north end of east property line. Unfortunately, preserving all the existing trees is impracticable since it prevents reasonable development of the building permitted on the site, including the required parking. Two 36” dbh Douglas firs are located too close to an existing shed that will be demolished to survive. That part of the site is part of the proposed building. An additional 12”, 18” and 24” dbh Douglas fir are located so close to the proposed building that their root zones would also be negatively impacted. Another 24” and 36” Douglas fir are located in or right next to required parking. The remaining trees (24” and 12” dbh cedar in r/w and 10” dbh Douglas fir on site) will be removed because they are likely to be destabilized due to removal of neighboring trees and grading and construction of driveway and parking.

19.163.025 – Existing Landscaping

Connecting the new west driveway to the existing driveway to storage facility will require removal of one hornbeam tree on the neighboring property. Most of the existing site is building, concrete slab or gravel. Topsoil for the rest of the site will be stockpiled for reuse in landscaped areas.

19.163.025 (C) (1) Although they do not meet the standard of being 6” or greater dbh trees, there are remnants of an arborvitae hedge parallel to Sandy Blvd. They have matured and are beginning to lose branches and their location will impede vision of and from cars leaving the site for Sandy Blvd., making them hazardous. These are located in the area of future street improvements and will be removed.

19.163.030 – New Landscaping

C. Landscape Area Standards – The minimum percentage of required landscape for a Corridor Commercial District is 5% of the site. This site of 0.79 acres has 5,721 S.F. of landscaped area (16.8%).

D. Landscape Materials – The proposed trees, shrubs and groundcovers and their proposed sizes are shown on the Landscape Plan. The *Berberis repens, Tsuga mertensiana, Myrica californica, Fragaria chiloensis* and *Spiraea*

douglasii are all native. The rest of the trees and shrubs are species and cultivars chosen to fit space, provide screening and shade, and thrive. No invasive plants are used. The only non-plant "groundcover" are: pavers adjacent to parking spaces and a two foot band of gravel mulch between shrubs and building on east and south sides. Plan sizes meet or exceed the minimum requirements. The *Berberis repens* and *Fragaria chiloensis* will grow as groundcovers and provide more than 80% coverage within three years. The storm water planter will be planted with the *Myrica californica* and *Spiraea douglasii* (as shown) plus 72 *Juncus effusus*/100 sq. ft.

E. (1a-h) – Landscape Design Standards – This land use does not require setbacks but at least 10' setback is provided on every side. The west setback will add a columnar cultivar of the tree on neighbor's property and extend the turf area. The south setback will have two heat tolerant species of trees and shrubs. The trees will eventually shade some of the windows and block views between balconies while the line of evergreen shrubs will screen the neighboring properties chain-link fence. The trees and shrubs on the eastern side will get a limited amount of sunlight between existing wood fences and proposed building but the vegetation will enhance view of building from the existing residences.

E. (2) – Parking Areas – The landscaped area around the parking exceeds the 5% requirement. Although the building itself will provide substantial shade to the parking lot, the trees next to the building highlight the building entry. More than the one tree per five parking spaces are provided around the parking area. It has no areas with more than twelve contiguous parking spaces. All planting spaces are 4' or wider.

F. (3) Buffering and Screening
   a. Parking/Maneuvering Area Adjacent to Streets and Drives. An evergreen hedge is proposed parallel to the parking area. This is not the more typical location (parallel to the adjacent street) as it allows a more generous landscaped area next to Sandy Blvd. The proposed evergreen shrubs will provide the required 36" in height at maturity and a larger pot size is used in order to ensure required screening within a year after planting.
   b. Parking/Maneuvering Area Adjacent to Building. There is a raised pathway between the building and adjacent head-in parking. It is wide enough so that overhanging portions of vehicles will not block pathway nor damage the building.
   c. Screening of Service Areas. There is an enclosed area for trash and recycling in northwest corner of parking lot. Three sides are concrete block with access gate on south. The evergreen shrubs that screen the parking lot extend along north side of this service area.

19.163.040 – Street Trees

No street trees are proposed. They shall be deferred until the construction of curbs and sidewalks. We are proposing that public improvements (street trees, curb and sidewalk) along the Sandy Blvd., frontage be deferred through a payment in lieu of (PILO) arrangement with Multnomah County.

19.163.050 – Fences and Walls

Existing fences on neighboring properties to east and west will be preserved but screened with hedges of evergreen shrubs. Existing conditions plans show fences to east and north sides of site that will be removed. No new fencing is proposed.

19.164 – Automotive and Bike Parking

Minimum parking

(27) one-bedroom apartments	27 x 1.25 =	33.75
(18) two-bedroom apartments	18 x 1.5 =	27
(3) studios	3 x 1 =	3
		63.75 stalls

Commercial Tenant Space

1,000 S.F. @ 2.7 space/1000 S.F.	.1 x 2.7 =	2.7
Total Parking Required	66.4 =	67
Parking Provided		67

On street parking/shared – N/A
Max. parking – N/A
Stall dimensions – Standard (9' x 19') – 40 spaces provided | Compact (7.5' x 15') – 27 spaces provided

Bike Parking

Short Term	1 space/10 parking space =	7
	1 space/10 parking space =	1
	Total provided	8
Long Term	Multi Family – 1 space/dwelling unit	48
	Commercial – 1 space/employee	8 Max.
	Total Required. & Provided	56

19.165.025 – Transportation Improvements

The adjacent street to the site is Sandy Blvd., a Multnomah County road right-of-way. The County has previously been paid a fee in lieu of (PILO) for frontage improvements. If it doesn't cover the cost of required improvements for this site it will need additional funding. All known right-of-way dedications and appropriate easements have been previously met with a previous land use request through the City of Fairview (04-78-MP).
A traffic study has been completed by Lancaster Engineering which identifies anticipated trip generation volume. A driveway permit for site access will be applied for prior to the Planning Commission Hearing.
Street Lights were reviewed with Chet Hagen of The Mid County Lighting District. He said that there are two existing street lights along the Sandy Blvd. frontage which should be adequate to serve this proposed new development.

19.165.030 – N/A

19.165.040 – Sanitary Sewer and Water Service Improvements

Sanitary sewer and water service has been extended previously to the subject parcel, via the improvements tied to City File #04-78-MP.

19.165.050 – Storm Drainage

No upstream drainage flows through the subject parcel. Provisions for storm water disposal were provided for with the development of the self storage facility adjacent to the proposed site. Storm water quality facilities will be developed on the subject site to meet City of Fairview standards. A PAC Report by Sisul Engineering is part of our Land Use Review Application.

19.165.060 – Utilities

All utilities will be installed underground to serve the subject site's development.

19.165.070 – Easements

Necessary easements are identified on the Proposed Site Plan. There are no exiting or proposed covenants on the property.

19.170 – Sign Regulations

19.170.040 – Design Standards-

The building will have signage directing visitors and residents to the enclosed parking on the first level and to the central main entry and elevator. There will also be signage located on the front face of the canopy for the commercial tenant(s).

There will be a monument sign located at the Sandy Boulevard entrance or along the Sandy Blvd. frontage identifying the Building and probably commercial tenants. The monument sign will be located and sized to meet city standards.

Exhibit A2

REGISTERED PROFESSIONAL ENGINEER 83582PE OREGON DEC. 17, 2014 WILLIAM R. FARLEY

RENEWS: 12/31/2019

Technical Memorandum

LANCASTER ENGINEERING

321 SW 4th Ave., Suite 400
Portland, OR 97204
phone: 503.248.0313
fax: 503.248.9251
lancasterengineering.com

To: Timothy Brunner
Axis Design Group | Architecture & Engineering, Inc.

From: Daniel Stumpf, EI
William Farley, PE

Date: March 8, 2018

Subject: Fairview Mixed-Use Development – Trip Generation & Distribution Study

Introduction

This memorandum reports and evaluates the transportation impacts related to proposed Fairview Mixed-Use Development, located at 20922 NE Sandy Boulevard in Fairview, Oregon. The proposed development will include the construction of a four-story building, with the top three floors consisting of 48 residential units and the bottom floor consisting of 976 square-feet of commercial office space.

The purpose of this memorandum is to examine the projected trip generation of the proposed development to determine the site impacts to the nearby transportation system. Projected trip generation of the site will be compared between existing and proposed site conditions during the morning peak hour, evening peak hour, and average weekday.

Location Description

Project Site Description

The project site fronts NE Sandy Boulevard and is located north of Interstate 84 (I-84) and east of Fairview Parkway. The site includes a single tax lot, lot 904, which encompasses an approximate total of 0.78 acres. The site is currently developed with a single-family detached house which will be removed upon redevelopment of the site.

Access to the site will be provided via the existing ALL-STOR Storage Condominiums driveway, located along the west side of the subject site, as well as the existing single-family house's access along US-30B.

Vicinity Roadways

NE Sandy Boulevard is classified by the City of Fairview as a Minor Arterial east and a Major Arterial west of Fairview Parkway. The roadway has a varying cross-section of two to five travel lanes and has a posted speed

of 40 mph. Bicycle lanes are generally provided along both sides of the roadway while curbs and sidewalks are intermittently provided.

Figure 1 presents an aerial image of the nearby vicinity with the project site outlined in yellow.

Figure 1: Aerial Photo of Site Vicinity (Image from Google Earth)

Site Trips

Trip Generation

The proposed Fairview Mixed-Use Development includes the construction of a four-story building consisting of 48 residential dwelling units and 976 square-feet of commercial office space, which will replace an existing single-family house. To estimate the number of trips that will be generated by the proposed development, trip rates from the *Trip Generation Manual*[1] were used. Data from land-use codes 210, *Single-Family Detached Housing*, 221, *Multifamily Housing (Mid-Rise)*, and 710, *General Office Building*, was used to estimate the existing and proposed development's trip generation based on the number of residential dwelling units and the square-footage of office gross floor area.

The trip generation calculations show that the proposed development is projected to generate an additional 17 morning peak hour, 21 evening peak hour, and 262 average weekday site trips. The trip generation estimates are summarized in Table 1. Detailed trip generation calculations are included as an attachment to this study.

Table 1 – Trip Generation Summary

	ITE Code	Size	Morning Peak Hour			Evening Peak Hour			Weekday
			Enter	Exit	Total	Enter	Exit	Total	Total
Existing Development									
Single-Family House	210	1 unit	0	1	1	1	0	1	10
Proposed Development									
Multifamily Housing	221	48 units	4	13	17	13	8	21	262
General Office	710	976 sq.ft.	1	0	1	0	1	1	10
Total			5	13	18	13	9	22	272
Net New Trips			**5**	**12**	**17**	**12**	**9**	**21**	**262**

[1] Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 10th Edition, 2017.

Trip Distribution

The directional distribution of site trips to/from the project site was estimated based on the locations of likely trip destinations and locations of major transportation facilities within the site vicinity. The following trip distribution was estimated and used for analysis:

- Approximately 80 percent of site trips will travel to/from the west along NE Sandy Boulevard; and
- Approximately 20 percent of site trips will travel to/from the east along NE Sandy Boulevard.

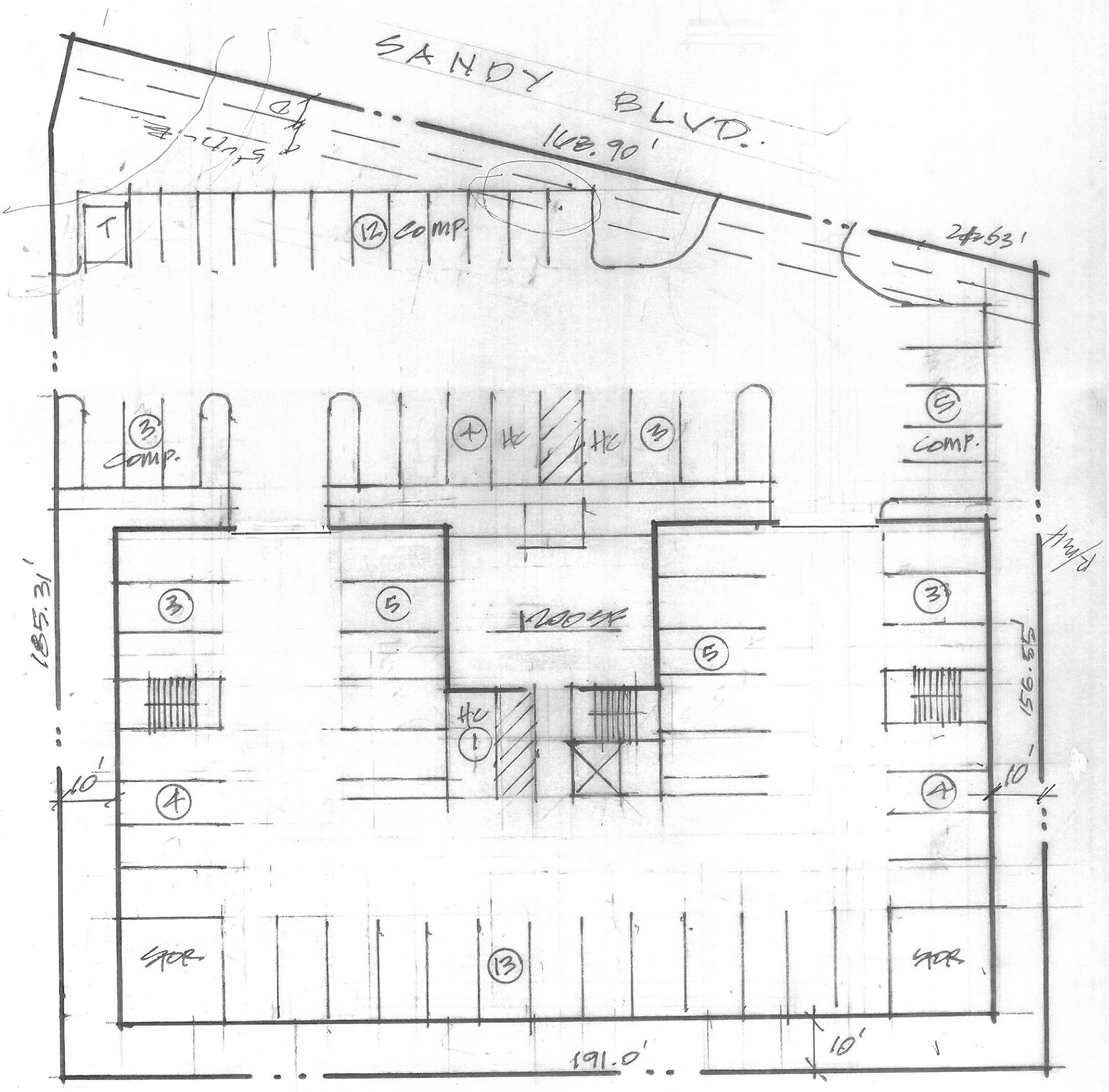
Based on this distribution it is projected that 14 morning peak hour and 17 evening peak hour trips will travel to/from the west along NE Sandy Boulevard while 3 morning peak hour and 4 evening peak hour trips will travel to/from the east. Accordingly, the proposed development is projected to have minimal to minor transportation impacts on nearby intersections within the site vicinity.

Conclusions

Based on the projected trip generation of the site, the impacts of the proposed Fairview Mixed-Use Development to the existing transportation system are expected to be minimal. Furthermore, the new site trips are not expected to significantly alter the operation or safety of the existing transportation facilities.

If you have any questions regarding this technical memorandum, please don't hesitate to contact us.

Exhibit A2



PARKING
INSIDE = 38 SP
OUTSIDE 27
65 SP.

APARTMENTS
ONE BEDRM 30 X 1.25 = 37.5
TWO BEDRM 18 X 1.5 = 27
64.5 ~ 65 SP

Exhibit A2

TRIP GENERATION CALCULATIONS
Existing Development

Land Use: Single-Family Detached Housing
Land Use Code: 210
Setting/Location General Urban/Suburban
Variable: Dwelling Units
Variable Value: 1

AM PEAK HOUR

Trip Rate: 0.74

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	**0**	**1**	**1**

PM PEAK HOUR

Trip Rate: 0.99

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	**1**	**0**	**1**

WEEKDAY

Trip Rate: 9.44

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	**5**	**5**	**10**

SATURDAY

Trip Rate: 9.54

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	**5**	**5**	**10**

Source: TRIP GENERATION, Tenth Edition

Exhibit A2

TRIP GENERATION CALCULATIONS
Proposed Development

Land Use: Multifamily Housing (Mid-Rise)
Land Use Code: 221
Setting/Location General Urban/Suburban
Variable: Dwelling Units
Variable Value: 48

AM PEAK HOUR

Trip Rate: 0.36

	Enter	Exit	Total
Directional Distribution	26%	74%	
Trip Ends	**4**	**13**	**17**

PM PEAK HOUR

Trip Rate: 0.44

	Enter	Exit	Total
Directional Distribution	61%	39%	
Trip Ends	**13**	**8**	**21**

WEEKDAY

Trip Rate: 5.44

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	**131**	**131**	**262**

SATURDAY

Trip Rate: 4.91

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	**118**	**118**	**236**

Source: TRIP GENERATION, Tenth Edition

Exhibit A2

1e

TRIP GENERATION CALCULATIONS
Proposed Development

Land Use: General Office Building
Land Use Code: 710
Setting/Location General Urban/Suburban
Variable: 1000 Sq Ft Gross Floor Area
Variable Value: 1.0

AM PEAK HOUR

Trip Rate: 1.16

	Enter	Exit	Total
Directional Distribution	86%	14%	
Trip Ends	**1**	**0**	**1**

PM PEAK HOUR

Trip Rate: 1.15

	Enter	Exit	Total
Directional Distribution	16%	84%	
Trip Ends	**0**	**1**	**1**

WEEKDAY

Trip Rate: 9.74

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	**5**	**5**	**10**

SATURDAY

Trip Rate: 2.21

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	**1**	**1**	**2**

Source: TRIP GENERATION, Tenth Edition

Exhibit A3

PAC Report

Project Name 20922 NE Sandy Blvd	Permit No. N/A	Created 3/2/18 10:26 AM
Project Address 20922 NE Sandy Blvd Fairview, OR 97024	Designer Jordan Marlia	Last Modified 3/2/18 10:34 AM
	Company Sisul Engineering.	Report Generated 3/2/18 10:34 AM

Project Summary

Commercial building

Catchment Name	Impervious Area (sq ft)	Native Soil Design Infiltration Rate	Hierarchy Category	Facility Type	Facility Config	Facility Size (sq ft)	Facility Sizing Ratio	PR Results	Flow Control Results
BASIN1	27786	2.00	3	Planter (Flat)	D	300	1.1%	Pass	Not Used

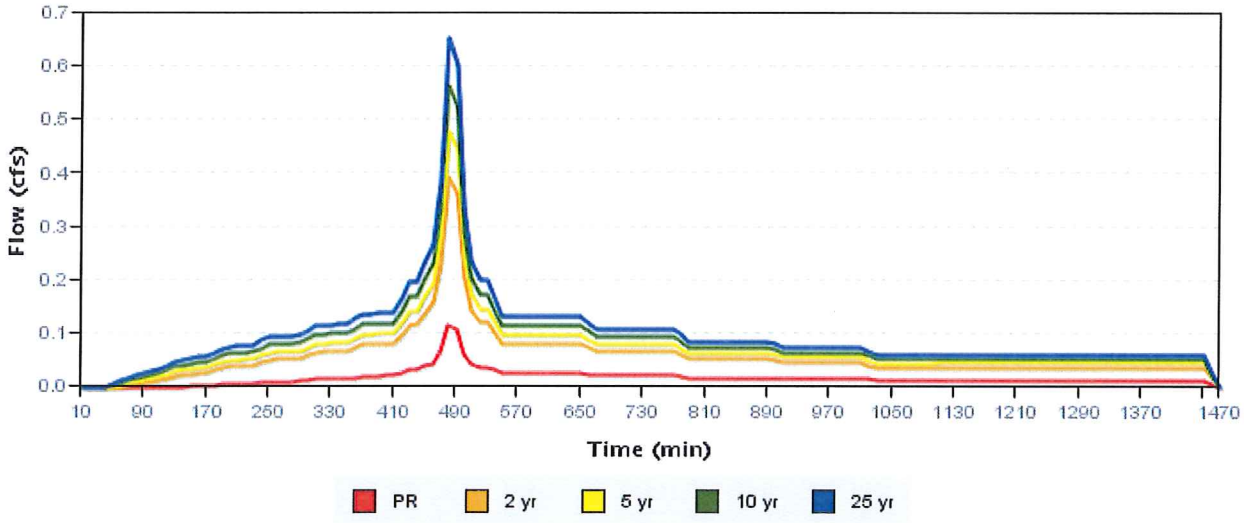
PRELIMINARY

Exhibit A3

Catchment BASIN1

Site Soils & Infiltration Testing Data	Infiltration Testing Procedure	**Open Pit Falling Head**
	Native Soil Infiltration Rate (I_{test})	**2.00**
Correction Factor	CF_{test}	**2**
Design Infiltration Rates	Native Soil (I_{dsgn})	**1.00 in/hr**
	Imported Growing Medium	**2.00 in/hr**
Catchment Information	Hierarchy Category	**3**
	Disposal Point	**A**
	Hierarchy Description	**Off-site flow to drainageway, river, or storm-only pipe system**
	Pollution Reduction Requirement	**Pass**
	10-year Storm Requirement	**N/A**
	Flow Control Requirement	**N/A**
	Impervious Area	**27786 sq ft** **0.638 acre**
	Time of Concentration (Tc)	**5**
	Pre-Development Curve Number (CN_{pre})	**74**
	Post-Development Curve Number (CN_{post})	**98**

SBUH Results



	Pre-Development Rate and Volume		Post-Development Rate and Volume	
	Peak Rate (cfs)	**Volume (cf)**	**Peak Rate (cfs)**	**Volume (cf)**
PR	0.001	10.306	0.115	1451.897

Exhibit A3

2 yr	0.051	1280.134	0.392	5027.762
5 yr	0.101	1957.603	0.479	6179.371
10 yr	0.157	2712.402	0.566	7332.704
25 yr	0.219	3527.247	0.652	8487.123

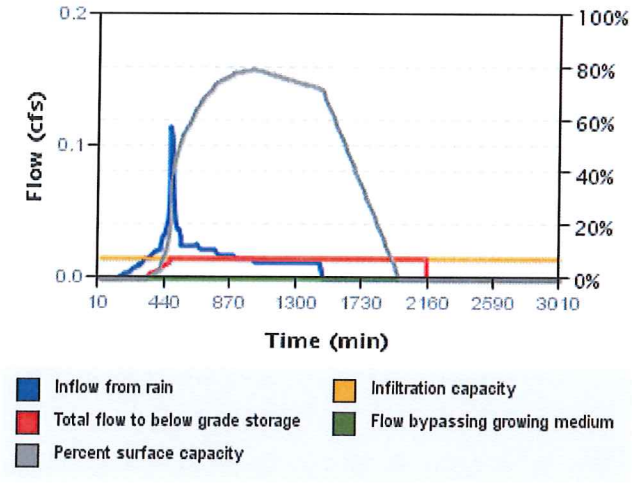
Facility BASIN1

Facility Details	Facility Type	**Planter (Flat)**
	Facility Configuration	**D: Lined Facility with RS and Ud**
	Facility Shape	**Planter**
	Above Grade Storage Data	
	Bottom Area	**300 sq ft**
	Bottom Width	**10.00 ft**
	Storage Depth 1	**24.0 in** ⚠
	Growing Medium Depth	**18 in**
	Surface Capacity at Depth 1	**600.0 cu ft**
	Design Infiltration Rate for Native Soil	**0.000 in/hr**
	Infiltration Capacity	**0.014 cfs**
Facility Facts	Total Facility Area Including Freeboard	**300.00 sq ft**
	Sizing Ratio	**1.1%**
Pollution Reduction Results	Pollution Reduction Score	**Pass**
	Overflow Volume	**1449.852 cf**
	Surface Capacity Used	**79%**
Flow Control Results	Flow Control Score	**Not Used**
	Overflow Volume	**7363.760 cf**
	Surface Capacity Used	**100%**

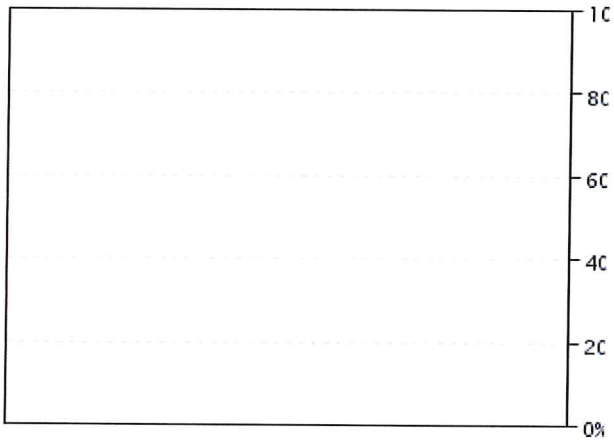
⚠ Indicates value is outside of recommended range

Exhibit A3

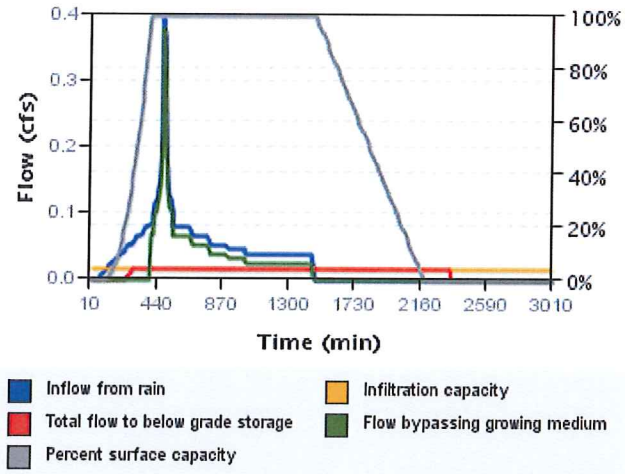
Pollution Reduction Event Surface Facility Modeling



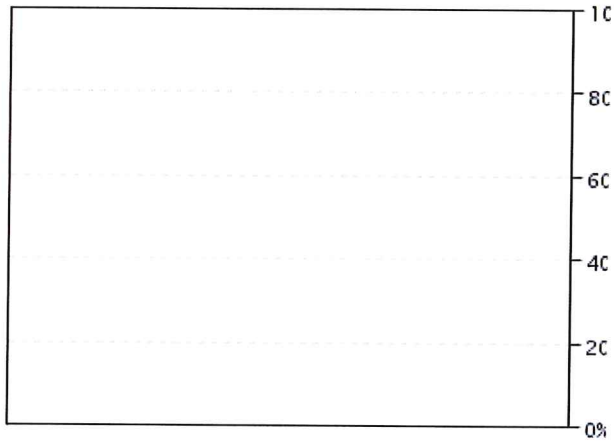
Pollution Reduction Event Below Grade Modeling



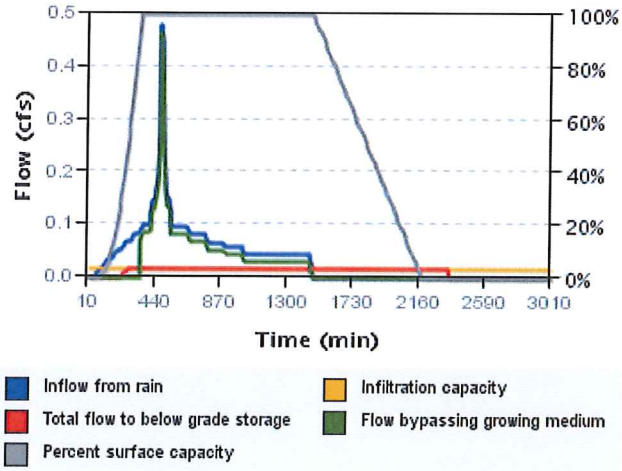
2 Year Event Surface Facility Modeling



2 Year Event Below Grade Modeling



5 Year Event Surface Facility Modeling



5 Year Event Below Grade Modeling

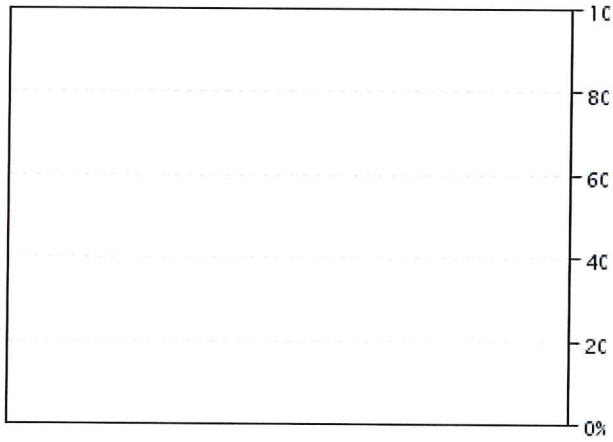
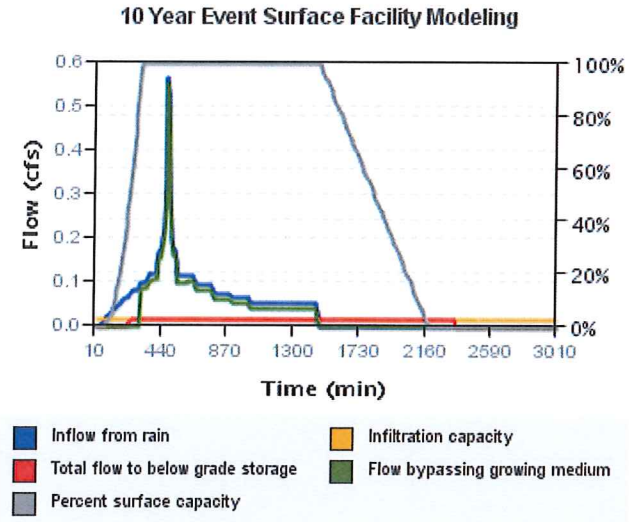
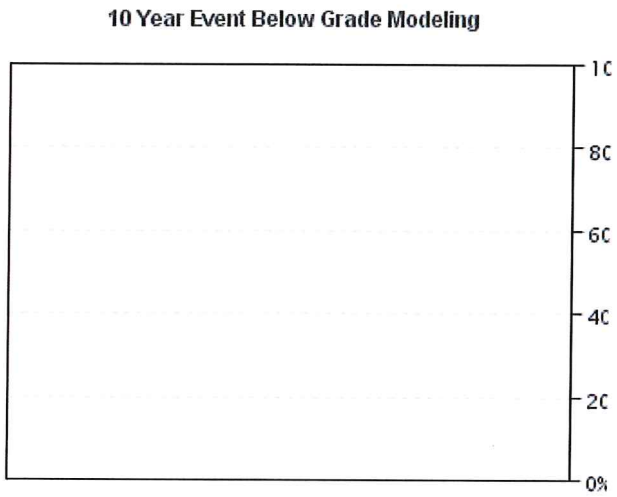
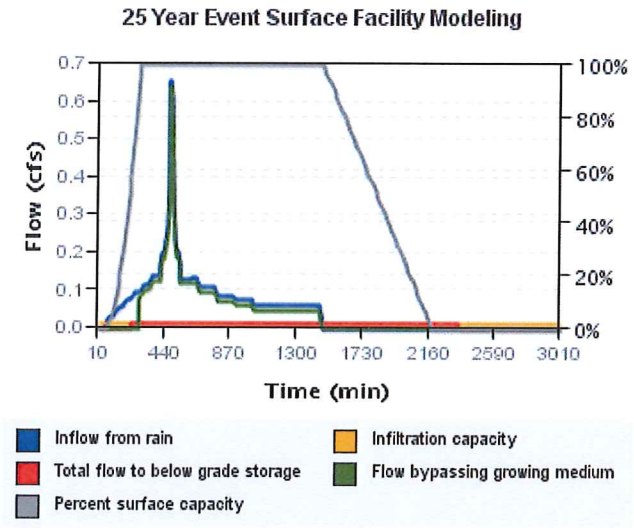


Exhibit A3


10 Year Event Surface Facility Modeling
Flow (cfs)
0.6
0.5
0.4
0.3
0.2
0.1
0.0
100%
80%
60%
40%
20%
0%
10
440
870
1300
1730
2160
2590
3010
Time (min)
Inflow from rain
Infiltration capacity
Total flow to below grade storage
Flow bypassing growing medium
Percent surface capacity


10 Year Event Below Grade Modeling


25 Year Event Surface Facility Modeling
Flow (cfs)
0.7
0.6
0.5
0.4
0.3
0.2
0.1
0.0
100%
80%
60%
40%
20%
0%
10
440
870
1300
1730
2160
2590
3010
Time (min)
Inflow from rain
Infiltration capacity
Total flow to below grade storage
Flow bypassing growing medium
Percent surface capacity

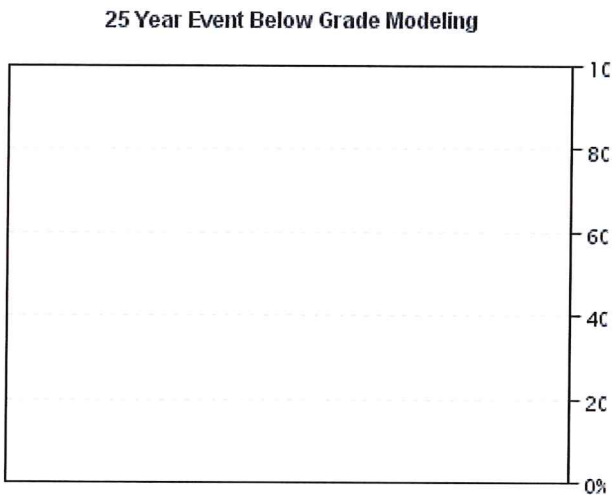

25 Year Event Below Grade Modeling

Exhibit B4

Springwater Arboriculture LLC
CCB#158098
4547 S.E. Brae St. Milwaukie, OR 97222 (503) 631-4760

July 15, 2018

This tree report was prepared at the request of Les Bick of First West Realty, Inc., for a property and proposed development located at 20922 NE Sandy Blvd., Fairview, OR 97024. The purpose of the report was to determine protection measures for a group of Trees located at the NE corner of the property. According to the site map provided by Les Bick, there are a total of 4 subject trees that have been selected by the City of Fairview for preservation. Tree location, condition, size and species were verified on Sunday, July 15, 2018. The following are the four trees, they are tagged in the field and numbered on provided site map and in this report

T1 Douglas Fir (Psuedotsuga menziesii) 29"dbh in hazardous condition.
T2 Douglas Fir (Psuedotsuga menziesii) 38"dbh in good condition.
T3 Douglas Fir (Psuedotsuga menziesii) 24"dbh in fair condition.
T4 Western Red Cedar (Thuja plicata) 10"dbh in fair condition.

Tree diameter (dbh) for single stemmed and multi-stemmed trees was measured in accordance with standard practices

Summary

Three of the 4 trees selected, by the City of Fairview, can be reasonably protected. T1 has a significant cavity just below an old topping cut or failure. It is at this juncture where a reiterated stem is connected. Further up this reiterated stem there was either another topping cut or stem failure because there is a second reiterated stem and at the top of the second reiterated stem is evidence of a large limb failure. The significant cavity suggests that there is decay present at the juncture of the first reiteration. This stem is at least 18" in diameter where it connects with the primary stem. This tree, if retained, would require significant management in order to mitigate hazardous conditions. The site use underneath this tree, main entrance and parking, make this tree a poor candidate for retention and removal is highly recommended. T2, T3 and T4 can be protected using a modified Root Protection Zone (RPZ).

Condition Definitions:

Poor: General state of decline. May show severe mechanical, insect or disease injury but death not imminent. May require major repair or renovation.

Fair: Average condition and vigor for area. May be in need of some corrective pruning or repair. May lack desirable form characteristics for species. May show minor insect, disease or physiological problems.

Good: Healthy and vigorous. No apparent signs of insect, disease or mechanical injury. Little or no corrective work required. Form representative of species.

Protection Plan

Trees selected for protection will be fenced off at the edge of the root protection zone, or RPZ. The Prescriptive Path RPZ is defined as a circle with a radius of one foot for every inch of tree diameter at dbh. The RPZ can be modified, Performance Path, based on root habit and other site conditions. It is the intention that modifications will allow construction to take place while still providing protection for subject trees. Unless otherwise noted, all tree protection fencing should be installed prior to construction and remain in place until construction is complete. Fences will be 6' chain link fencing secured to 8' steel stakes driven into the ground. All fences should be inspected and approved prior to construction and should not be opened or moved unless directed by a qualified arborist." Qualified" arborist can include the project arborist, a City Forester, or any ISA Certified Arborist or ASCA Registered Consulting Arborist who has possession of this tree plan. Without authorization, none of the following will occur within the RPZ.

1. New buildings.
2. Grade change or cut and fill during construction.
3. New impervious surfaces.
4. Utility or drain field placement.
5. Staging or storage of materials and equipment during construction.
6. Vehicular traffic during construction.

Root protection zones may be entered only for tasks like surveying, measuring and sampling without supervision by a qualified arborist. The fence must be closed upon completion of such tasks. All other construction activities should be approved by the project arborist first.

As mentioned prior, the RPZ for the three trees will be modified. This RPZ will be significantly modified from the prescriptive path. The RPZ fencing will encompass all three trees to be protected. The fencing will begin at the NE corner of the property and will connect to existing property line fence. It will then proceed west to a point that is 2' from proposed curb and then turn south until it reaches a point that is 2' off of proposed parking space. The fence will then turn east to a point that is 2' past the east edge of proposed parking. The fence will then turn south the width of three parking spaces always keeping a distance of 2' from the edge of proposed parking spaces. At this point the fence will turn to the east and terminate at the property line fence.

Exhibit B4

The condition of trees selected for preservation and the soil characteristics will allow for the modified RPZ to be successful. The soil beneath these trees is coarse in texture, covered with a thick organic layer, mostly undisturbed, non-compacted and well draining. These soil conditions encourage deep rooting. The trees being in a grove as compared to open grown also means that rooting habit in addition to being deep will also be less spread out. Larger critical roots will be found closer to the trunks of the subject trees.

Any excavation near this modified RPZ must be supervised by a qualified Arborist. This includes any scraping of topsoil and dig out for base placement under curbs and the first three parking spaces. Geotextile fabric must be placed under base material to avoid base material from being pounded into the soil during compaction. The organic layer underneath the subject trees must not be disturbed and should remain in place during future landscaping. Any nearby trees that require removal can be done so prior to RPZ fencing installation. These trees should be felled and not removed using excavation machinery. Once on the ground tree parts can be moved using excavation machinery. Tree stumps must be ground out and not removed using excavation machinery. Grinding should be stump only and not any surrounding areas. If this project takes place during dry season, supplemental irrigation needs to be provided to protected trees.

Prepared by,

Andrew Craig
ISA Certified Arborist PN5927
ISA Tree Risk Assessment Qualified
andrew@springarborist.com

Exhibit B4

Springwater Arboriculture LLC
CCB#158098

4547 S.E. Brae St. Milwaukie, OR 97222 (503) 631-4760

Les Bick
3561 NE 215th Ct.
Fairview, OR 97024
(503) 328-6282

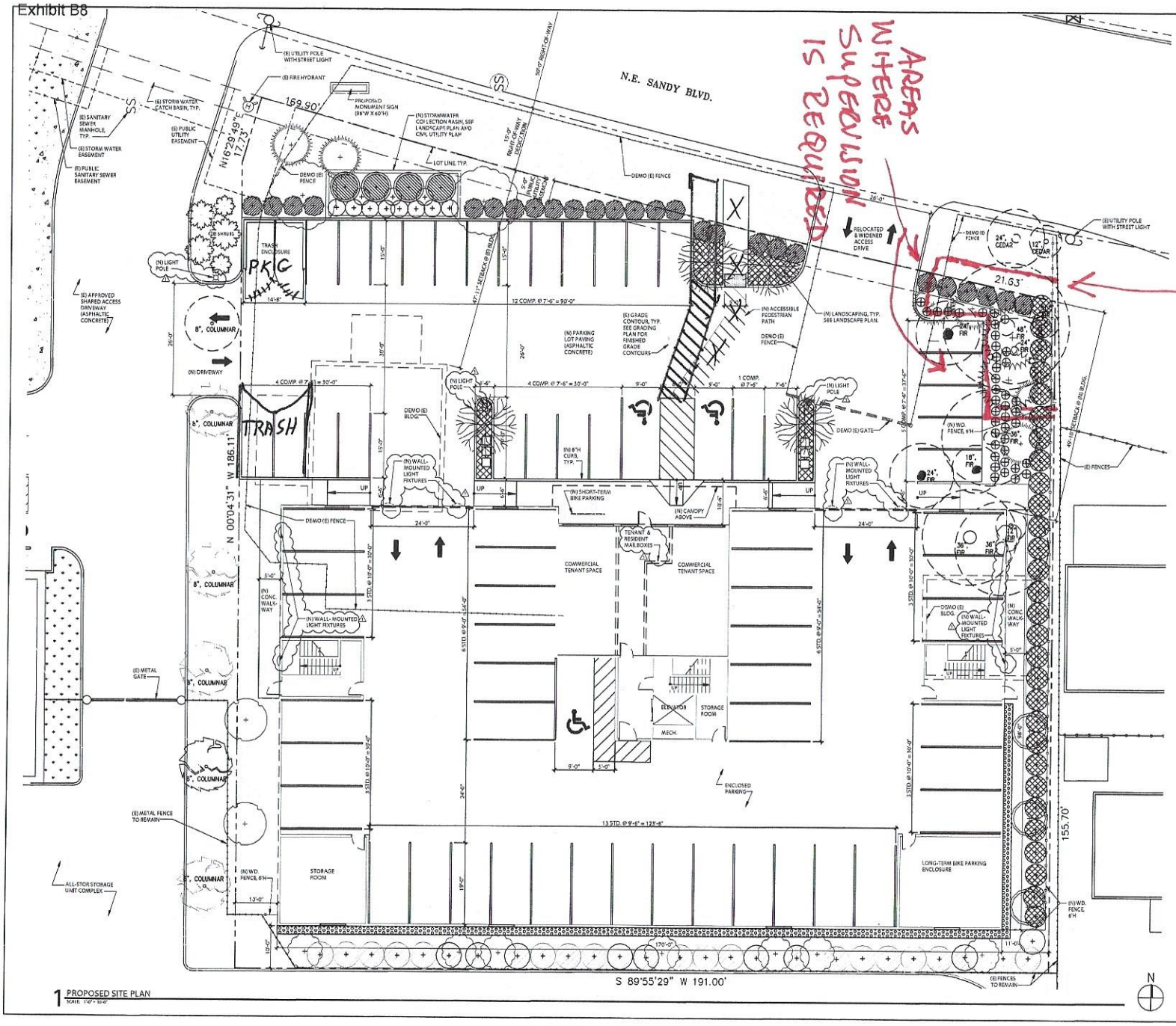
July 15, 2018
Receipt

Tree Plan for 20922 NE Sandy Blvd., Fairview, OR 97024.	$350.00

Total Paid: **$350.00**
Paid check #1071

Exhibit B8

Exhibit B4



1 PROPOSED SITE PLAN
SCALE: 1'-0" = 10'-0"

AREAS WHERE SUPERVISION IS REQUIRED

TREE PROTECTION FENCING

SHEET NOTES:

1. SEE LANDSCAPE PLAN FOR PLANT LOCATIONS, SIZES AND SPECIES, SOIL AND IRRIGATION SPECIFICATIONS.

2. SEE CIVIL DRAWINGS FOR GRADING, UTILITY CONNECTIONS AND SEDIMENT FENCE LOCATIONS.

SITE STATISTICS

TOTAL SITE AREA:	34,063 SF (100 %)
TOTAL BLDG. AREA (FOOTPRINT):	16,500 SF (48.4%)
LANDSCAPE AREA:	
5% REQ'D IN COMMERCIAL CORRIDOR:	1,703 SF
TOTAL AREA PROVIDED:	5,606 SF (16.5%)
TOTAL EXTERIOR PARKING AREA:	9,452 SF (27.7%)
PARKING LANDSCAPING:	
5% OF PARKING AREA REQ'D:	467 SF
PROVIDED:	2732 SF (28.9%)
PARKING LOT TREES:	
1 TREE PER 5 PARKING SPACES REQ'D:	6
PROVIDED:	14
TOTAL IMPERVIOUS AREA:	27,952 SF (82.1%)

PARKING REQUIREMENTS & COUNTS

REQ'D. PARKING FOR MULTI-FAMILY:	
(27) 1-BDRM UNITS * (1.25) SPACES EA. =	34
(18) 2-BDRM UNITS * (1.5) SPACES EA. =	27
(3) STUDIOS * (1) SPACES EA. =	3
TOTAL:	64
REQ'D. PARKING FOR GENERAL OFFICE:	
1015 SF OFFICE SPACE: (2.7) SPACES PER 1000 SF GROSS LEASABLE AREA =	3
TOTAL PARKING SPACES REQUIRED:	67
PARKING PROVIDED:	
EXTERIOR PARKING SPACES: (INCLUDES 2 ADA SP)	29
GARAGE PARKING SPACES: (INCLUDES 1 ADA SP)	38
COMPACT SPACES = 27 (40% of 67)	
TOTAL PARKING SPACES PROVIDED:	67
BICYCLE PARKING:	
SHORT-TERM:	
MULTI-FAMILY: (1) SPACE PER (10) CAR SPACES =	7
OFFICE: (1) SPACE PER (10) VEHICLE SPACES =	1
TOTAL REQ'D:	8
TOTAL PROVIDED:	8
LONG TERM:	
MULTI-FAMILY: (1) SPACE PER DWELLING UNIT =	48
OFFICE: (1) SPACE PER EMPLOYEE =	8 MAX.
TOTAL REQ'D:	56
TOTAL PROVIDED:	56

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AXIS DESIGNGROUP ARCHITECTURE & ENGINEERING, INC.
11104 S.E. STARK STREET
PORTLAND, OR 97216
T: 503.284.0988 | F: 503.546.9276

FAIRVIEW VILLA APARTMENTS
20922 NE SANDY BLVD.
FAIRVIEW, OR. 97024

REVISIONS

No.	Description	Date
1	COMMENTS RESPONSE #1	4/12/2018

DRAWN BY: EU
CHECKED BY: BW
JOB NO: 18-001
DATE: 03/22/2018
ISSUED FOR: DESIGN REVIEW
SHEET TITLE
PROPOSED SITE PLAN
SHEET NO.
A-102

S:\Projects\2018 Projects\18-001_Fairview_Apartments\F_Drawings\F2_Current\CAD\A-102 - 18-001 - Proposed Site Plan.dwg © Plot Date: Apr 12 18 © Time: 11:21 AM

Exhibit B4

T1
29"
T2
38"
T3
24"
T4
10"
24" CLEAR
12" CLEAR
21.63'
2 INTERMITTENT LARGE VISIBLE CAVITY REQUIRED 1ST REINFORCEMENT

Exhibit B5

Updated Summary for Fairview Villas Application

1. We will be marketing the 400 square feet of remaining office/retail space to potential tenants who are not accessory to the primary residential use of the project. 400 square feet will be for office and related project usage.

2. The architectural rendering for the height of the building now shows the height to be in compliance with code. Thus, the conditions of approval, associated with the building height, will no longer apply to the application.

3. The arborist's report has been submitted to Planning Staff, to be included for the record and in the Planning Commissioners' packages. New conditions of approval, related to the tree preservation/removal will follow the arborist recommendations. Basically, we will comply with preserving three of the four trees, called to our attention by Planning, by the use of permeable surface parking areas next to the trees, under an arborist's supervision. The one tree (of the four) will be removed because it has had structural damage at least twice and will be a challenge to save as per the arborist's report.

4. The site plan has been modified by architect Doug Circosta, and submitted to Planning. It shows the new location of the pedestrian path, as per Planning's request, and a relocation of the trash bins next to the building. There has been no net loss or gain of parking spaces because the office/commercial space has been reduced to 800 square feet from 1,000 sq.ft. The 200 square foot reduction was decided upon because the site changes resulted in one parking space short of our original design. Thus, the reduction accomplished the balance.

Exhibit B1

FAIRVIEW VILLA APARTMENTS

A MIXED USE BUILDING

20922 NE SANDY BOULEVARD FAIRVIEW, OR.

DESIGN REVIEW

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DESIGNGROUP
ARCHITECTURE & ENGINEERING, INC.
11104 S.E. STARK STREET
PORTLAND, OR 97216
T: 503.284.0988 | F: 503.546.9276

NORTH ELEVATION

PROJECT LOCATION

LOCATION MAP
SCALE: N.T.S.

VICINITY MAP
SCALE: N.T.S.

PROJECT DESCRIPTION

A FOUR-STORY, 61,104 SQUARE FOOT MIXED USE DEVELOPMENT CONTAINING (27) ONE BEDROOM APARTMENTS, (18) TWO BEDROOM APARTMENTS, (3) STUDIOS AND 1,000 SQUARE FEET OF OFFICE SPACE. AN ENCLOSED GROUND FLOOR PARKING GARAGE PROVIDES (38) SECURED VEHICLE PARKING SPACES AS WELL AS LONG-TERM BICYCLE STORAGE AND TENANT STORAGE. A LANDSCAPED PARKING AREA IN THE FRONT OF THE BUILDING PROVIDES (28) VEHICLE PARKING SPACES, A TRASH ENCLOSURE, AN ACCESSIBLE PEDESTRIAN ROUTE AND SHORT-TERM BICYCLE PARKING NEAR THE BUILDING ENTRANCE.

SITE INFORMATION

ADDRESSES:	20922 NE SANDY BLVD. FAIRVIEW, OR 97024
PROPERTY ID:	R575543
COUNTY:	MULTNOMAH
JURISDICTION:	CITY OF FAIRVIEW
FIRE DISTRICT:	GRESHAM FIRE
ZONING:	CORRIDOR COMMERCIAL
PROPOSED USE:	MIXED-USE
PROPOSED OCCUPANCY CLASSIFICATION:	R-3 / S-2 w/ Fire Sprinklers
SITE AREA:	34,063 SF (0.78 ACRES)
PROPOSED BUILDING AREA:	61,104 SF
PROPOSED BUILDING HEIGHT:	4 STORIES / 51'-6" w/ Conditional Use

APPLICANT:

FAIRWAY PROPERTIES, 1 LLC
3561 NE 215TH COURT
FAIRVIEW, OR 97024
(503) 328-6282
lesbick@comcast.net

PREPARED BY:

LES BICK
3561 NE 215TH COURT
FAIRVIEW, OR 97024
(503) 328-6282
lesbick@comcast.net

AND

BILL WHITNEY
WHITNEY-AXIS DESIGN GROUP
(503) 667-4252
billw@axisdesigngroup.com

PROJECT TEAM

ARCHITECT: WHITNEY-AXIS DESIGN GROUP
52 NW 2ND ST.
GRESHAM, OR 97030
TEL: (503) 667-4252
CONTACT: BILL WHITNEY
EMAIL: billw@axisdesigngroup.com

OWNER: FAIRWAY PROPERTIES, 1 LLC
3561 NE 215TH COURT
FAIRVIEW, OR 97024
TEL: (503) 328-6282
CONTACT: LES BICK
EMAIL: lesbick@comcast.net

CIVIL: SISUL ENGINEERS
375 PORTLAND AVE.
GLADSTONE, OR. 97027
TEL: (503) 657-0188
CONTACT: TOM SISUL
EMAIL: tomsisul@sisulengineering.com

LANDSCAPE: EVERHART LANDSCAPE
ARCHITECTURE, LCC
4014 SE TAYLOR,
PORTLAND, OR 97214
TEL: (503) 235-1815
CONTACT: GREGG S. EVERHART, ASLA
EMAIL: gseverhart@gmail.com

SURVEYOR: W.B. WELLS & ASSOCIATES, INC.,
ENGINEERS, SURVEYORS, PLANNERS
6130 NE 78TH COURT SUITE C11
PORTLAND, OR 97218
TEL: (503) 284-5896
FAX: (503) 284-8530
CONTACT: BRETT BEDORE

SHEET INDEX

SHEET NUMBER	SHEET TITLE	ISSUE LOG: DESIGN REVIEW (3.22.18)			
GENERAL					
G-000	COVER SHEET	•			
CIVIL					
1	EXISTING CONDITIONS PLAN	•			
2	UTILITY PLAN	•			
3	GRADING PLAN	•			
LANDSCAPE					
L-100	PROPOSED LANDSCAPE PLAN	•			
ARCHITECTURAL					
A-100	SITE ANALYSIS MAP	•			
A-101	FIRE DEPARTMENT ACCESS PLAN	•			
A-102	PROPOSED SITE PLAN	•			
A-121	TYPICAL UPPER FLOOR PLAN	•			
A-221	EXTERIOR ELEVATIONS	•			
A-222	COLOR BUILDING ELEVATION	•			

FAIRVIEW VILLA APARTMENTS
20922 NE SANDY BLVD.
FAIRVIEW, OR. 97024

REVISIONS

No.	Description	Date

DRAWN BY: EU
CHECKED BY: BW
JOB NO: 18-001

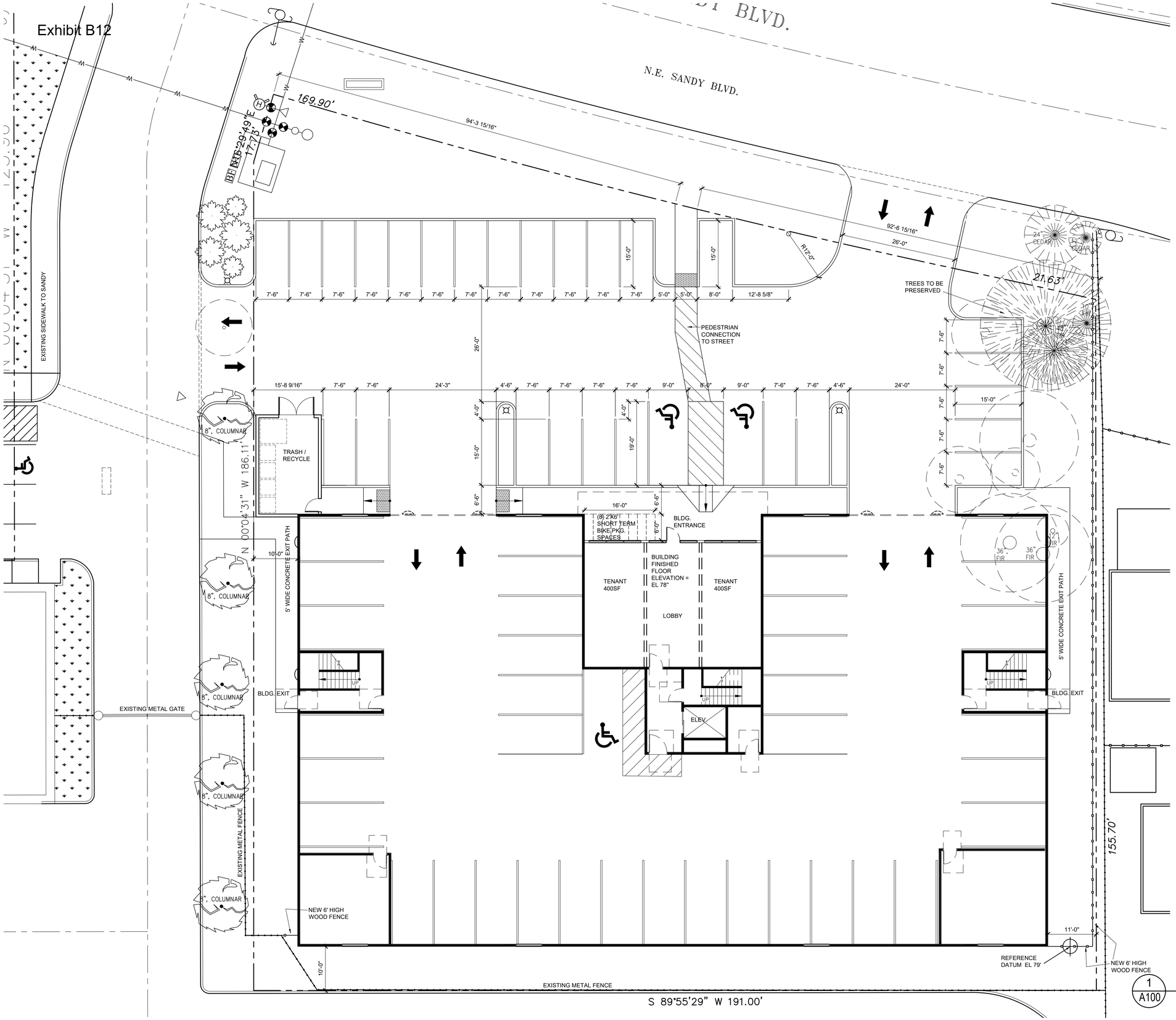
DATE: 03/22/2018
ISSUED FOR: DESIGN REVIEW

SHEET TITLE
COVER SHEET

SHEET NO.
G-000

S:\Projects\2018 Projects\18-001_Fairview_Apartments\F_Drawings\F2_Current\CAD\--G-000 - 18-001 - Cover Sheet.dwg @ Plot Date: Mar 21 18 @ Time: 1:33 PM

Exhibit B12



SITE STATISTICS

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TOTAL BLDG. AREA (FOOTPRINT):	16,500 SF (48.4%)
LANDSCAPE AREA:	
5% REQ'D IN COMMERCIAL CORRIDOR:	1,703 SF
TOTAL AREA PROVIDED:	5,606 SF (16.5%)
TOTAL EXTERIOR PARKING AREA:	9,452 SF (27.7%)
PARKING LANDSCAPING:	
5% OF PARKING AREA REQ'D:	467 SF
PROVIDED	2732 SF (28.9%)
PARKING LOT TREES:	
1 TREE PER 5 PARKING SPACES REQ'D:	6
PROVIDED:	14
TOTAL IMPERVIOUS AREA:	27,952 SF (82.1%)

PARKING REQUIREMENTS & COUNTS

REQ'D. PARKING FOR MULTI-FAMILY:

(27) 1-BDRM UNITS * (1.25) SPACES EA. =	33.75
(18) 2-BDRM UNITS * (1.5) SPACES EA. =	27
(3) STUDIOS * (1) SPACES EA. =	3
TOTAL:	63.75

REQ'D. PARKING FOR GENERAL OFFICE:

1015 SF OFFICE SPACE: (2.7) SPACES PER 800 SF GROSS LEASABLE AREA = 2.16

TOTAL PARKING SPACES REQUIRED: 65.91

PARKING PROVIDED:

EXTERIOR PARKING SPACES: (INCLUDES 2 ADA SP)	28
GARAGE PARKING SPACES: (INCLUDES 1 ADA SP)	38
TOTAL:	66

COMPACT SPACES = 26 / 66 = 39.39%

BICYCLE PARKING:

SHORT-TERM:

MULTI-FAMILY: (1) SPACE PER (10) CAR SPACES =	7
OFFICE: (1) SPACE PER (10) VEHICLE SPACES =	1
TOTAL REQ'D:	8
TOTAL PROVIDED:	8

LONG TERM:

MULTI-FAMILY: (1) SPACE PER DWELLING UNIT =	48
OFFICE: (1) SPACE PER EMPLOYEE =	8 MAX.
TOTAL REQ'D:	56
TOTAL PROVIDED:	56

1 / A100 ARCHITECTURAL SITE PLAN

1/16" = 1'-0"

DESIGN REVIEW DRAWING

FAIRVIEW VILLA APARTMENTS

20922 NE SANDY BLVD.
FAIRVIEW, OREGON 97024

job no.:
date: 8-3-2018

PROPOSED SITE PLAN

A102

Exhibit B13

REFERENCE DATUM = EL 79
THIS DATUM IS LOCATED AT THE SOUTHEAST CORNER OF THE BUILDING AND REPRESENTS THE HIGHEST ADJOINING GROUND SURFACE WITHIN A FIVE-FOOT HORIZONTAL DISTANCE OF THE EXTERIOR WALL OF THE BUILDING. ELEVATION 79 IS NOT MORE THAN 10' ABOVE THE LOWEST GRADE.
THE FINISHED FLOOR OF THE BUILDING IS ELEVATION 78.

ALLOWABLE: EL 79' + 45' = ELEVATION 124'
PROPOSED: EL 78' + 44'-10.5 (AVERAGE HEIGHT TO HIGHEST PITCHED ROOF = ELEVATION 123.875'

1 / A221 NORTH ELEVATION
1/8" = 1'-0"

2 / A221 SOUTH ELEVATION
1/8" = 1'-0"

DESIGN REVIEW DRAWING

FAIRVIEW VILLA APARTMENTS

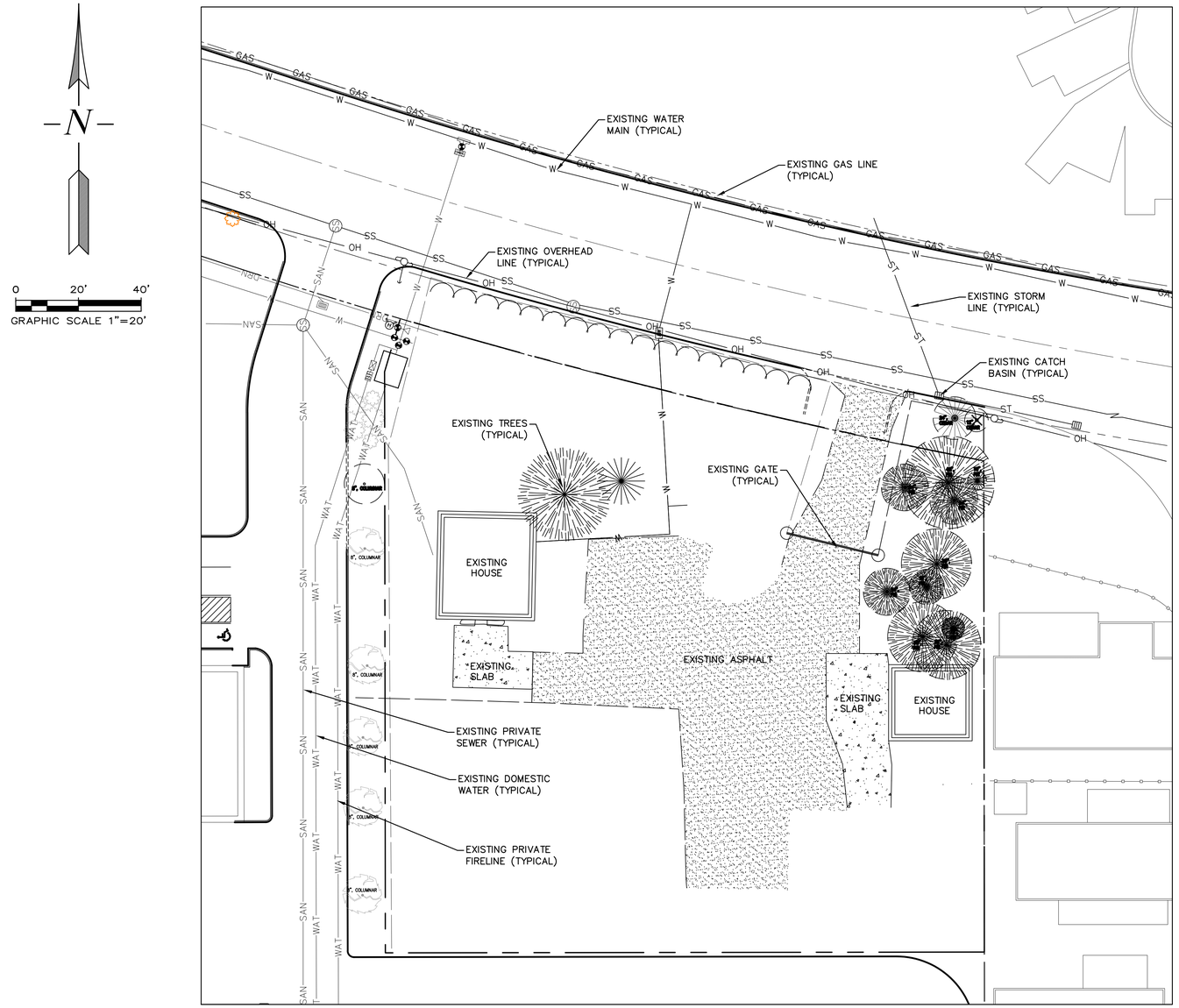
20922 NE SANDY BLVD.
FAIRVIEW, OREGON 97024

job no.:
date: 8-3-2018

EXTERIOR ELEVATIONS

A221

Exhibit B2



REGISTERED PROFESSIONAL ENGINEER 12,820 OREGON FEB 14, 1995 THOMAS J. SISUL

PRELIMINARY

EXPIRES: 6/30/

REVISIONS	BY

FAIRVIEW VILLA APARTMENTS

AXIS DESIGN GROUP

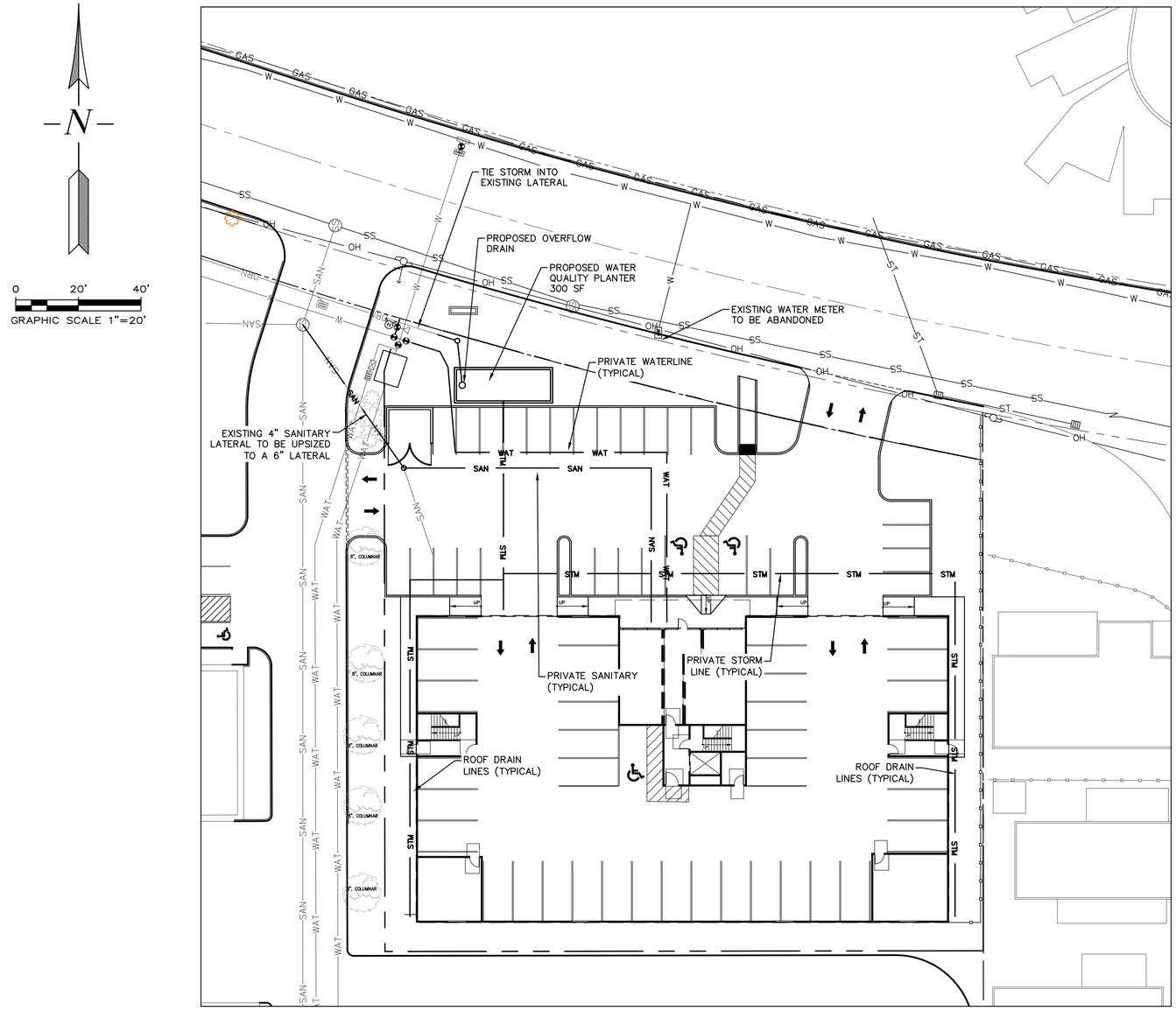
Existing Conditions Plan

SISUL ENGINEERING
375 PORTLAND AVENUE
GLADSTONE, OREGON 97027
(503) 657-0188

DRAWING:

DATE	MAR. 2018
SCALE	1"=20'
DRAWN	JVM
JOB	SGL18-026
SHEET	1
OF 3	SHEETS

Exhibit B3



REVISIONS	BY

FAIRVIEW VILLA APARTMENTS

AXIS DESIGN GROUP

Utility Plan

SISUL ENGINEERING
375 PORTLAND AVENUE
GLADSTONE, OREGON 97027
(503) 657-0188

DRAWING:

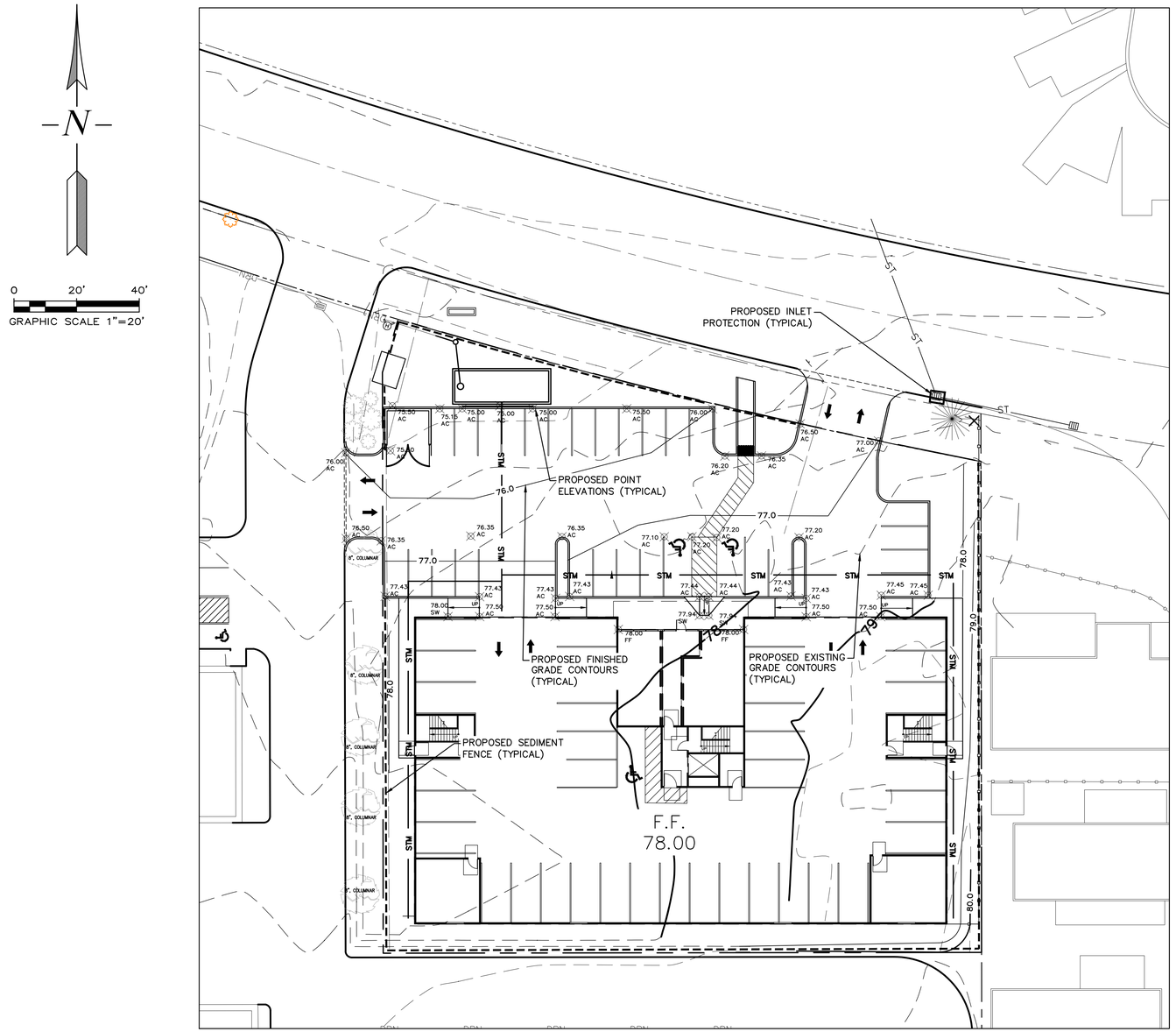
REGISTERED PROFESSIONAL ENGINEER 12,820 OREGON FEB 14, 1995 THOMAS J. SISUL

PRELIMINARY

EXPIRES: 6/30/

DATE	MAR. 2018
SCALE	1"=20'
DRAWN	JVM
JOB	SGL18-026
SHEET	2
OF 3	SHEETS

Exhibit B4



REGISTERED PROFESSIONAL ENGINEER 12,820 OREGON FEB 14, 1995 THOMAS J. SISUL

PRELIMINARY

EXPIRES: 6/30/

REVISIONS	BY

FAIRVIEW VILLA APARTMENTS

AXIS DESIGN GROUP

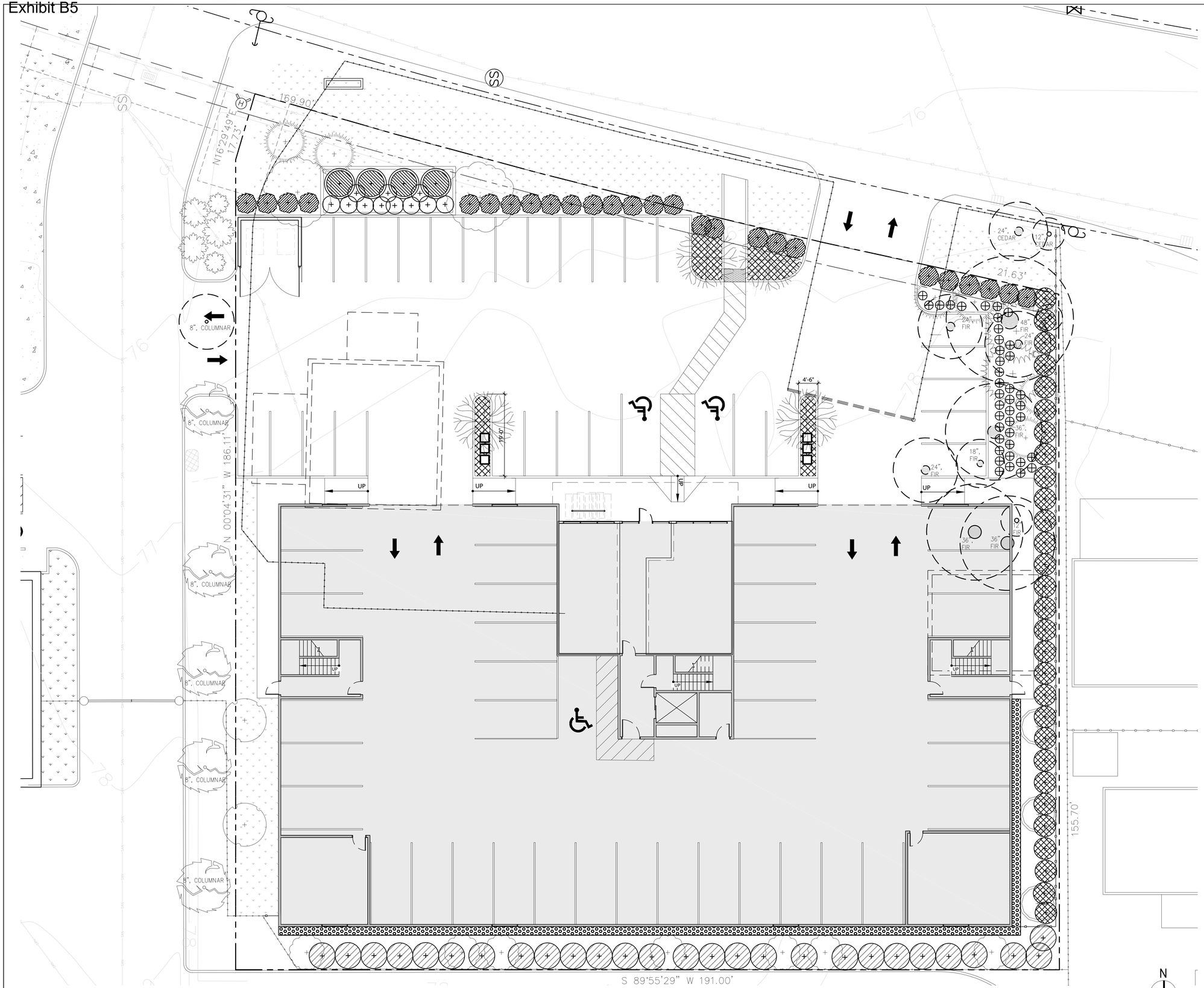
Grading Plan

SISUL ENGINEERING
375 PORTLAND AVENUE
GLADSTONE, OREGON 97027
(503) 657-0188

DRAWING:

DATE	MAR. 2018
SCALE	1"=20'
DRAWN	JVM
JOB	SGL18-026
SHEET	3
OF 3	SHEETS

Exhibit B5



1 PROPOSED LANDSCAPE PLAN
SCALE: 1'-0" = 10'-0"

SHEET NOTES:

1. TOPSOIL TO BE STOCKPILED AND REUSED AFTER CONSTRUCTION. IT WILL BE AMENDED AS NEEDED WITH COMPOSTED YARD DEBRIS AND ALL BARE GROUND MULCHED WITH COARSE WOOD BARK.

2. MOST SPECIES ARE DROUGHT TOLERANT ONCE ESTABLISHED. TEMPORARY DRIP SYSTEMS WILL BE USED AS NEEDED. THE TURF TO WEST OF BUILDING AND ALL LANDSCAPING NORTH OF THE PARKING AREA WILL HAVE A PERMANENT IRRIGATION SYSTEM.

PLANT SCHEDULE

Carpinus betulus 'Frans Fontaine' Frans Fontaine Hornbeam	1.5" dbh
Quercus palustris 'Pringreen" Green Pillar Oak	1.5" dbh
Malus adirondack Adirondack Crabapple	1.5" dbh
Zelkova serrata 'Village Green" Village Green Zelkova	1.5" dbh
Tsuga mertensiana Mountain Hemlock	1.5" dbh
Quercus frainetto 'Schmidt' Forest Green Oak	1.5" dbh
Pseudotsuga menziesii Douglas fir	
Berberis darwinii Darwin's Barberry	1 gal.
Ilex cornuta 'Burfordii Nana' Burford Dwarf Holly	2 gal.
Berberis repens Creeping Oregon Grape	1 gal.
Myrica californica Pacific Wax Myrtle	2. gal.
Spiraea douglasii Douglas' Spirea	1 gal.
Fragaria chiloensis Western strawberry	
Turf / Ecolawn (nexr to Sandy Blvd)	
Gravel mulch	

REGISTERED
309
Gregg S. Everhart
OREGON
10/18/1993
LANDSCAPE ARCHITECT

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AXIS DESIGNGROUP
ARCHITECTURE & ENGINEERING, INC.
11104 S.E. STARK STREET
PORTLAND, OR 97216
T: 503.284.0988 | F: 503.546.9276

EVERHART LANDSCAPE ARCHITECTURE, LLC
4014 SE Taylor Street
Portland, OR 97214
503-235-1815.

FAIRVIEW VILLA APARTMENTS
20922 NE SANDY BLVD.
FAIRVIEW, OR. 97024

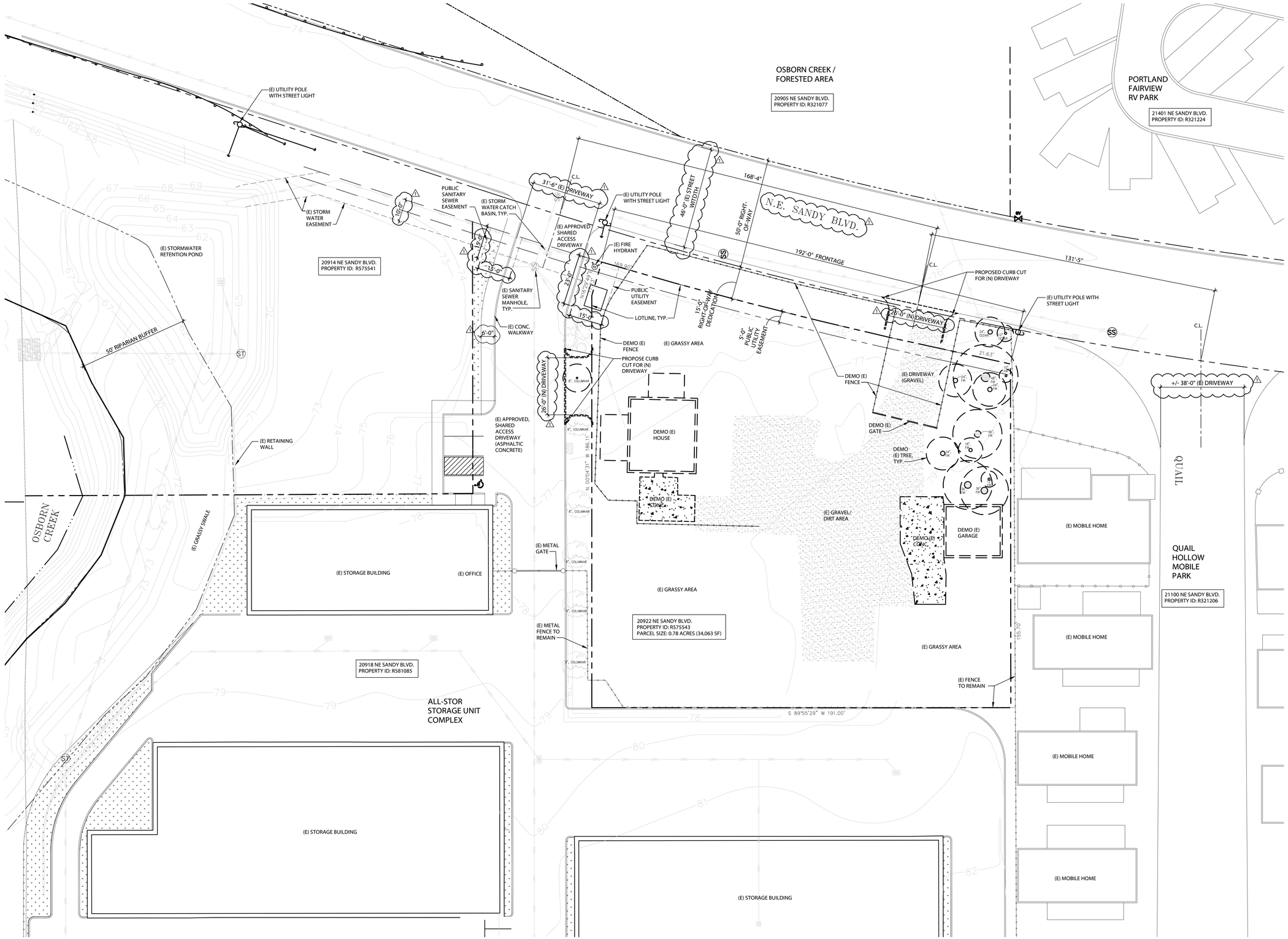
REVISIONS

No.	Description	Date

DRAWN BY: GSE
CHECKED BY: EU
JOB NO: 18-001
DATE: 03/20/2018
ISSUED FOR: DESIGN REVIEW
SHEET TITLE
PROP LANDSCAPE PLAN
SHEET NO.
L-100

S:\Projects\2018 Projects\18-001_Fairview_Apartments\E_Correspondence\E1_DesignTeam\Landscape\From\2018-03-20 Updated Landscape Plan\Base Site Plan (3)\Base Site Plan (3)\L-100 - 18-001 - Proposed Landscape Plan.dwg @ Plot Date: Mar 21 18 @ Time: 9:37 AM

Exhibit B6



1 SITE ANALYSIS MAP
SCALE: 1'-0" = 20'-0"

SHEET NOTES:

1. UTILITIES AND GRADE SHOWN FOR REFERENCE ONLY. SEE CIVIL DRAWINGS FOR SPECIFIC GRADING AND UTILITY INFORMATION.

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FAIRVIEW VILLA APARTMENTS

20922 NE SANDY BLVD.
FAIRVIEW, OR. 97024

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GRESHAM, OR 97030
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EMAIL: billw@axisdesign group.com

OWNER:
FAIRWAY PROPERTIES, 1 LLC
3561 NE 215TH COURT
FAIRVIEW, OR 97024
TEL: (503) 328-6282
CONTACT: LES BICK
EMAIL: lesbick@comcast.net

CIVIL:
SISUL ENGINEERS
375 PORTLAND AVE.
GLADSTONE, OR. 97027
TEL: (503) 657-0188
CONTACT: TOM SISUL
EMAIL: tomsisul@sisulengineering.com

LANDSCAPE:
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PORTLAND, OR 97214
TEL: (503) 235-1815
CONTACT: GREGG S. EVERHART, ASLA
EMAIL: gseverhart@gmail.com

SURVEYOR:
W.B. WELLS & ASSOCIATES, INC.,
ENGINEERS, SURVEYORS, PLANNERS
6130 NE 78TH COURT SUITE C11
PORTLAND, OR 97218
TEL: (503) 284-5896
FAX: (503) 284-8530
CONTACT: BRETT BEDORE

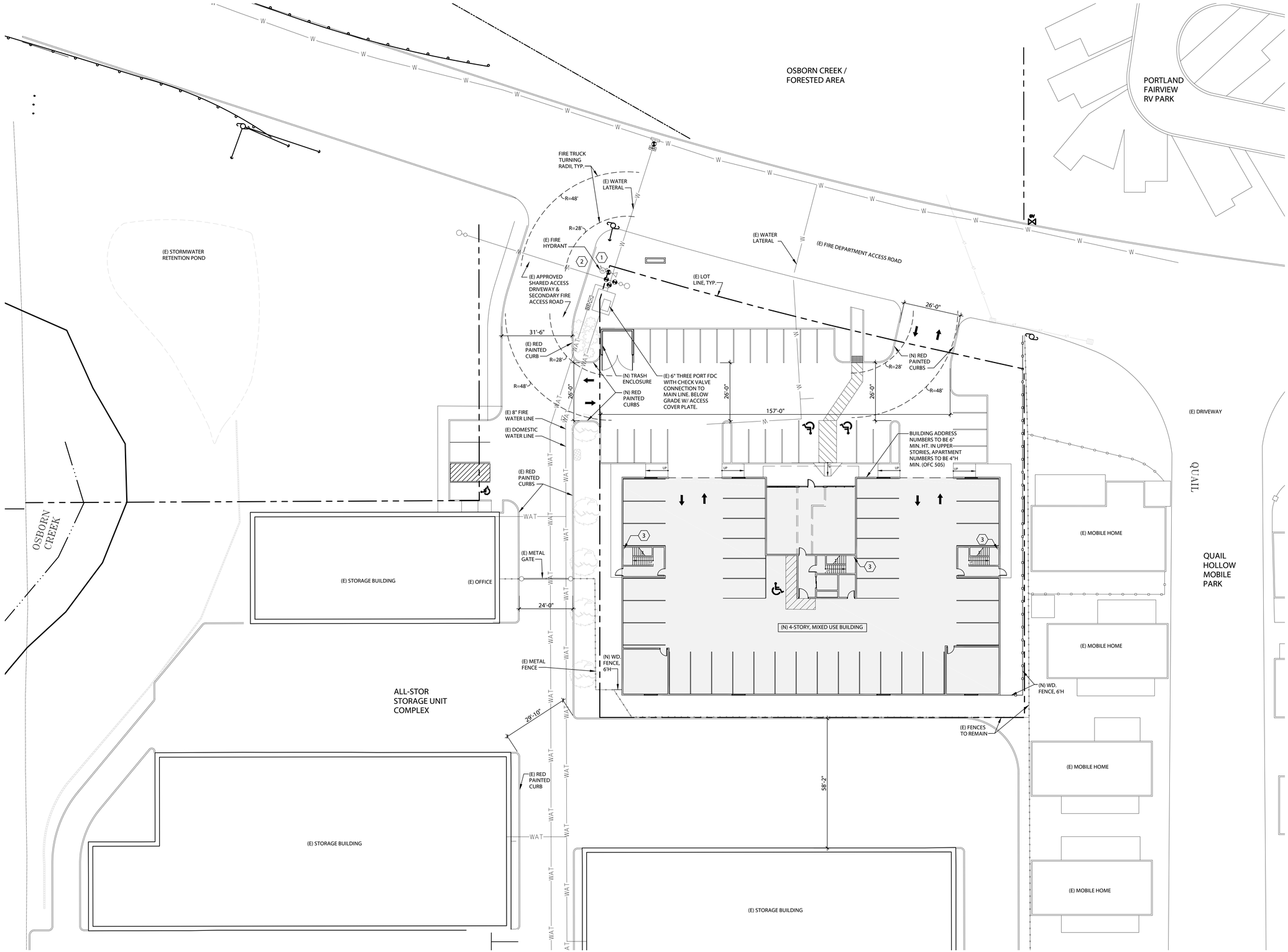
REVISIONS

No.	Description	Date
1	COMMENTS RESPONSE #1	4/12/2018

DRAWN BY: EU
CHECKED BY: BW
JOB NO: 18-001
DATE: 03/22/2018
ISSUED FOR: DESIGN REVIEW
SHEET TITLE
SITE ANALYSIS MAP
SHEET NO.
A-100

S:\Projects\2018 Projects\18-001_Fairview_Apartments\F_Drawings\F2_Current\CADA-100 - 18-001 - Site Analysis Map.dwg @ Plot Date: Apr 12 18 @ Time: 10:36 AM

Exhibit B7



SHEET NOTES

1. THE NEW MIXED-USE BUILDING IS TO HAVE FULL AUTOMATIC FIRE SPRINKLER AND FIRE ALARM SYSTEM COVERAGE.
2. EMERGENCY RESPONDER RADIO COVERAGE IS REQUIRED PER OFC 510.1.1.

NOTES

1. (E) FIRE HYDRANT TO BE MODIFIED AS NECESSARY TO PROVIDE A 5-INCH STORZ ADAPTER WITH NATIONAL STANDARD THREADS INSTALLED ON THE 4-1/2-INCH FIRE HYDRANT OUTLET. THE ADAPTER SHALL BE CONSTRUCTED OF HIGH STRENGTH ALUMINUM ALLOW, HAVE A TEFLON COATING ON THE SEAT AND THREADS, AND USE A RUBBER GASKET AND (2) SET SCREWS TO SECURE IT IN PLACE. THE ADAPTER SHALL BE PROVIDED WITH AN ALUMINUM ALLOY PRESSURE CAP. THE CAP SHALL BE ATTACHED TO THE HYDRANT BARREL OR STORZ ADAPTER WITH A CABLE TO PREVENT THEFT OF CAP. ADAPTER SHALL BE HARRINGTON HPHA50-45NHWCAP OR EQUAL APPROVED BY GRESHAM FIRE.
2. AT (E) FIRE HYDRANT, BLUE REFLECTIVE MARKERS TO BE INSTALLED ADJACENT AND TO THE SIDE OF CENTERLINE OF ACCESS ROADWAY.
3. PROVIDE (N) CLASS III STANDPIPE WITH HOSE CONNECTIONS PER NFPA 15 AND OFC 905.6.

1 FIRE DEPARTMENT ACCESS PLAN
SCALE: 1'-0" = 20'-0"

N

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FAIRVIEW VILLA APARTMENTS

20922 NE SANDY BLVD.
FAIRVIEW, OR. 97024

REVISIONS

No.	Description	Date

DRAWN BY: EU
CHECKED BY: BW
JOB NO: 18-001
DATE: 03/22/2018
ISSUED FOR: DESIGN REVIEW

SHEET TITLE
FIRE DEPARTMENT ACCESS PLAN

SHEET NO.
A-101

S:\Projects\2018 Projects\18-001_Fairview_Apartments\F_Drawings\F2_Current\CAD\A-101 - 18-001 - Fire Dept Access Plan.dwg @ Plot Date: Mar 16 18 @ Time: 5:51 PM

Exhibit B8

1 PROPOSED SITE PLAN
SCALE: 1'-0" = 10'-0"

SHEET NOTES:

1. SEE LANDSCAPE PLAN FOR PLANT LOCATIONS, SIZES AND SPECIES, SOIL AND IRRIGATION SPECIFICATIONS.

2. SEE CIVIL DRAWINGS FOR GRADING, UTILITY CONNECTIONS AND SEDIMENT FENCE LOCATIONS.

SITE STATISTICS

TOTAL SITE AREA:	34,063 SF (100 %)
TOTAL BLDG. AREA (FOOTPRINT):	16,500 SF (48.4%)
LANDSCAPE AREA:	
5% REQ'D IN COMMERCIAL CORRIDOR:	1,703 SF
TOTAL AREA PROVIDED:	5,606 SF (16.5%)
TOTAL EXTERIOR PARKING AREA:	9,452 SF (27.7%)
PARKING LANDSCAPING:	
5% OF PARKING AREA REQ'D:	467 SF
PROVIDED:	2732 SF (28.9%)
PARKING LOT TREES:	
1 TREE PER 5 PARKING SPACES REQ'D:	6
PROVIDED:	14
TOTAL IMPERVIOUS AREA:	27,952 SF (82.1%)

PARKING REQUIREMENTS & COUNTS

REQ'D. PARKING FOR MULTI-FAMILY:	
(27) 1-BDRM UNITS * (1.25) SPACES EA. =	34
(18) 2-BDRM UNITS * (1.5) SPACES EA. =	27
(3) STUDIOS * (1) SPACES EA. =	3
TOTAL:	64
REQ'D. PARKING FOR GENERAL OFFICE:	
1015 SF OFFICE SPACE: (2.7) SPACES PER 1000 SF GROSS LEASABLE AREA =	3
TOTAL PARKING SPACES REQUIRED:	67
PARKING PROVIDED:	
EXTERIOR PARKING SPACES: (INCLUDES 2 ADA SP)	29
GARAGE PARKING SPACES: (INCLUDES 1 ADA SP)	38
COMPACT SPACES = 27 (40% of 67)	
TOTAL PARKING SPACES PROVIDED:	67
BICYCLE PARKING:	
SHORT-TERM:	
MULTI-FAMILY: (1) SPACE PER (10) CAR SPACES =	7
OFFICE: (1) SPACE PER (10) VEHICLE SPACES =	1
TOTAL REQ'D:	8
TOTAL PROVIDED:	8
LONG TERM:	
MULTI-FAMILY: (1) SPACE PER DWELLING UNIT =	48
OFFICE: (1) SPACE PER EMPLOYEE =	8 MAX.
TOTAL REQ'D:	56
TOTAL PROVIDED:	56

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FAIRVIEW VILLA APARTMENTS

20922 NE SANDY BLVD.
FAIRVIEW, OR. 97024

REVISIONS

No.	Description	Date
1	COMMENTS RESPONSE #1	4/12/2018

DRAWN BY: EU
CHECKED BY: BW
JOB NO: 18-001

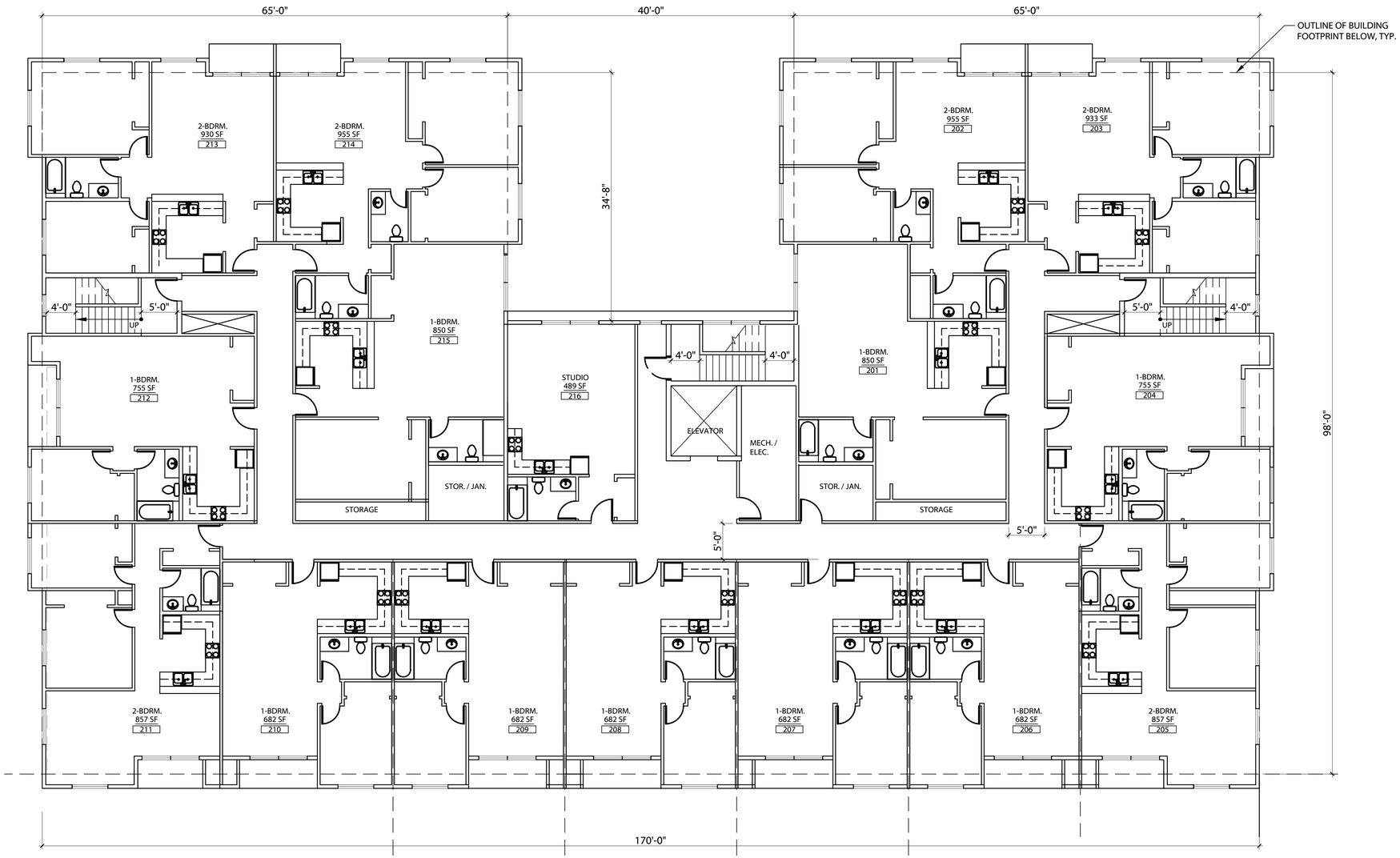
DATE: 03/22/2018
ISSUED FOR: DESIGN REVIEW

SHEET TITLE
PROPOSED SITE PLAN

SHEET NO.
A-102

S:\Projects\2018 Projects\18-001_Fairview_Apartments\F_Drawings\F2_Current\CAD\A-102 - 18-001 - Proposed Site Plan.dwg @ Plot Date: Apr 12 18 @ Time: 11:21 AM

Exhibit B9



1 PROPOSED UPPER LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"

N

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FAIRVIEW VILLA APARTMENTS

20922 NE SANDY BLVD.
FAIRVIEW, OR. 97024

REVISIONS

No.	Description	Date

DRAWN BY: EU
CHECKED BY: BW
JOB NO: 18-001
DATE: 03/22/2018
ISSUED FOR: DESIGN REVIEW

SHEET TITLE
PROPOSED UPPER LEVEL FLOOR PLAN

SHEET NO.
A-121

S:\Projects\2018 Projects\18-001_Fairview_Apartments\F_Drawings\F2_Current\CAD\A-121 - 18-001 - Typical Upper Level Floor Plans.dwg @ Plot Date: Mar 19 18 @ Time: 4:44 PM

Exhibit B10

3 EAST / WEST ELEVATIONS
SCALE: 1'-0" = 10'-0"

2 SOUTH ELEVATION
SCALE: 1'-0" = 10'-0"

1 NORTH ELEVATION
SCALE: 1'-0" = 10'-0"

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FAIRVIEW VILLA APARTMENTS

20922 NE SANDY BLVD.
FAIRVIEW, OR. 97024

REVISIONS

No.	Description	Date

DRAWN BY: EU
CHECKED BY: BW
JOB NO: 18-001

DATE: 03/22/2018
ISSUED FOR: DESIGN REVIEW

SHEET TITLE
EXTERIOR ELEVATIONS

SHEET NO.
A-221

S:\Projects\2018 Projects\18-001_Fairview_Apartments\F_Drawings\F2_Current\CAD\A-221 - 18-001 - Exterior Elevations.dwg @ Plot Date: Mar 19 18 @ Time: 4:36 PM

Exhibit B11

1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

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FAIRVIEW VILLA APARTMENTS
20922 NE SANDY BLVD.
FAIRVIEW, OR. 97024

REVISIONS

No.	Description	Date

DRAWN BY: EU
CHECKED BY: BW
JOB NO: 18-001
DATE: 03/22/2018
ISSUED FOR: DESIGN REVIEW

SHEET TITLE
COLOR BUILDING ELEVATION

SHEET NO.
A-222

S:\Projects\2018 Projects\18-001_Fairview_Apartments\F_Drawings\F2_Current\CAD\A-222 - 18-001 - Color Elevation.dwg @ Plot Date: Mar 20 18 @ Time: 5:02 PM

Department of Community Services
Transportation Division
http://multco.us/transportation-planning

1620 SE 190th Avenue, Portland Oregon 97233-5910 • PH. (503) 988-5050 • Fax (503) 988-3321

MEMORANDUM

TO: Eric Rutledge, Associate Planner, City of Fairview

FROM: Joanna Valencia, AICP, Transportation Planning and Development Manager

DATE: July 3, 2018

SUBJECT: 2018-21-DR / Fairview Villa (County File No: EP-2017-9700), 20922 NE Sandy Blvd

The Multnomah County Transportation Program has reviewed the proposed:

- A four-story mixed use development in the Corridor Commercial Zone. The structure will contain 61,104 SF, consisting of (27) one-bedroom apartments, (18) two-bedroom units, (3) studios, and 1,000 SF of office space. There will be (38) secured parking spaces within the building's first floor, plus (29) spaces outside the building including compact and (2) accessible spaces.

- There will be two access points from Sandy Blvd. The primary access will be from a driveway on the east side of the property. Secondary access will be a shared driveway along the west border of the property, as called for in a recorded deed with the 'ALL-STOR Storage' facility to the west and south of the property.

The comments provided in this memorandum are based on the information provided in the application packet. Additionally this memo reflects the county's approval of the road rules variance request and required conditions.

Sandy Boulevard is a Minor Arterial facility under county jurisdiction.

Conditions of Approval:

1. **Prior to issuance of the Certificate of Occupancy, dedicate 5 feet of right-of-way along the site's Sandy Boulevard frontage to Multnomah County for road purposes.**

2. **Prior to issuance of the Certificate of Occupancy, dedicate a five-foot slope/utility/drainage/sidewalk/landscaping/traffic control device easement along the site's NE Sandy Boulevard frontage for the benefit of Multnomah County.**

3. **Prior to issuance of the Certificate of Occupancy, construct half-street improvements to Multnomah County standards along the site's Sandy Blvd and obtain a Construction Permit**

from Multnomah County for all improvements within the County right of way. Half street improvements include: Grade/rock/pave to commercial depth between existing pavement and new curb; Construct bicycle lanes as required; Furnish street trees as required; Furnish street lighting facilities as required; Construct Multnomah County standard concrete curb and 6-foot wide concrete sidewalk in compliance with ADA specifications; Install underground traffic control devices conduit and related equipment as required; Construct storm drainage facilities as required or provide payment to Multnomah County in-lieu of constructing the improvements.

4. **Maintain sight distance at all access points on Sandy serving the property consistent with AASHTO requirements.**

5. **Any work in the right of way, including the removal of trees, lanscaping, encroachments in the right-of-way or any increase in storm-water drainage from the site to the right of way will require review and a permit from Multnomah County.**

6. **Prior to issuance of the Certificate of Occupancy, acquire driveway permits for the site's access to NE Sandy Blvd.**

7. **Prior to issuance of the Certificate of Occupancy, a Level of Service (LOS) Analysis for the intersections of Sandy/Fairview Parkway, the driveways and Sandy Blvd, and 223rd/Sandy Blvd. shall be completed and submitted to the county for review. If impacts are found, the developer shall mitigate impacts.**

Findings:

In order to be granted a variance, the applicant must demonstrate that the following Multnomah County Road Rules (MCRR) standards are met. Below are responses supporting approval of the variance. As conditioned, the roads rules criteria are met.

16.100 Variance Requirements:
A. Multnomah County Code 29.507 provides for a variance by the County Engineer from County standards and requirements when written documentation substantiates that the requested variance is in keeping with the intent and purpose of County Code and adopted rules, and the requested variance will not adversely affect the intended function of the County road system or related facilities. A variance approval may include mitigation measures as conditions of approval.

MCRR 16.200 General Variance Criteria:

A. Special circumstances or conditions apply to the property or intended use that do not apply to other property in the same area. The circumstances or conditions may relate to the size, shape, natural features and topography of the property or the location or size of physical improvements on the site or the nature of the use compared to surrounding uses;

> Response: Development of the property for an apartment building meeting City of Fairview Density requirements will require Fire Dept. approval. In order to get approval from Gresham Fire the property will need to make

use of the Shared Access rights to the driveway at the west plus the Sandy Blvd. driveway to achieve thru passage for fire dept. trucks. This is a request for a driveway location on Sandy Blvd. that differs from the county standard. They are proposing to use the existing access location for the new driveway location. Other driveways of adjacent properties: The Quail Hollow Mobile Park driveway is about 130' to the east, the closest driveway to the west is the All Stor Storage Condos at 175'. Traffic volume to it is quite limited. Other neighboring driveways are well beyond the 295' min. spacing. This section of Sandy is classified as Moderate Arterial. The proposed use for this application is compatible with adjacent uses. On-site circulation requires this access for general circulation as well as providing fire truck access. The site is very tight and does not provide enough space for a fire truck turn around or hammer-head.

B. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant and extraordinary hardship would result from strict compliance with the standards;

Response: Space at the NW corner of the property is needed for storm water related water quality planter, for required landscaping, and parking required for the size of apartment building that meets city min. density standards. Additionally, the city code allows building density as proposed that is needed to achieve an equitable development. The particular size and shape of the parcel requires this access to maintain safe and efficient fire truck access as well as vehicular access toSandy Blvd. There is an existing driveway on Sandy at approximately the same location we are proposing the new access. The proposed location is approximately half way between the two other existing access points on adjacent properties. There is not a driveway across the street.

C. The authorization of the variance will not be materially detrimental to the public welfare or injurious to other property in the vicinity, or adversely affect the appropriate development of adjoining properties;

Response: There is an existing curb cut at the location of the proposed access, which has been used for many years for residential access. Actually, historically the existing access was for (2) residences. There is no reason to think the access will negatively affect adjacent properties as the proposed property use is compatible with the adjacent uses. The adjacent land uses included a residential mobile home court towards the east, a storage unit development towards the south with access located directly to the west. Across the street is an RV park to the northeast and commercial development directly north and to the west. None of the adjacent land uses have access points conflicting with the existing location of our proposed access.

D. The circumstances of any hardship are not of the applicant's making.

Response: This request is made in order to achieve the needed density of development as permitted and encouraged by the city of Fairview development code. The size of the existing parcel combined with the density permitted necessitate the need for the access onto Sandy Blvd and is not of the applicant's making. This variance is needed, in order to achieve the density allowed and satisfy appropriate circulation for vehicles and fire truck access it is necessary to request the access onto Sandy Blvd.

Troutdale File #: 18-21
Fairview Villa Apts. 20922 NE Sandy
FROM: Kyle Stuart, Gresham Fire (kyle.stuart@GreshamOregon.gov)
DATE: 3-28-2018
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 entrance shall be a monument sign with a minimum 6" address numbers. After pulling in the driveway, each entrance shall have a monument sign with a site plan of the complex on the right side (provide a copy with the building permit plans for our review). 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. All fire hydrants shall have STORZ quick adapters on the large port. The model required is Harrington HPHA50-45NHWCAP. Fire hydrants must be within 400ft from the farthest portion of the structure. This is how the hose would lie on the ground and cannot cross curbs, landscaped areas or over portions of the building. ***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***

14. ***If*** a gate is installed on a fire access road, it must meet the requirements of the Gresham Fire Gate Policy. This policy can be faxed to you if requested. ***OFC 506.1***

PLANNING COMMISSION STAFF REPORT
TYPE III SITE DESIGN REVIEW
FINDINGS AND STAFF RECOMMENDATION

Date of Report:	August 7, 2018
Staff Contact:	Eric Rutledge, Associate Planner rutledgee@ci.fairview.or.us 503-674-6205
Application Number:	2018-14-DR
Property Owner:	Townsend Farms Inc.
Applicant:	Koble Creative
Site Address:	22820 NE Sandy Blvd
Parcel Number/Tax ID:	R510302
Proposal:	New 12,000 SF manufactured metal building, employee/visitor parking, fleet parking, outdoor storage, stormwater facilities, and other site improvements.
Recommendation:	**Approval with Conditions**
Exhibits:	**A. Applicant's Narrative & Written Materials** 1. Applicant Narrative 2. General Engineering Narrative 3. Natural Resource Compliance Narrative 4. Road Rules Variance Narrative 5. Trip Generation Memo 6. Preliminary Storm Drainage Report

B. Plans/Drawings

1. Cover Sheet
2. Site Plan
3. Utility Plan
4. Grading Plan
5. Site Survey
6. Natural Resource Area Protection Plan
7. Landscape Plan
8. Building Elevations
9. Building Elevations
10. Civil Details
11. Civil Details
11. Landscape Calculations (produced by City staff)

C. Property Information

1. Preliminary Title Report
2. PGE Easement
3. Billboard Lease

D. Department Referral Comments

1. Gresham Fire Comments
2. Mid-County Lighting District Comments

I. BACKGROUND & EXISTING CONDITIONS

Address/Location: 22820 NE Sandy Blvd.

Acreage: 4.21 Acres

Comprehensive Plan: General Industrial

Zoning Designation: General Industrial

Zoning Overlays: Natural Resource Regulations

Surround Land Use/Zoning:

North: Sandy Blvd, vehicle storage (General Industrial)

South: I-84 corridor (Corridor Commercial)
East: Vacant, undeveloped (Corridor Commercial)
West: Pettijohn Park, open space (General Industrial)

Streets/Classification: Sandy Blvd. is a Minor Arterial under Multnomah County jurisdiction

Application Narrative:
The applicant proposes a 12,000 SF metal building, parking, and outdoor storage to serve as a new office and operations headquarters for Environmental Works. The metal building will include office space, warehousing, and a maintenance bay. Employee and visitor parking will be provided via (25) on-site spaces located in front and on the east side of the building. Operational vehicles will be stored behind the building with other outdoor storage. Two driveways are proposed to allow efficient vehicle circulation.

Existing Site Conditions:
The site is currently vacant except for three old concrete building pads, a fence around the perimeter of the property, and billboard on the south end of the site advertising to drivers on I-84. No Name Creek runs south to north along the eastern property line. Mature trees and vegetation are present along this corridor and towards the south end of the property. Fairview Creek runs approximately north-south on a City-owned property to the west of the site. There is also steep slope on the south end of the property created by the I-84 berm.

II. NOTICES & REFERRALS

Application Date:	February 22, 2018
Application Deemed Complete:	July 2, 2018
Public Hearing Date:	August 14, 2018
Public Notice Date/Type:	July 17, 2018 Notice to Property Owners (250 ft.) July 24, 2018 Notice in Outlook August 3, 2018 Notice Posted to Site
Referrals:	Multnomah County Transportation Division Gresham Fire

III. APPLICABLE CRITERIA

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

A) Application Review Procedures
- FMC 19.400 Administration of Land Use Review
- FMC 19.413.030 Type III Procedures (Quasi-Judicial)
- FMC 19.424 Site Design Review – Application Review Procedure
- FMC 19.425 Site Design Review – Application Submission Requirements
- FMC 19.426 Site Design Review – Approval Criteria

B) Land Use Districts
- FMC 19.85 General Industrial District
- FMC 19.106 Natural Resource Regulations

C) Design Standards
- FMC 19.162 Access and Circulation
- FMC 19.163 Landscaping, Street Trees, Fences, and Walls
- FMC 19.164 Vehicle and Bicycle Parking
- FMC 19.165 Public Facilities Standards
- FMC 19.170 Sign Regulations

IV. APPLICATION REVIEW PROCEDURE FINDINGS

Chapter 19.400 Administration of Land Use Review

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.

FINDINGS: If approved, this Site Design Review shall expire two (2) years from the date of final decision.

Condition of Approval: The approval for application 2018-14-DR shall become null and void after two (2) years if construction activities have not commenced.

Chapter 19.413 Procedures

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.

A. Public Notification. Notice of the public hearing shall be mailed to the property owner and applicant, if different, and to all property owners within 250 feet of the outer boundaries of the site, not less than 20 days prior to the date of the hearing. Notice must also be provided in a public news paper at least 20 days prior to the hearing date. In addition, a sign indicating the date of the public hearing, shall be posted on the subject property not less than 10 days prior to the date of the hearing. Notice must also be provided at least 20 days prior to the scheduled hearing to any neighborhood or community organization recognized by the city whose boundaries include the subject property.

FINDINGS: A planning commission hearing on the application is scheduled for August 14, 2018. Public notification for the hearing was provided by city staff in accordance with the requirements listed above.

Chapter 19.424 Site Design Review – Application Review Procedures

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.

FINDINGS: The development proposes more than 5,000 SF of industrial space and is subject to a Type III review.

Chapter 19.425 Site Design Review – Application Submission Requirements
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.

FINDINGS: The applicant has submitted an application containing all of the information required for the Type III application and Site Design Review approval. The application was deemed complete on July 2, 2018.

Chapter 19.426 Site Design Review – Approval Criteria
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.

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.

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.

19.426.030 Upgrade existing development.
The applicant shall be required to upgrade any existing development that does not comply with the applicable land use district standards, in conformance with Chapter 19.530 FMC, Nonconforming Uses and Development.

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)

19.426.050 Conditions.
All conditions required as part of an approval shall be met.

19.426.060 Exceptions.
Exceptions to criteria in FMC 19.426.040(A) through (E) may be granted only when approved as a variance.

FINDINGS: This application was determined to be complete on July 2, 2018. Per FMC 19.426.020 and 19.426.40, compliance with the underlying land use district and the design standards in FMC Article III are analyzed below. All conditions required as part of this approval must be met.

V. LAND USE DISTRICT FINDINGS

Chapter 19.85 General Industrial District

19.85.010 Purpose.

This district is intended for a broad range of uses, which can be located in areas where they do not directly affect the livability of residential neighborhoods and the quality and viability of commercial areas in the city. This district provides for the normal operation of an industry, which can meet and maintain the standards set in this section in order to reasonably protect nearby residential and commercial districts. The general industrial district accommodates a range of light and heavy industrial land uses. It is intended to segregate incompatible developments from other districts, while providing a high-quality environment for businesses and employees. This chapter guides the orderly development of industrial areas based on the following principles:

A. Provide for efficient use of land and public services;

B. Provide transportation options for employees and customers;

C. Provide appropriate design standards to accommodate a range of industrial users, in conformance with the Comprehensive Plan.

19.85.020 Permitted land uses.

A. Permitted Uses. The land uses listed in Table 19.85.020.A are permitted in the general industrial district, subject to the provisions of this chapter.

FINDINGS: The site will serve as the headquarters for Environmental Works, a local company that provides radon, plumbing, sewer, tank, drilling, and other environmental services. The proposed building will include approximately 8,600 SF of warehouse space, 3,000 SF of office, and a 400 SF maintenance bay. The outdoor space behind the building will be used for company vehicle and equipment storage. Warehousing/distribution and similar uses are allowed outright in the General Industrial (GI). Commercial/office space up to 5,000 SF is also an outright allowed use the GI zone. The proposed use of vehicle/equipment storage and office space complies with the allowed uses in the GI zone.

19.85.030 Development setbacks.

Development setbacks provide separation between industrial and nonindustrial uses for fire protection/security, building maintenance, sunlight and air circulation, noise buffering, and visual separation.

A. Front, Side and Rear Setbacks.

1. None, unless the property abuts a parcel of land in a more restrictive manufacturing district (i.e., LI), or a commercial district,

in which case the requirements of the abutting property shall apply. If an established building line exists, the setback may be the same as the established building line following approval by the planning commission.

FINDINGS:

Setback	Min. Required	Max Allowed	Proposed
Front (Abuts Sandy Blvd.)	0 ft.	N/A	54 ft.
Rear (Abuts GI/CC zone)	0 ft.	N/A	36 ft. (SW corner of building to nearest point of west property line) 285 ft. (SE corner of building to nearest point of south property line)
West Side (abuts GI zone)	0 ft.	N/A	36 ft. – 106 ft.
East Side (abuts CC zone)	0 ft.	N/A	207 – 213 ft.

2. *If any use in this district abuts or faces any residential zone, a setback of 50 feet on the side abutting or facing the residential district may be required.*

FINDINGS: The development site does not abut a residential district. This standard does not apply.

3. *Setbacks for Insufficient Right-of-Way. Setbacks shall be established when a lot abuts a street having insufficient right-of-way width to serve the area. The necessary right-of-way widths and the setback requirements in such cases shall be based upon the Comprehensive Plan and applicable ordinances and standards.*

FINDINGS: NE Sandy Blvd. is a Multnomah County road. A 20 ft. right-of-way dedication is required for future expansion of the road. The building setbacks indicated on the site plan (Exhibit B2) account for the 20 ft. right-of-way dedication that is required. This standard is met.

B. Other Requirements.

1. Buffering. The city may require landscaping, walls or other buffering in setback yards to mitigate adverse noise, light, glare, and aesthetic impacts to adjacent properties.

FINDINGS: The development site is buffered by existing vegetation near the east and west property lines, provided by No Name Creek and Fairview Creek. The creeks provide a natural buffer between the adjacent properties to the east and west. The adjacent property to the south is owned by the Oregon Department of Transportation and serves as part of the I-84 corridor. A buffer is not needed along this property line. To create a small buffer between NE Sandy Blvd. and the industrial building, the applicant is proposing a 5 ft. wide landscaped area along the front property line including shrubs and deciduous trees. The existing site conditions and proposed 5 ft. front buffer adequately mitigate any adverse noise, light, etc. on adjacent properties.

2. Neighborhood Access. Construction of pathway(s) within setbacks may be required to provide pedestrian connections to adjacent neighborhoods or other districts, in accordance with Chapter 19.162 FMC, Access and Circulation.

FINDINGS: A 5 ft. wide pedestrian path connecting Sandy Blvd. to the primary building entrance will be provided. There are no other pedestrian pathway systems in the surrounding area that would warrant connection to the new development. This standard is met.

3. Building and Fire Codes. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above (e.g., combustible materials, etc.).

FINDINGS: The development application was routed to Gresham Fire, who provided comments provided in Exhibit D1. The development will comply with the fire code, subject to meeting the comments provided by fire staff. The applicant will be required to meet all applicable building code standards via a separate building permit application which is reviewed after land use approval.

Condition of Approval: Prior to final occupancy, all development shall comply with applicable fire and building code standards.

4. Groundwater Protection. All development shall meet the standards for the groundwater protection area.

FINDINGS: The property is located within the Columbia South Shore Well Field Wellhead Protection Program Area and all future development and operations must comply with the Columbia South Shore Well Field Wellhead Area Reference Manual.

FINDINGS: Prior to issuance of building permits, the applicant shall submit an Annual Hazardous Materials Report Form identifying all expected regulated chemicals that will be utilized, stored, or handled at the site.

19.85.040 Lot coverage.
The maximum allowable lot coverage in the general industrial district is 85 percent. The maximum allowable lot coverage is computed by calculating the total area covered by buildings and impervious (paved) surfaces, including accessory structures. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

FINDINGS: The site size is 183,336 SF and the proposed lot coverage is approximately 65,000 SF or 35.5%. This standard is met.

19.85.050 Development orientation.
Industrial developments shall be oriented on the site to minimize adverse impacts (e.g., noise, glare, smoke, dust, exhaust, vibration, etc.) and protect the privacy of adjacent uses to the extent possible. The following standards shall apply to all development in the general industrial district:

A. Mechanical equipment, lights, emissions, shipping/receiving areas, and other components of an industrial use that are outside enclosed buildings, shall be located away from residential areas, schools, parks and other nonindustrial areas to the maximum extent practicable; and

B. The city may require a landscape buffer, or other visual or sound barrier (fence, wall, landscaping, or combination thereof) to mitigate adverse impacts that cannot be avoided through building orientation standards alone.

FINDINGS: The proposed building is oriented towards NE Sandy Blvd. and operations facing the right-of-way will be enclosed within the building. The outdoor operations are located behind the building and the adjacent property to the south is owned by ODOT as part of the I-84 corridor. The east and west property lines are buffered by naturally occurring vegetation associated with No

Name Creek and Fairview Creek. No additional buffers are required to meet this standard.

19.85.060 Building height.
The following building height standards are intended to promote land use compatibility and flexibility for industrial development at an appropriate community scale:

A. Base Requirement. Buildings shall be no more than three stories or 45 feet in height, whichever is greater, and shall comply with the building setback standards in FMC 19.85.030.

FINDINGS: The proposed building is 28 ft. 10 in (see Exhibit B8 & B9). This standard is met.

19.85.070 Special standards for certain uses.

A. Uses With Significant Noise, Light/Glare, Dust, Vibration, or Traffic Impacts. The following uses shall require conditional use permit approval, in addition to development review or site design review:

1. Uses with Significant Noise, Light/Glare, Dust and Vibration Impacts. Uses which are likely to create significant adverse impacts beyond the industrial district boundaries, such as noise, light/glare, dust, or vibration, shall require conditional use approval, in conformance with Article IV of this title. The following criteria shall be used in determining whether the adverse impacts of a use are likely to be "significant":

a. Noise. The noise level beyond the property line exceeds 65 dBA (24-hour average) on a regular basis.

FINDINGS: The proposed use and future operations are not expected to exceed 65 dBA. The riparian buffers on the east and west side of the property will mitigate noise from the site.

b. Light/Glare. Lighting and/or reflected light from the development exceeds ordinary ambient light and glare levels (i.e., levels typical of the surrounding area).

FINDINGS: Outdoor lighting will be attached to the metal building at a height of 12 ft. on all sides. The proposed lighting and reflection from the building is not expected to result in significant off-site impacts.

Condition of Approval: Parking lot and storage area lighting was not included in the site plan. If lighting for these areas is proposed, an updated site plan and construction details shall be submitted prior to issuance of building permits.

c. Dust and/or Exhaust. Dust and/or exhaust emissions from the development exceeds ambient dust or exhaust levels, or levels that existed prior to development.

FINDINGS: The proposed development will improve ambient dust on the site by paving areas that are currently exposed dirt and weedy vegetation. The rear of the site will be improved with compact gravel, a coarser material than the loose dirt currently on site. The site has been historically used for light industrial operations including truck storage and exhaust levels are not anticipated to exceed past levels.

19.85.080 Special standards for city of Fairview adopted Metro Title 4 industrial properties.

A. The purpose of this section is to impose special standards to protect and preserve the supply of industrial lands in Fairview in accordance with the limitations set out in Title 4 of Metro's Urban Growth Management Functional Plan (see Figure 9-C in the Comprehensive Plan for all Fairview Adopted Title 4 Industrial and Employment Lands).

FINDINGS: The property is not designated as a Title 4 Industrial property. This standard does not apply.

Chapter 19.106 Natural Resource Regulations

19.106.010 Purpose.

A. The city has determined through review, investigation and development of appropriate regulation and guidelines to promote the application and utilization of the city's Comprehensive Plan, that the city's major water features the Columbia River, Fairview Creek, Osburn Creek, No Name Creek, Raintree Creek, Salmon Creek, Clear Creek, Fairview Lake, Columbia Slough, and associated wetlands and riparian areas, and upland habitat areas, as defined herein, are a valuable and irreplaceable natural resource to the community.

19.106.040 Resource protection area requirements.

A. Standards outlined in this section apply to the city's riparian resources and upland habitats as shown on the city of Fairview natural resource map adopted by the city council on September 5, 2012, (hereon referred to as "the map") which includes the Columbia River and Fairview Creek,

Osburn Creek, No Name Creek, Salmon Creek, Rain Tree Creek, and Clear Creek, and mapped wetlands and upland habitat.

B. Each resource has been designated with a specific protection area as shown on the map. The map shows Fairview's riparian resources that are subject to either a 35-, 40-, 55-, or 80-foot riparian buffer resource protection area. The protection areas are measured from the centerline of the creek in each direction either 35, 40, 55, or 80 feet as shown on the map. Where there are multiple reaches of waterbodies the protection area shall be measured from the centerline of each reach.

1. Riparian Resource Protection Areas. The riparian resource protection area includes the mapped resource and the area of land immediately adjacent to the edges of banks located along the Columbia River and Fairview Creek, Osburn Creek, No Name Creek, Salmon Creek, Rain Tree Creek, and Clear Creek.

b. The 55-foot resource protection area applies to:

- *Fairview Creek at the property line between the northern property line of 15 Matney Street and the southern property line of 2010 Fairview Avenue, as shown on the adopted map, running northward to Fairview Lake.*

FINDINGS: Fairview Creek runs north-south through a Pettijohn Park, a City owned property west of the development site. The City's adopted Natural Resource Map does not show the 55 ft. resource buffer along this portion of Fairview Creek, however, the development code section above and FMC Table 19.106.080(A) state the 55 ft. buffer applies to this portion of the creek. FMC 19.106.080 Map Amendments and Administrations also states "*The natural resources map ("map") is a general indicator of protected resources and their associated vegetated corridors; the location of actual resource protection areas is determined according to the parameters established in Table 19.106.080(A)."*

The applicant has completed a survey of the centerline of the creek and provided a utility plan showing the proposed developments within the 55 ft. resource protection area. A stormwater swale, gravel drive area, and retaining wall are proposed within the buffer. All of these development features are allowed in the resource protection area, subject to the exception process outlined in FMC 19.106.040.D and addressed in detail below.

c. The 40-foot resource protection area applies to:

- *No Name Creek*

FINDINGS: No Name Creek runs north-south along the east property line (see Exhibit B2 – Site Plan). The City's Natural Resource Map indicates a 55 ft. natural resource buffer applies to this portion of No Name Creek, however, the development code section above and FMC Table 19.106.080(A) state that a 40-foot resource protection area applies. FMC 19.106.080 Map Amendments and Administrations also states "*The natural resources map ("map") is a general indicator of protected resources and their associated vegetated corridors; the location of actual resource protection areas is determined according to the parameters established in Table 19.106.080(A)."*

The applicant is not proposing any development within the 40-foot resource protection area. The nearest development feature to the creek is the rock/sand storage area, which is approximately 86 feet from the centerline of the creek and 46 feet from the outer boundary of the resource protection area. A boundary verification is not required for No Name Creek.

3. Upland Habitat Resource Protection Areas. Upland habitat areas provide valuable functions to the city's riparian and wetland areas and to fish and wildlife. The purpose of this section is to encourage habitat friendly development while minimizing impact on water quality and fish and wildlife habitat functions. Development within 15 feet of a mapped upland habitat area is subject to a Type I boundary verification process.

FINDINGS: A mapped upland habitat area is located directly west of the development site and proposed building. The applicant has verified that the extent of the upland habitat and is proposing a gravel driveway and retaining wall approximately 8 feet to the east (see Exhibit B6 Preliminary RPA Buffer Mitigation Plan). Development is not proposed within the upland habitat.

C. Development and Construction Standards. The following standards apply to development and construction in the resource protection areas identified in this section (this section and as permitted in Table 19.106.040(B))…

10. Stormwater detention and filtration facilities which are designed according to the best management practices described in the standard specifications ordinance and related ordinances and technical guidance manuals shall be provided when applicable.

13. Temporary disturbances may not exceed more than 25 percent of the area of the applicable resource protection area. Temporary disturbances are those that occur during an allowed or approved

development activity but will not persist beyond completion of the project. Temporary disturbances include, but are not limited to, construction access ways, material staging and stockpile areas, and excavation areas for building foundations, utilities, stormwater facilities, etc.

FINDINGS: The temporary disturbance area within the natural resource area is 678 SF, well under the 25% allowed. The design of the stormwater facility located in the resource protection area will comply with best practices of the City of Portland's Stormwater Management Manual.

Condition of Approval: The applicant shall meet all applicable development and construction standards described in FMC 19.106.040(C).

D. Exception Process. Any proposed development within a riparian resource protection area, upland habitat areas, or the required 50-foot buffer for wetland areas must file an exception application with the city of Fairview. The intent of the exception process is to allow reasonable development of property while providing protection for water and wildlife resources.

1. The applicant may utilize the following methods for avoiding or minimizing development within the upland habitat area and riparian resource protection areas. Exception applications must demonstrate compliance with the following criteria:

c. Facilities that infiltrate stormwater on site, including the associated piping, may be placed within the upland habitat or riparian resource protection area so long as the forest canopy and areas within the drip lines of trees are not disturbed. However, if disturbance cannot be avoided, then the disturbed areas shall be mitigated per subsection (E)(2) of this section, Option 2. Such facilities may include, but are not limited to, vegetated swales, rain gardens, vegetated filter strip, and vegetated infiltration basins. Only native vegetation may be planted in these facilities.

Findings: The applicant is proposing a stormwater quality and detention basin facility which extends into the resource protection area at the northwest corner of the site. The stormwater facility will create a permanent disturbance of 2,127 SF of the resource protection area, which totals 17,246 SF along this section of Fairview Creek (See Exhibit B6 Preliminary RPA Buffer Mitigation Plan). Based on the applicant's survey and the latest satellite imagery, the stormwater facility

will not disturb the forest canopy or be within the drip line of existing trees and does not require mitigation.

Condition of Approval: The stormwater facility shall be designed and constructed according to best management practices of the Portland Stormwater Management Manual and only native vegetation may be planted in the facility.

e. Buffer Averaging. Buffer averaging is permitted for new development activities, excluding any existing building footprint area already encroaching into the riparian resource area. Reductions from the standard buffer setback distances shall be accomplished through averaging the buffer distance on a site. Buffer averaging involves decreasing a portion of the riparian buffer within the proposed development site and increasing the buffer in another area. The new buffer area will need to provide equivalent or enhanced protection of the functions or values of the riparian resource area and provided the total area contained in the buffer on the proposed development site does not decrease.

Findings: The applicant is proposing a gravel driveway, parking area, and retaining wall in the 55 ft. resource protection area, requiring the buffer averaging exception. The area that will be permanently disturbed due to the new development is 1,819 SF (see Exhibit B6 Preliminary RPA Buffer Mitigation Plan). The applicant is proposing to increase the riparian buffer by the same amount (1,819 SF) immediately south of the development area on the east side of the creek.

i. Criteria for buffer averaging include:

(A) The resource protection area may not be reduced more than 60 percent (or 24 feet) in the 40-foot resource protection area, 50 percent in the 55-foot resource protection area (or 27.5 feet) and 40 percent in the 80-foot resource protection area (or 32 feet).

Findings: The resource protection area will be reduced by approximately 15 linear feet near the gravel parking area. A reduction of 27.5 feet is allowed. This standard is met.

(B) Buffering averaging is allowed with the following site assessment prepared by a qualified professional. At a minimum the assessment shall contain…

FINDINGS: The applicant has submitted a survey and site assessment by a qualified professional. The proposed habitat restoration area equals the disturbance area requiring mitigation, and will provide protection better than currently exists as a result of removing invasive species and replanting natives.

(C) Any proposed buffer averaging requires enhancement and mitigation of the remaining resource protection area and the new buffer averaging area. A mitigation plan must be prepared that meets subsection E of this section, Mitigation.

Condition of Approval: Prior to issuance of building permits, the applicant shall submit a mitigation plan for the new buffer averaging area that meets the requirements of FMC 19.106.040(E).

(D) Wherever practical, reductions in the buffer distance shall occur adjacent to lower value or less sensitive areas within the buffer site and the expansion of the buffer in compensation shall occur within higher value or more sensitive areas.

Findings: Based on the latest satellite imagery and photos from the applicant, reductions in the buffer will occur in low value areas that have been previously disturbed. The expansion area will be located in another previously disturbed area near the existing outfall that daylights water traveling under the I-84 corridor. Adding vegetation in this area will help mitigate erosion and other concerns commonly associated with stormwater outfalls.

(E) To the extent practicable, wherever riparian buffers are reduced from the standard setbacks, the buffer shall be increased on the opposite bank of the channel across from the area where the reduction is allowed.

Findings: The opposite bank of the proposed disturbance area is a City-owned property with dense riparian vegetation. Adding to the buffer on this side of the creek will not create the benefits intended by the code because the area already serves as intact riparian habitat.

(F) A development permit shall be obtained before construction or development begins within any area of special flood hazard. Requirements for the permit as well as specific and general standards are outlined in Chapters 16.05 and 19.105 FMC.

Findings: Construction/development is not proposed within any areas of special flood hazard, as determined by the Federal Emergency Management Agency (FEMA).

f. Disturbance of upland habitat areas cannot exceed 50 percent of the designated upland habitat area.

Findings: The applicant is not proposing to disturb any upland habitat area.

2. Mitigate Development Impacts. All development approved through the exception process must comply with mitigation requirements of subsection E of this section. Mitigation must be targeted to the most degraded portions, as identified by the resource habitat assessment process, of the resource protection area first. Remaining mitigation requirements shall be spread throughout the resource protection area.

Findings: All buffer areas along the east side of Fairview Creek are degraded due to historic development activities. The proposed habitat restoration is an ideal location because it was previously graded and disturbed as part of the I-84 corridor. This location is primarily invasive blackberry and lacks significant trees.

3. Exception Application Procedures and Requirements. All exception applications must be approved by the planning commission at a public hearing….

Findings: The applicant has submitted the required information to make a determination on the exception application. The planning commission will consider the exception application at the August 14, 2018 hearing.

E. Mitigation. The purpose of mitigation is to compensate for negative impacts that occur to the natural resource and designated protection area as a result of development activity. Vegetation mitigation is required for the following activities and development:

2. Mitigation Requirements Associated with Development. Mitigation is required for all development:

- *Within a designated resource protection area (riparian areas, wetlands, and upland habitat areas).*

Findings: The applicant is proposing development within a designated natural resource protection area, this section applies.

An applicant may choose between Option 1 and Option 2 listed below. However, if development is proposed that does not include removal of trees, that applicant must comply with Option 2.

Option 2. The mitigation option shall be calculated based on the size of disturbance area within the mapped protection area. Native trees and shrubs are required to be planted at a rate of one tree and five shrubs for every 100 square feet of disturbance area. All fractions shall be rounded to the nearest whole number of trees and shrubs. Bare ground must be planted or seeded with native grasses or herbs.

Findings: The applicant proposes development within a previously disturbed area that does not contain any trees, therefore, mitigation shall be provided in accordance with Option 2.

The total disturbed area within the natural resource area requiring mitigation is 1,819 SF. The applicant has proposed restoring the riparian habitat near the southwest corner of the site, on the east side of Fairview Creek. The applicant is responsible for replanting 19 trees and 95 shrubs in the mitigation area.

Condition of Approval: Prior to final occupancy, the applicant shall show compliance with Option 2 of the mitigation section above by planting at least 19 trees and 95 shrubs. Mitigation shall comply all other standards in Subsection E of this chapter.

3. Mitigation Plan and Planting Requirements (For All Types of Required Mitigation). A mitigation plan including a calculation demonstrating compliance with vegetation mitigation requirements must be submitted

with the land use application and consistent with this subsection E and shall include the following….

Condition of Approval: Prior to the issuance of building permits, the applicant shall submit a final mitigation and planting plan, meeting the requirements of Subsection E of this chapter.

19.106.070 Permit process for permitted uses.

A. Boundary Verification. To determine whether the standards of this chapter apply to a proposed development activity…

The Type I boundary verification process is required for activities proposed within:

Table 19.106.070(A)

Resource Type	***Location of Development***	***Application Required***
55-foot and 80-foot resource protection area	*Development or earth disturbing activities outside of the designated resource or resource protection area*	*Type I boundary verification process. Boundary verification is not required if the proposed development is greater than 40 feet from the estimated mapped resource*
Upland habitat	*Development or earth disturbing activities located within 25 feet of the outer boundary of the upland habitat*	*Type I boundary verification process*

Findings: The proposed development is within 40 ft. of the 55 ft. resource buffer and within 25 ft. of the upland habitat and a boundary verification is required. The applicant has submitted a survey by a licensed surveyor verifying the boundaries of the 55 ft. resource protection area and upland habitat.

B. Boundary Verification Process. A Type I boundary verification process is required as defined in Table 19.106.070(A) in order to verify the proximity of the proposed development to a mapped resource or associated protection area and to identify the required land use application type….

Findings: The applicant has submitted all required information to process the boundary verification application.

C. Land Use Application Requirements. Before a permit is issued for an alteration or development within or adjacent to a mapped natural resource or protection area, an application must be submitted to the city of Fairview by the person or entity requesting the alteration or development. The application shall include:…

Findings: The applicant has submitted all required information to process the exception application that will allow development within the natural resource area. The applicant is still required to submit a mitigation and planting plan prior to the issuance of building permits.

VI. DESIGN STANDARDS FINDINGS

Chapter 19.162 Access and Circulation

19.162.010 Purpose.

The purpose of this chapter is to ensure that developments provide safe and efficient access and circulation, for pedestrians and vehicles. FMC 19.162.020 provides standards for vehicular access and circulation. FMC 19.162.030 provides standards for pedestrian access and circulation. Standards for transportation improvements are provided in Chapter 19.165 FMC.

FMC 19.162.020 Vehicular Access and circulation

B. Applicability. This section shall apply to all public streets within the city and to all properties that abut these streets.

FINDINGS: NE Sandy Blvd. is a Multnomah County road. Access, circulation, and traffic requirements are being reviewed for compliance with Multnomah County road standards and are approved separately by County transportation staff. The sections of this chapter that apply are addressed below.

M. Fire Access and Parking Area Turnarounds. A fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive. Parking areas shall provide adequate aisles or turnaround areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner. For requirements related to cul-de-sacs, please refer to Chapter 19.165 FMC.

FINDINGS: Vehicle access drives are provided around the perimeter of the building for fire access. The proposed secondary driveway will allow service and delivery vehicles to enter and exit the site in a forward manner without turning around.

The applicant has also submitted a fire access plan that has been reviewed by Gresham Fire. The applicant is required to comply with all written comments submitted by Gresham Fire (see Exhibit D1 Fire Comments).

Condition of Approval: Prior to final occupancy, the applicant shall provide a final Fire Access and Water Supply Plan to be reviewed by Gresham Fire and show compliance with all of the comments provided by Gresham Fire in Exhibit D1.

N. Vertical Clearances. Driveways, private streets, aisles, turnaround areas and ramps shall have a minimum vertical clearance of 13 feet 6 inches for their entire length and width.

FINDINGS: All portions of proposed driveways, aisles, turnaround areas, and ramps have a vertical clearance of at least 13 ft. 6 in. This standard is met.

P. Construction. The following development and maintenance standards shall apply to all driveways and private streets, except that the standards do not apply to driveways serving one single-family detached dwelling:

1. Surface Options. Driveways, parking areas, aisles, and turnarounds may be paved with asphalt, concrete or comparable surfacing, or a durable nonpaving material may be used to reduce surface water runoff and protect water quality. Paving surfaces shall be subject to review and approval by the city engineer.

FINDINGS: The parking and driving area in the front setback will be constructed of asphalt. The side and rear parking and maneuvering areas are proposed to be constructed with compacted gravel. The City Engineer has reviewed the site plan and has required all driving and parking areas regularly used by personal vehicles of employees and guests to be paved with asphalt or concrete. This requirement will reduce dust levels and provide a safe and comfortable driving and walking area for employees and guests entering and leaving the building. The site surface behind the building used for business operations including fleet parking and outdoor storage may be constructed with compacted gravel.

The partition plat for the site (PN 2001-80) indicates a 6 ft. wide Portland General Electric (PGE) Easement running north-south through the approximate middle of the site. The easement document, recorded with Multnomah County on August 12, 1996 as Fee No. 96121532, indicates a 10 ft. easement is present in the same location on the site. The easement document says that the Grantor (property owner) may not "build or erect any structure or improvement upon, over or under the Property without prior written consent of PGE."

Condition of Approval: The parking and drive aisle located immediately east of the proposed building shall be constructed with asphalt or concrete.

Prior to issuance of building permits, the applicant shall show proof of written consent from PGE to construct the proposed improvements, including asphalt and concrete, over the easement.

2. *Surface Water Management. When a paved surface is used, all driveways, parking areas, aisles and turnarounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with city standards.*

FINDINGS: Storm water drains are provided throughout the site, leading to a water quality facility at the northwest corner of the site. A final stormwater report is required to ensure the water quality facility is adequately sized for the development. See Exhibit B3 Utility Plan.

Condition of Approval: Prior to issuance of building permits, a final stormwater management plan is required showing the site complies with the 2016 Portland Stormwater Management Manual. Surface water facilities shall be constructed in conformance with city standards.

19.162.030 Pedestrian access and circulation.
The standards presented in this code provide standards for safe, connected and user-friendly pedestrian connections and pathways that join neighborhoods and buildings within a development.

A. *Pedestrian Access and Circulation. To ensure safe, direct and convenient pedestrian circulation, all developments, except single-family detached housing (i.e., on individual lots), shall provide a continuous pedestrian and/or multi-use pathway system. (Pathways only provide for pedestrian circulation. Multi-use pathways accommodate pedestrians and bicycles.) The system of pathways shall be designed based on the standards in subsections (A)(1) through (5) of this section:*

1. *Continuous Pathways. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas whenever possible. The developer may also be required to connect*

or stub pathway(s) to adjacent streets and private property, in accordance with the provisions of FMC 19.162.020, Vehicular access and circulation, and the transportation standards in Chapter 19.165 FMC.

FINDINGS: A 5 ft. wide pedestrian pathway is proposed between NE Sandy Blvd. and the front building sidewalk. There are no other pedestrian pathway connections required to adjacent properties. Future road improvements may connect adjacent properties via a sidewalk.

2. *Safe, Direct, and Convenient Pathways. Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:*

   a. *"Reasonably direct" means a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.*

   b. *"Safe and convenient" means bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.*

   c. *For commercial, industrial, mixed use, public, and institutional buildings, the "primary entrance" is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.*

FINDINGS: The pathway system provides direct and safe access from NE Sandy Blvd. to the front building sidewalk. This standard is met.

3. *Connections within Development. For all developments subject to site design review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable.*

FINDINGS: Sidewalks are proposed around the north (front), south (rear), and a portion of the west building walls. As proposed, the pathway system does not

connect the pedestrian entrance and maintenance bays on the south side of the building to the primary entrance on the north side of the building.

Nine parking spaces are proposed east of the metal building. The current proposal does not include a pedestrian pathway connecting this parking aisle to the building sidewalk.

Condition of Approval:
1. Provide a 5 ft. wide pedestrian path along the entire west or east side of the building to connect the rear entrance and maintenance bays to the other building entrances. If the new pedestrian path is proposed along the east building elevation, the applicant shall show proof of written consent from Portland General Electric (PGE) to construct improvements over the electric power line easement.

2. Provide a 5 ft. wide pedestrian path connecting the parking aisle east of the building to the perimeter building sidewalk.

> *4. Street Connectivity. Pathways (for pedestrians and bicycles) shall be provided at or near midblock where the block length exceeds the length required by FMC 19.162.020. Pathways shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments, as applicable. Pathways used to comply with these standards shall conform to all of the following criteria:*

FINDINGS: The block formation standard required for land divisions and large site developments in FMC 19.162.020(K) does not apply to this site. This standard does not apply.

> *5. Connections to Other Facilities. Proposed pathways shall be located to provide access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas and park and transit facilities. To the greatest extent possible, access shall be reasonably direct, providing a route or routes that do not deviate unnecessarily from a straight line or that do not involve a significant amount of out-of-direction travel.*

FINDINGS: Existing and future facilities that should be connected via a pedestrian pathway include a bus stop (TriMet 21) near the eastern driveway access and the undeveloped property zoned Corridor Commercial to the east. The proposed pedestrian pathway connecting the primary building entrance to

NE Sandy Blvd. will provide access to these two facilities in the future, when full street and sidewalk improvements are made. This standard is met.

B. Design and Construction. Pathways shall conform to all of the standards in subsections (B)(1) through (B)(5) of this section:

1. Vehicle/Pathway Separation. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised six inches and curbed, or separated from the driveway/street by a five-foot minimum strip with bollards, a landscape buffer, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps.

FINDINGS: The sidewalk along the north building wall is adjacent to a drive area and is subject to this standard.

Condition of Approval: The sidewalk along the north building wall and any other pedestrian pathways adjacent to a driveway or street shall be raised six inches and curbed.

2. Housing/Pathway Separation. Pedestrian pathways shall be separated a minimum of five feet from all residential living areas on the ground floor, except at building entrances. Separation is measured as measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of Chapter 19.163 FMC, Landscaping, Street Trees, Fences and Walls. No pathway/building separation is required for commercial, industrial, public, or institutional uses.

FINDINGS: Housing is not proposed. This standard does not apply.

3. Crosswalks. Where pathways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials, humps/raised crossings.

Condition of Approval: Prior to final occupancy, all pathways crossing a parking area or driveway must be clearly marked with contrasting paving material or humped/raised crossings.

4. Pathway Surface. Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, at least six feet wide, and shall conform to ADA requirements. Multi-use paths

(i.e., for bicycles and pedestrians) shall be the same materials, at least 10 feet wide. (See also Chapter 19.165 FMC, Transportation Standards for public, multi-use pathway standard.)

FINDINGS: The Fairview Development code allows for two different pedestrian pathway widths. In addition to the 6 ft. standard noted above, the Public Facilities standards in FMC 19.165.025(K) "Transportation Improvements – Internal Pathways" calls for internal pathways to be at least 5 ft. in width. The Planning Commission has previously found that a 5 ft. width complies with ADA requirements and that the differing requirements created an unintended conflict, and have approved pedestrian pathways at the 5 ft. width.

All proposed pedestrian pathways are at least 5 ft. in width and will be constructed with asphalt or concrete. This standard is met.

5. *Accessible Routes. Pathways shall comply with the Americans with Disabilities Act, which requires accessible routes of travel.*

Condition of Approval: Prior to the issuance of building permits, site development plans must comply with applicable ADA requirements.

Chapter 19.163 Landscaping, Street Trees, Fences and Walls

19.163.020 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. "Significant vegetation" means:*

1. *Significant Trees and Shrubs. Individual trees and shrubs with a trunk diameter of six inches or greater, as measured four feet above the ground (DBH), and all plants within the drip line of such trees and shrubs, shall be protected.*

FINDINGS: Mature shrubs and trees are present along the south and east side of the property, including a number of significant trees as defined by this chapter (see Exhibit B2 Site Plan). The applicant proposes removing two significant trees

at the south end of the site to accommodate a rock and sand storage facility and one significant tree at the north end of the site to accommodate a drive aisle. All other significant trees and vegetation are proposed to remain, including the riparian vegetation in No Name Creek. Removal of the three trees will have a minor impact on the overall health and integrity of the existing vegetation on the site.

Condition of Approval: All significant vegetation not indicated on the site plan to be removed shall be protected during site development.

2. Sensitive Lands. Trees and shrubs on sites that have been designated as "sensitive lands," in accordance with Chapter 19.106 FMC, Natural Resource Regulations, and Chapter 19.105 FMC, Floodplain Overlay (e.g., due to slope, natural resource areas, wildlife habitat, etc.) shall be protected.

FINDINGS: The site does not contain any sensitive lands as described in the Natural Resource or Floodplain Overlay sections.

3. Exception. Protection shall not be required for plants listed as non-native, invasive plants by the Oregon State University Extension Service in the applicable OSU bulletins for Multnomah County.

FINDINGS: The Condition of Approval requiring protection of significant vegetation does not apply to non-native plants. The natural resource regulations on No Name Creek, including regulations on invasive plant removal in the riparian zone still apply.

C. Mapping and Protection Required. Significant vegetation shall be mapped as required by this code. Significant trees shall be mapped individually and identified by species and size (diameter at four feet above grade, or "DBH"). A "protection" area shall be defined around the edge of all branches (drip-line) of each tree (drip lines may overlap between trees). The city also may require an inventory, survey, or assessment prepared by a qualified professional when necessary to determine vegetation boundaries, building setbacks, and other protection or mitigation requirements.

D. Protection Standards. All of the following protection standards shall apply to significant vegetation areas:

1. Protection of Significant Trees. Significant trees identified as meeting the criteria in subsection (B)(1) of this section shall be

retained whenever practicable. Preservation may become impracticable when it would prevent reasonable development of public streets, utilities, or land uses permitted by the applicable land use district.

FINDINGS: The site plan (Exhibit B2) maps significant vegetation. As described and conditioned above, all significant vegetation except the three trees to be removed shall be protected as part of the development.

2. Sensitive Lands. Sensitive lands shall be protected in conformance with the provisions of Chapters 19.105 and 19.106 FMC.

FINDINGS: There are no sensitive lands on the site. This standard does not apply.

3. Conservation Easements and Dedications. When necessary to implement the Comprehensive Plan, the city may require dedication of land or recordation of a conservation easement to protect sensitive lands, including groves of significant trees. This will be addressed on a case by case basis.

FINDINGS: The applicant is required to comply with all natural resource regulations and a conservation easement is not required.

19.163.025 Existing landscaping.

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

FINDINGS: This section applies to the proposed development.

B. Construction. All areas of significant vegetation shall be protected prior to, during, and after construction. Grading and operation of vehicles and heavy equipment is prohibited within significant vegetation areas, except as approved by the city for installation of utilities or streets. Such approval shall only be granted after finding that there is no other reasonable alternative to avoid the protected area, and any required mitigation is provided in conformance with Chapter 19.105 FMC, Floodplain Overlay and Chapter 19.106 FMC, Natural Resource Regulations.

Condition of Approval: Grading and operation of vehicles and heavy equipment is prohibited within significant vegetation areas, as indicated on the site plan.

C. Exemptions. The protection standards in FMC 19.163.020(D) shall not apply in the following situations:

1. Dead, Diseased, and/or Hazardous Vegetation. Vegetation that is dead or diseased, or poses a hazard to personal safety, property or the health of other trees, may be removed. Prior to tree removal, the applicant shall provide a report from a certified arborist or other qualified professional to determine whether the subject tree is diseased or poses a hazard, and any possible treatment to avoid removal, except as provided by subsection (C)(2) of this section.

2. Emergencies. Significant vegetation may be removed in the event of an emergency without land use approval when the vegetation poses an immediate threat to life or safety, as determined by the planning director. The planning director shall prepare a notice or letter of decision within 10 days of the tree(s) being removed. The decision letter or notice shall explain the nature of the emergency and be on file and available for public review at City Hall.

FINDINGS: The significant vegetation on site is not proposed to be removed under the exemption section.

Condition of Approval: Dead, diseased, and/or hazardous vegetation shall only be removed if the applicant provides *"a report from a certified arborist or other qualified professional to determine whether the subject tree is diseased or poses a hazard, and any possible treatment to avoid removal."*

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: Site design review is required and this section applies.

B. Landscaping Plan Required. A landscape plan is required at the time of design review or other pertinent applications. All landscape plans shall conform to the requirements in FMC 19.420.020 (E), Landscape plans.

FINDINGS: A landscape plan has been submitted as part of the design review application (Exhibit B7). This standard is met.

C. Landscape Area Standards. The minimum percentage of required landscaping equals:

3. General Industrial District: ten percent of the site.

FINDINGS: The total site area is 183,336 SF, requiring 18,336 SF of landscaped area. The site plan includes 3,518 SF of new landscaping, or 1.9% of the site. An additional 14,815 SF of landscaping is required (see Exhibit B12 – Landscape Calculations).

> **Note:** The applicant did not provide details on landscape areas. Calculations were performed by City of Fairview staff based on the submitted site plan.

Condition of Approval: Prior to issuance of building permits, the applicant shall submit a revised site plan showing a total of 10% of the site (18,336 SF) as landscaped. Only landscaping as defined in FMC 19.163.030.D(1-10) shall be counted towards the minimum requirement. Significant vegetation, including in the riparian areas along No Name Creek and Fairview Creek, may be counted towards the total landscaped area. See findings for subsection D-9 below.

D. Landscape Materials. This section provides guidelines that ensure significant vegetation growth and establishment using a variety of size specifications and coverage recommendations.

Landscape materials include trees, shrubs, ground cover plants, nonplant ground covers, and outdoor hardscape features, as described below:

1. Native Vegetation. Native vegetation shall be preserved or planted where practicable.

FINDINGS: The landscape plan proposes planting Amur maackia (Maackia street tree), Phyllostachys vivax (yellow Chinese timber bamboo), Sequoiadendron giganteum (Giant sequoia), Cornus alba sibirica (Red twig dogwood), and Juniperus horizontalis (Creeping juniper). The red twig dogwood and giant sequoia are native to Oregon. All other proposed plantings are non-native ornamentals; however, they are not considered nuisance plants and are suitable for the site.

2. Plant Selection. A combination of deciduous and evergreen trees, shrubs and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions. As necessary, soils shall be amended to allow for healthy plant growth.

FINDINGS: A variety of trees, shrubs, and ground covers will be used to fit the space and provide screening and shade. A mix of evergreen and deciduous trees has been selected. All plants chosen are well suited for the local climate. This standard is met.

3. *Non-native, invasive plants, as per FMC 19.164.020(B), shall be prohibited.*

FINDINGS: Non-native ornamental plants are proposed, however, these plants are not considered invasive to the region. This standard is met.

4. *Hardscape features (i.e., patios, decks, plazas, etc.) may cover up to 15 percent of the required landscape area. Swimming pools, sports courts and similar active recreation facilities may not be counted toward fulfilling the landscape requirement.*

FINDINGS: The landscape plan, site plan and narrative do not propose any hardscape features to be counted towards the required landscaping.

5. *Nonplant Ground Covers. Bark dust, chips, aggregate or other nonplant ground covers may be used, but shall cover no more than five percent of the area to be landscaped. "Coverage" is measured based on the size of plants at maturity or after five years of growth, whichever comes sooner.*

FINDINGS: The landscape plan, site plan and narrative do not propose any nonplant groundcovers to be counted towards the required landscaping.

6. *Tree Size. Trees shall have a minimum caliper size of 1.5 inches or greater, or be six feet or taller, at time of planting.*

FINDINGS: All of the proposed trees will be 1.5 inch caliper at the time of planning (See Exhibit B7). This standard is met.

7. *Shrub Size. Shrubs shall be planted from one-gallon containers or larger.*

FINDINGS: All of the proposed shrubs will be from 1 gallon containers at time of planting (See Exhibit B7). This standard is met.

8. *Ground Cover Size. Ground cover plants shall be sized and spaced so that they grow together to cover a minimum of 80 percent of the underlying soil within three years.*

FINDINGS: Ground cover will include creeping juniper. The applicant's landscape plan indicates the groundcover will be designed to cover 80% of the underlying soil within three years. This standard is met.

Note: As conditioned below, the creeping juniper proposed for the landscaped median between NE Sandy Blvd and the front drive aisle will need to be replaced with a hedge at least 3 ft. in height at maturity.

9. Significant Vegetation. Significant vegetation preserved in accordance with FMC 19.163.020 may be credited toward meeting the minimum landscape area standards. Credit shall be granted on a per square foot basis. The street tree standards of FMC 19.163.040 may be waived when trees preserved within the front yard provide the same or better shading and visual quality as would otherwise be provided by street trees.

FINDINGS: The site plan, landscape plan and narrative do not demonstrate compliance with the 10% minimum landscaping requirement. As discussed above, an additional 14,815 SF of on-site landscaping is required. The development proposal may include significant trees in the landscaping calculations on a per square foot basis.

10. Stormwater Facilities. Stormwater facilities (e.g., detention/retention ponds and swales) shall be landscaped with water tolerant, native plants.

FINDINGS: A water quality swale is proposed at the NW corner of the site. Native grasses and shrubs are proposed for the swale. This standard is met.

E. Landscape Design Standards. The landscape design standards provide guidelines within setback areas, parking areas, etc.

All yards, parking lots and required street tree planter strips shall be landscaped in accordance with the provisions of this chapter. Landscaping shall be installed with development to provide erosion control, visual interest, buffering, privacy, open space and pathway identification, shading and wind buffering, based on the following standards:

1. Yard Setback Landscaping. Landscaping shall satisfy the following criteria:

a. Provide visual screening and privacy within side and rear yards; while leaving front yards and building entrances mostly visible for security purposes;

b. Use shrubs and trees as windbreaks, as appropriate;

c. Retain natural vegetation, as practicable;

d. Define pedestrian pathways and open space areas with landscape materials;

e. Provide focal points within a development, such as signature trees (i.e., large or unique trees), hedges and flowering plants;

f. Use trees to provide summer shading within common open space areas, and within front yards when street trees cannot be provided;

g. Use a combination of plants for year-long color and interest;

h. Use landscaping to screen outdoor storage and mechanical equipment areas, and to enhance graded areas such as berms, swales and detention/retention ponds.

FINDINGS: The GI zone does not require landscaped setbacks; however, the applicant is proposing a 5 ft. vegetated buffer adjacent to Sandy Blvd. The landscape buffer complies with these standards by providing a combination of trees and shrubs/groundcover that will provide shade while allowing some visibility of the front entrance for security purposes. The buffer also includes evergreen and deciduous vegetation for year-long color and interest.

2. Parking Areas. A minimum of five percent of the combined area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of an evenly distributed mix of shade trees with shrubs and/or ground cover plants. "Evenly distributed" means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy. At a minimum, one tree per five parking spaces total shall be planted to create a partial tree canopy over and around the parking area. All parking areas with more than 20 spaces shall include landscape islands with trees to break up the parking area into rows of not more than 12 contiguous parking spaces. All landscaped areas shall have minimum dimensions of four feet by four feet to ensure adequate soil, water, and space for healthy plant growth.

FINDINGS: The total exterior parking area, including the area east of the building, is 16,129 SF. The total landscaping in this area is 1,527 SF or 9.4%. The minimum landscaping requirement is met.

A total of 7 parking lot trees will be provided for 25 exterior parking spaces, or approximately 1.4 trees per five parking spaces. The minimum number of landscape trees is met, however, the trees are clustered near the front drive aisle and no trees are proposed to provide shade for the parking on the east side of the building. The proposed site plan does not comply with the standard that the landscaping provides an "evenly distributed" canopy cover over the parking areas.

The front parking aisle contains 16 contiguous parking spaces and a pedestrian walkway without a landscape island. The proposed site plan does not meet the requirement that a landscape island be provided to break up 13 or more contiguous spaces.

Condition of Approval: Prior to issuance of building permits, submit a revised site plan that provides trees and shade for the parking aisle to the east of the building.

Prior to the issuance of building permits, submit a revised site plan that breaks up parking spaces into rows of not more than 12 contiguous with a landscaped median. Landscaped medians shall be at least 4 ft. by 4 ft.

3. Buffering and Screening Required. Buffering and screening are required under the following conditions:

a. Parking/Maneuvering Area Adjacent to Streets and Drives. Where a parking or maneuvering area is adjacent and parallel to a street or driveway, a decorative wall (masonry or similar quality material), arcade, trellis, evergreen hedge, or similar screen shall be established parallel to the street or driveway. The required wall or screening shall provide breaks, as necessary, to allow for access to the site and sidewalk by pedestrians via pathways. The design of the wall or screening shall also allow for visual surveillance of the site for security. Evergreen hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number and spacing to provide the required screening within one year after planting. Any areas between the wall/hedge and the street/driveway line shall be landscaped with plants or

other ground cover. All walls shall be maintained in good condition, or otherwise replaced by the owner.

FINDINGS: The landscape plan proposes a 5 ft. wide vegetated buffer between the front parking area and NE Sandy Blvd. The applicant proposes creeping juniper as a ground cover and approximately 6 deciduous maackia trees in the landscape area. The creeping juniper grows to a mature height of no more than 24 inches. As proposed, the site will not comply with the requirement of having an evergreen hedge at least 36 inches in height between the parking area and NE Sandy Blvd.

Condition of Approval: Prior to issuance of building permits, the applicant shall submit a revised landscaping plan with an evergreen hedge at least 36 in. in height to provide screening between the front parking area and NE Sandy Blvd. Native plants shall be used wherever practicable and invasive plants may not be used.

b. Parking/Maneuvering Area Adjacent to Building. Where a parking or maneuvering area, or driveway, is adjacent to a building, the area shall be separated from the building by a raised pathway, plaza, or landscaped buffer no less than four feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect buildings from being damaged by vehicles. When parking areas are located adjacent to residential ground-floor living space, a landscape buffer is required to fulfill this requirement.

FINDINGS: A 6 ft. raised sidewalk is proposed between the parking area and the building. This standard is met.

c. Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas, and Automobile-Oriented Uses. All mechanical equipment, outdoor storage and manufacturing, and service and delivery areas, shall be screened from view from all public streets and residential districts. Screening shall be provided by one or more of the following: decorative wall (i.e., masonry or similar quality material), evergreen hedge, non-see-through fence, or a similar feature that provides a non-see-through barrier. Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian

circulation, in accordance with Chapter 19.162 FMC, Access and Circulation.

FINDINGS: A trash/recycling and rock/stand storage area are proposed near the south end of the site, southeast of the building. The applicant's site plan and narrative does not include details on the screening of these two areas.

Condition of Approval: Prior to the issuance of building permits, the applicant shall submit a revised site plan indicating how the trash/recycling and rock/stand storage areas will be screened the NE Sandy Blvd. with a decorative wall, evergreen hedge, non-see through fence, or similar feature.

19.163.040 Street trees.
The guidelines provided in this section promote healthy street trees and adequate canopy cover to provide shade, reduce stormwater runoff, and improve the appearance of a development.

FINDINGS: NE Sandy Blvd. is a county road and street tree requirements are under the jurisdiction of Multnomah County. This standard does not apply.

19.163.050 Fences and walls.
The fences and walls section provides height limits for construction of new walls. The guidelines prevent walls that reduce pedestrian connectivity and sight clearance. The standards also provide guidelines relating to maintenance.

The following standards shall apply to all fences and walls:

A. General Requirements. All fences and walls shall comply with the standards of this section. The city may require installation of walls and/or fences as a condition of development approval, in accordance with conditional use permits or site design review. Walls built for required landscape buffers shall comply with FMC 19.163.030.

FINDINGS: A retaining wall is proposed at the west end of the site to support the drive aisle that wraps around the southwest corner of the building.

B. Dimensions.

1. The maximum allowable height of fences and walls is six feet, as measured from the lowest grade at the base of the wall or fence, except that retaining walls and terraced walls may exceed six feet when permitted as part of a site development approval, or as necessary to construct streets and sidewalks. A building permit is

required for walls exceeding six feet in height, in conformance with the Uniform Building Code.

2. *The height of fences and walls within a front yard setback shall not exceed four feet (except decorative arbors, gates, etc.), as measured from the grade closest to the street right-of-way.*

3. *Walls and fences to be built for required buffers shall comply with FMC 19.163.030.*

4. *Fences and walls shall comply with the vision clearance standards of FMC 19.162.020.*

FINDINGS: The site plan and narrative does not provide details on the height or material of the retaining wall, however, the location will not create vision clearance issues.

Condition of Approval: Prior to issuance of building permits, the applicant shall provide additional details on the retaining wall including height and building material. If the height of the retaining wall is over 6 ft., the applicant shall obtain all applicable building permits.

C. Maintenance.

D. Fences – Recreational Courts.

E. Swimming Pool Fences.

F. Barbed Wire Fencing.

G. Electrically Charged or Sharp Pointed Fencing.

H. Critical Facility Security Fences.

FINDINGS: Subsections C-H above to not apply.

Chapter 19.164 Vehicle and Bicycle Parking

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.

FINDINGS: Site design review is required as part of this application and this chapter applies.

19.164.030 Vehicle parking standards.

A. The minimum number of required off-street vehicle parking spaces (i.e., parking that is located in parking lots and garages and not in the street right-of-way) shall be determined based on the standards in Table 19.164.030.A.

Type of Use	Parking Ratio	Proposed Area	Min. # Spaces Required
Office	2.7 spaces / 1,000 SF	2,940 SF	7.9
Industrial	1.6 spaces / 1,000 SF	9,060 SF	14.5
Total number of spaces required			**23**
Total number of spaces proposed			**25**

B. Credit for On-Street Parking.

1. The credit for on-street parking allows a reduction of one off-street parking space for every one on-street parking space adjacent to the development if deemed appropriate by the city.

FINDINGS: The applicant is not seeking credit for on street parking, and on-street parking is not permitted for new development along Sandy Blvd. as part of the Urban Arterial roadway cross section. This standard does not apply.

C. Parking Location and Shared Parking.

1. Location. Vehicle parking is allowed only on approved parking shoulders (streets), within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this code. Specific locations for parking are indicated in Article II of this title for some land uses (e.g., the requirement that parking be located to side or rear of buildings, with access from alleys, for some uses). (See also Chapter 19.162 FMC, Access and Circulation.)

FINDINGS: Vehicle parking will be located in front and on the side of the building, in conformance with the location standards in the General Industrial zone.

2. Off-Site Parking.

FINDINGS: No off-site parking is proposed.

3. *Mixed Uses. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street vehicle parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (i.e., the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly.*

FINDINGS: The required parking was calculated using the sum of the office and industrial uses. This standard is met.

4. *Shared Parking.*

FINDINGS: The applicant is not proposing shared parking facilities. This standard does not apply.

5. *Availability of Facilities. Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers and/or employees, as applicable. Signs shall conform to the standards of Chapter 19.170 FMC, Sign Regulations.*

D. *Maximum Number of Parking Spaces. The number of parking spaces provided shall not exceed the standards in the following table:*

Use	***Max in Transit/Ped Areas***	***Max in Non-Transit Areas***	***Proposed***
General office	3.4 per 1,000 SF	4.1 per 1,000 SF	2.7 per 1,000 SF
Light Industrial	none	none	

FINDINGS: The proposed parking does not exceed the allowed maximum. This standard is met.

E. *Parking Management. The planning director may require a parking management plan for development of any use that requires more than 10 parking spaces based on the minimum parking spaces provided in Table 19.164.030.A.*

FINDINGS: Parking management issues are not anticipated. The development meets the minimum parking requirements and a management study is not required.

F. Parking Stall Standard Dimensions and Compact Parking Spaces. All off-street parking stalls shall be improved to conform to city standards for surfacing, stormwater management and striping, and provide dimensions in accordance with the following table. Disabled person parking shall conform to the standards and dimensions of this chapter. The number of compact parking spaces shall not exceed 40 percent of all parking spaces provided on site.

FINDINGS: A total of 25 parking spaces are proposed, including one disabled person parking stall. All proposed parking spaces are standard sized and as conditioned will be paved with asphalt or concrete. This standard is met.

G. Variances. Developments may request exceptions to the parking standards; see FMC 19.520.030(A)(4).

FINDINGS: The applicant is not requesting a parking variance.

H. Disabled Person Parking Spaces. The following parking shall be provided for disabled persons, in conformance with the Americans with Disabilities Act (ADA)

FINDINGS: A parking area with 25 parking spaces requires one ADA space with a 96 in. wide access aisle The proposed parking area includes one ADA space with a 108 in. wide aisle access. This standard is met.

I. In parking lots three acres and larger intended for use by the general public, pedestrian pathways shall be raised or separated from parking, parking aisles and travel lanes by a raised curb, concrete bumpers, bollards, landscaping or other physical barrier. If a raised pathway is used, curb ramps shall be provided in accordance with the Americans with Disabilities Act Accessibility Guidelines.

FINDINGS: The proposed parking is not over 3 acres. This standard does not apply.

19.164.040 Bicycle parking standards.
All uses which are subject to site design review shall provide bicycle parking, in conformance with the following standards, which are evaluated during site design review:

A. Number of Bicycle Parking Spaces. A minimum of two bicycle parking spaces per use is required for all uses with greater than 10 vehicle parking

spaces. The following additional standards apply to specific types of development:

2. Commercial Retail, Office, and Institutional Developments. Commercial retail, office, and institutional developments shall provide bicycle parking spaces according to the following standards:

a. Short-term bicycle parking shall be provided at a ratio of one bicycle space for every 10 vehicle parking spaces and shall be located within 50 feet of the main entrance to the building, in a location that is easily accessible for bicycles.

Findings: 7.9 vehicle parking spaces are required for the office space, which translates to 0.79 short-term bicycle spaces. The applicant is proposing (4) short-term bicycle spaces within 50 ft. of the main entrance. This standard is met.

b. Long-term bicycle parking shall be provided at a ratio of one bicycle space per employee.

Findings: Based on the applicant's narrative and site plan, no long-term bicycle parking is proposed.

Condition of Approval: Prior to issuance of building permits, the applicant shall submit a revised site plan showing one long-term bicycle parking space for each office employee. Long-term bike parking may be located within the building, per subsection E below.

C. Location and Design. Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one building entrance (e.g., no farther away than the closest parking space). It should be incorporated whenever possible into building design and coordinated with the design of street furniture when it is provided. Street furniture includes benches, streetlights, planters and other pedestrian amenities.

FINDINGS: The short term bicycle parking is located just west of the primary building entrance and does not obstruct the pedestrian sidewalk. This standard is met.

D. Visibility and Security. Bicycle parking should be visible to cyclists from street sidewalks or building entrances, so that it provides sufficient security from theft and damage.

FINDINGS: The short term bicycle parking is located near the front building entrance with good visibility. This standard is met.

E. Options for Storage. Bicycle parking requirements for long-term and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building.

Condition of Approval: The long term bicycle parking shall be provided via a bicycle storage room, bicycle lockers, racks, or other secure storage inside or outside the building.

F. Lighting. Bicycle parking shall be at least as well lit as vehicle parking for security.

FINDINGS: Both bicycle parking locations will receive the same amount of light as the vehicle parking. This standard is met.

G. Reserved Areas. Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

Condition of Approval: Bicycle parking shall be clearly marked and reserved for bicycle parking only.

H. Hazards. Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards (Chapter 19.162 FMC, Access and Circulation).

FINDINGS: The short-term bicycle parking is proposed to be located just west of the primary building entrance but outside of the pedestrian walkway. This standard is met.

Chapter 19.165 Public Facilities Standards

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.

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. Improvements required as a condition of development approval that require a dedication of property for a public use, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact of the proposed development on public facilities.

E. Rough Proportionality Report. Where the applicant objects to the imposition of any applicable development standard under this chapter that required a dedication of property for a public use, the applicant must provide a rough proportionality report justifying an alternative level of improvements including:…

FINDINGS: NE Sandy Blvd. is a Multnomah County road. Any public improvement requirements associated the roadway shall meet Multnomah County standards (e.g. sidewalks, curb cuts, stormwater, etc.). All other public improvements are subject to the standards in this chapter.

19.165.025 Transportation improvements.

FINDINGS: Subsections A-J addresses public streets, which are under Multnomah County's jurisdiction. The proposal shall comply with all Multnomah County requirements for the design and construction of improvements along Sandy Blvd.

The current right-of-way width along the property's NE Sandy Blvd. frontage is 50 ft., including 25 ft. from the centerline of the road to the applicant's property line. The preferred width for NE Sandy Blvd. (minor arterial) is 90 ft., or 45 ft. from the centerline of the road to each abutting property line. Multnomah County is requiring an additional 20 ft. right-of-way dedication along the applicant's north property line to meet the required right-of-way width for a minor arterial.

The applicant is also required to provide a proportionate share cost contribution for the Sandy Corridor County Capital Project between NE 223rd Ave and NE 238th Ave. Alternatively, the applicant can construct half street improvements along the Sandy Blvd. frontage to Multnomah County standards.

Condition of Approval: Prior to final occupancy, the applicant shall meet all of the street requirements determined by Multnomah County for transportation improvements.

K. Internal Pathways. Pathways shall be at least five feet in unobstructed width and shall be constructed to sidewalk standards found in Standard Specifications for Public Works Construction, or according to Multnomah County or ODOT standards as applicable. The property owner shall keep a minimum of five feet of the pathway width clear of both permanent and temporary obstructions (e.g., utility poles, sandwich signs). Maintenance of internal pathways is the continuing obligation of the property owner or adjacent property owner. All work must comply with the city of Fairview public works construction standards.

FINDINGS: All proposed pathways are at least 5 ft. in width.

Condition of Approval: Maintenance of internal pathways is the continuing obligation of the property owner. All work and future work must comply with the City of Fairview public works construction standards.

Standards L-O, Q-W, and Z:

FINDINGS: These standards do not apply. They address the creation of new streets and alleys, none of which are proposed.

P. 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.

Condition of Approval: Facilities within the Multnomah County right-of-way shall be constructed in accordance with County standards. Facilities constructed on-site shall meet the standards specified in FMC 19.162 Access and Circulation.

X. Mail Boxes. Plans for mail boxes to be used shall be approved by the United States Postal Service (USPS).

Condition of Approval: Prior to final occupancy, mailboxes shall be installed in accordance with approved plans from USPS.

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

FINDINGS: The property is located within the mid-county lighting district and is subject to district standards.

Condition of Approval: Prior to final occupancy the applicant shall meet the street light requirements of mid-county lighting district.

19.165.030 Public use areas.
Public use areas implement Comprehensive Plan policies that may require a developer to reserve a piece of land for future park and open space to serve the residents of the new development. Specific issues to consider include the amount of time the city has to purchase parkland and whether dedication of park land should count as a credit towards SDCs.

Findings: No new residents will live on site. Dedication of a future park or open space area is not applicable. This standard does not apply.

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

FINDINGS (water): A 12" water main is available north of the site in NE Sandy Blvd.

Condition of Approval: Per the City of Fairview Standard Details, all public water systems must be located within public rights of way.

Condition of Approval: Existing water laterals that will not be used must be abandoned and capped at the main.

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

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.

FINDINGS (sewer): An 8" sanitary sewer main is available north of the site in NE Sandy Blvd.

Condition of Approval: Per the City of Fairview Standard Details, all public sewer systems must be located within public rights of way.

Condition of Approval: The applicant shall provide sanitary sewer capacity (in gpd) in writing to determine capacity accommodation with the City's existing sanitary sewer system designed capacity.

Condition of Approval: One sanitary sewer connection is allowed per lot. Existing sewer laterals that will not be used must be abandoned and capped at the main. If there is an existing private wastewater disposal system on site it shall be abandoned in accordance with the regulations of the Oregon Department of Environmental Quality.

Condition of Approval: Per the City of Fairview Standard Details, all public sewer systems must be located within public rights of way.

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.

Condition of Approval: Prior to the issuance of building permits the applicant shall provide the city with a final stormwater management plan and Stormwater Facility Operations & Maintenance agreement demonstrating compliance with the 2016 Portland Stormwater Management Manual.

19.165.060 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. All utility lines including, but not limited to, those required for electric, communication, lighting and cable television services and related facilities shall be placed underground, except for surface-mounted transformers, surface-mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above. The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities:

B. Easements. Easements shall be provided for all underground utility facilities.

C. Exception to Undergrounding Requirement. The standard applies only to proposed subdivisions. An exception to the undergrounding requirement may be granted due to physical constraints, such as steep topography, sensitive lands, Chapter 19.106 FMC, or existing development conditions.

Condition of Approval: All utilities placed in the public right-of-way must be installed underground.

19.165.070 Easements.
The easements section provisions reserve adequate space for utilities.
Easements for sewers, storm drainage and water quality facilities, water mains, electric lines or other public utilities shall be dedicated on a final plat, or provided for in the deed restrictions. See also, Chapter 19.420 FMC, Development Review and Site Design Review

and Chapter 19.430, Land Divisions and Lot Line Adjustments. The developer or applicant shall make arrangements with the city, the applicable district and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. The city's standard width for public main line utility easements shall be 20 feet unless otherwise specified by the utility company, applicable district, or city engineer.

FINDINGS: New utility easements dedicated to the City of Fairview are not required for this development. Multnomah County requires a 20 ft. right-of-way dedication along NE Sandy Blvd for future street design.

19.165.080 Construction plan approval and assurances.
The construction plan approval portion ensures the completion of a development by a builder.

No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements, shall be undertaken except after the plans have been approved by the city, permit fee paid, and permit issued. The permit fee is required to defray the cost and expenses incurred by the city for construction and other services in connection with the improvement. The permit fee shall be set by the city council. The city may require the developer or subdivider to provide bonding or other performance guarantees to ensure completion of required public improvements.

Condition of Approval: Prior to beginning construction, all construction plans must be approved by the City and Multnomah County, development permit fees paid, and permits issued.

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. A registered civil engineer shall provide written certification in a form required by the city that all improvements, workmanship and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to city acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide three sets (one mylar, one electronic, one paper copy) of "as-built" plans, in conformance with the city engineer's specifications, for permanent filing with the city.

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.

Chapter 19.170 Sign Regulations

19.170.030 Sign permit required.

Sign permits are subject to a Type I review process. Building and electrical permits and corresponding inspections may be required based on size and weight requirements.

Condition of Approval: Any signs on the site, including monument and building signs, must obtain a sign permit and comply with FMC 19.170.

VII. CONCLUSION AND RECOMMENDATIONS

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 and exception application to locate the stormwater facility and minor development features within the natural resource area.

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.

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. 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 as described in FMC 19.415 Amendments to Decisions.

2. 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.

3. This approval for application 2018-14-DR shall become null and void after two (2) years if construction activities has not commenced.

4. Prior to receiving permits all plans must be approved by the City, applicable fees paid, and permits issued.

5. Any signs on the site, including monument signs for the development and building signs for the commercial uses, must obtain a sign permit and comply with FMC 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. The applicant shall obtain a grading and erosion control permit from the Fairview Public Works Department. The City of Fairview permit shall be obtained no more than 30 days before grading is commenced on site.

C. Plan Check Review/Prior to Construction

1. Prior to issuance of building permits, the development shall meet fire flow verification standards set by Gresham Fire and Emergency Services.

2. Prior to issuance of building permits, the applicant shall provide sanitary sewer capacity (in gpd) in writing to determine capacity accommodation with the City's existing sanitary sewer system designed capacity.

3. Prior to the issuance of building permits the applicant shall provide the city with a final stormwater management plan and Stormwater Facility Operations & Maintenance agreement demonstrating compliance with the 2016 Portland Stormwater Management Manual.

4. Prior to the issuance of building permits the applicant shall submit a water connection application and pay all applicable fees.

5. Prior to issuance of building permits, all construction plans must be approved by the City and Multnomah County, development permit fees paid, and permits issued.

6. Parking lot and storage area lighting was not included in the site plan. If lighting for these areas is proposed, an updated site plan and construction details shall be submitted prior to issuance of building permits.

7. Prior to issuance of building permits, the applicant shall show proof of written consent from PGE to construct the proposed improvements, including asphalt and concrete, over the easement.

D. Natural Resource Regulations

1. The applicant shall meet all applicable development and construction standards described in FMC 19.106.040(C).

2. The stormwater facility located in the 55 ft. resource protection area shall be designed and constructed according to best management practices of the Portland Stormwater Management Manual and only native vegetation may be planted in the facility.

3. Prior to issuance of building permits, the applicant shall submit a mitigation plan for the new buffer averaging area that meets the requirements of FMC 19.106.040(E).

4. Prior to final occupancy, the applicant shall show compliance with requirements of Option 2 of FMC 19.106.040(E), including planting at least 19 trees and 95 shrubs in the proposed mitigation area.

5. Prior to the issuance of building permits, the applicant shall submit a final mitigation and planting plan, meeting the requirements of FMC 19.106.040(E).

6. All significant vegetation not indicated on the site plan to be removed shall be protected during site development.

7. Grading and operation of vehicles and heavy equipment is prohibited within significant vegetation areas, as indicated on the site plan.

8. Significant vegetation that is dead, diseased, and/or hazardous shall only be removed if the applicant provides "a report from a certified arborist or other qualified professional to determine whether the subject tree is diseased or poses a hazard, and any possible treatment to avoid removal."

E. Landscaping

1. Prior to issuance of building permits, the applicant shall submit a revised site plan showing a total of 10% of the site (18,336 SF) as landscaped. Only landscaping as defined in FMC 19.163.030.D(1-10) shall be counted towards the minimum requirement. Significant vegetation, including in the riparian areas

along No Name Creek and Fairview Creek, may be counted towards the total landscaped area.

2. Prior to issuance of building permits, the applicant shall submit a revised landscaping plan with an evergreen hedge at least 36 in. in height to provide screening between the front parking area and NE Sandy Blvd. Native plants shall be used wherever practicable and invasive plants may not be used.

3. Prior to the issuance of building permits, the applicant shall submit a revised site plan indicating how the trash/recycling and rock/stand storage areas will be screened the NE Sandy Blvd. with a decorative wall, evergreen hedge, non-see through fence, or similar feature.

4. Prior to issuance of building permits, the applicant shall submit a revised site plan that provides trees and shade for the parking aisle to the east of the building.

5. Prior to the issuance of building permits, the applicant shall submit a revised site plan that breaks up parking spaces into rows of not more than 12 contiguous spaces with a landscaped median. Landscaped medians shall be at least 4 ft. by 4 ft.

6. Prior to issuance of building permits, the applicant shall provide additional details on the retaining wall including height and building material. If the height of the retaining wall is over 6 ft., the applicant shall obtain all applicable building permits.

7. The property owner shall maintain all landscaped areas in perpetuity upon completion and they shall be kept free from weeds and debris and maintained in a healthy, growing condition and shall receive regular pruning, fertilizing, mowing and trimming. Any damaged, dead, diseased, or decaying plant material shall be replaced within 30 days.

F. Vehicle/Bike Parking and Pedestrian Access

1. All pedestrian access and circulation including any portion of raised walkway shall comply with ADA requirements.

2. All pathways crossing a parking area or driveway must be clearly marked with contrasting paving material or humped/raised crossings.

3. All parking shall meet city dimensional standards and be striped according to city standards.

4. The parking and drive aisle located immediately east of the proposed building shall be constructed with asphalt or concrete.

5. Prior to issuance of building permits, the applicant shall submit a revised site plan showing one long-term bicycle parking space for each office employee. Long-term bike parking may be located within the building, per subsection E below. The long term bicycle parking shall be provided via a bicycle storage room, bicycle lockers, racks, or other secure storage inside or outside the building.

6. Bicycle parking shall be clearly marked and reserved for bicycle parking only.

7. Prior to the issuance of building permits, the applicant shall submit a revised site plan showing a 5 ft. wide pedestrian path along the entire west or east side of the building to connect the rear entrance and maintenance bays to the other building entrances. If the new pedestrian path is proposed along the east building elevation, the applicant shall show proof of written consent from Portland General Electric (PGE) to construct improvements over the electric power line easement.

8. Prior to the issuance of building permits, the applicant shall submit a revised site plan showing a 5 ft. wide pedestrian path connecting the parking aisle east of the building to the perimeter building sidewalk.

9. The sidewalk along the north building wall and any other pedestrian pathways adjacent to a driveway or street shall be raised six inches and curbed.

10. Maintenance of internal pathways is the continuing obligation of the property owner. All work and future work must comply with the City of Fairview public works construction standards.

G. Prior to Final Occupancy

1. The applicant shall meet all of the street improvement, proportionate cost share, and dedication requirements as determined by Multnomah County Transportation.

2. Facilities within the Multnomah County right-of-way shall be constructed in accordance with County standards. Facilities constructed on-site shall meet the standards specified in FMC 19.162 Access and Circulation.

3. The applicant shall meet the street light requirements of mid-county lighting district.

4. The applicant shall provide a final Fire Access and Water Supply Plan to be reviewed by Gresham Fire and show compliance with all of the comments provided by Gresham Fire in Exhibit D1.

5. Copies of any applicable CC&R's and Operations and Maintenance Agreements must be recorded and provided to the city.

6. All mail boxes shall be installed in accordance with approved plan from USPS.

7. Mechanical equipment and satellite dishes over one meter in size shall be screened from any pedestrian way or public right-of-way.

8. All public water systems must be located within public rights of way.

9. Existing water laterals that will not be used must be abandoned and capped at the main.

10. Public Works shall approve backflow assembly devices to be installed at appropriate service locations.

11. One sanitary sewer connection is allowed per lot. Existing sewer laterals that will not be used must be abandoned and capped at the main. If there is an existing private wastewater disposal system on site it shall be abandoned in accordance with the regulations of the Oregon Department of Environmental Quality.

12. All public sewer systems must be located within public rights of way.

13. All onsite external lighting shall be designed and installed to have no off-site glare.

14. All utilities placed in the public right-of-way must be installed underground.

15. All development shall comply with applicable fire and building code standards.

Exhibit A1

/kōblə/CREATIVE

koble creative, architecture llc

8 May 2018

RE: Environmental Works Fairview Narrative
22820 NE Sandy Boulevard

Completeness Response Items

1. **19.85** General Industrial (GI) District
2. **19.162** Access and Circulation
3. **19.163** Landscaping, Street Trees, Fences and Walls
4. **19.164** Vehicle and Bicycle Parking

While the development standards are not all directly relevant and applicable to this site and project, the standards are listed below, along with the correlating site design aspects addressing each of the standards as applicable:

Article II land-use districts

19.85 General Industrial (GI) District

19.85.010 purpose: This district is intended for a broad range of uses, which can be located in areas where they do not directly affect the livability of residential neighborhoods and the quality and viability of commercial areas in the city. This district provides for the normal operation of an industry, which can meet and maintain the standards set in this section in order to reasonably protect nearby residential and commercial districts. The general industrial district accommodates a range of light and heavy industrial land uses. It is intended to segregate incompatible developments from other districts, while providing a high-quality environment for businesses and employees. This chapter guides the orderly development of industrial areas based on the following principles:

A. Provide for efficient use of land and public services;

The proposed project efficiently uses the land and public services by minimizing site disturbance and locating the building closer to the existing public services on-site.

B. Provide transportation options for employees and customers;

The proposed project provides parking to accommodate employees and customers, along with being located near a public transportation stop. Pedestrian access from the public right of way to the building is visible and meets the requirements indicated below.

C. Provide appropriate design standards to accommodate a range of industrial users, in conformance with the Comprehensive Plan.

The proposed project provides flexibility with industrial uses and conforms with the Comprehensive Plan requirements.

19.85.020 Permitted land uses: The land uses listed in Table 19.85.020.A are permitted in the general industrial district, subject to the provisions of this chapter. Only land uses which are specifically listed below, and land uses which are approved as “similar” to those listed below, may be permitted. The land uses identified with a “CU” in Table 19.85.020.A require conditional use permit approval prior to development or a change in use.

The proposed building will house Environmental Works corporate office and accommodate storage and maintenance of equipment. Primary use will be Warehouse/Storage. Building consists of a pre-manufactured metal building with uses to include office, storage and warehousing, and one maintenance bay.

19.85.030 Development setbacks: Development setbacks provide separation between industrial and nonindustrial uses for fire protection/security, building maintenance, sunlight and air circulation, noise buffering, and visual separation.

A. Front, Side and Rear Setbacks

The front, side and rear setbacks for this site are 0 feet. The exception to the site is a stream located at the rear of the site. This requires a 40 foot setback.

B. Other Requirements.

B.1 buffering: The city may require landscaping, walls or other buffering in setback yards to mitigate adverse noise, light, glare, and aesthetic impacts to adjacent properties.

The proposed project will meet all required buffering requirements. Although no street setback is required, 5' of landscape buffer is being provided at the parking area along Sandy Road.

B.2 neighborhood access: Construction of pathway(s) within setbacks may be required to provide pedestrian connections to adjacent neighborhoods or other districts, in accordance with Chapter 19.162 FMC, Access and Circulation.

The proposed project will meet all required access and circulation requirements, and pedestrian and bicycle connections from Sandy to the primary building entry is provided and shown on the plans.

B.3 building and fire codes. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above (e.g., combustible materials, etc.).

The proposed project will meet all required fire and building code standards.

B.4 groundwater protection. All development shall meet the standards for the groundwater protection area. (Ord. 6-2001 § 1)

The proposed project will meet all required groundwater protection standards. Reference civil/stormwater plans.

19.85.040 lot coverage: The maximum allowable lot coverage in the general industrial district is 85 percent. The maximum allowable lot coverage is computed by calculating the total area covered by buildings and impervious (paved) surfaces, including accessory structures. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses. (Ord. 6-2001 § 1)

The proposed lot coverage is well below the maximum.

19.85.050 development orientation.share: Industrial developments shall be oriented on the site to minimize adverse impacts (e.g., noise, glare, smoke, dust, exhaust, vibration, etc.) and protect the privacy of adjacent uses to the extent possible. The following standards shall apply to all development in the general industrial district:

A. Mechanical equipment, lights, emissions, shipping/receiving areas, and other components of an industrial use that are outside enclosed buildings, shall be located away from residential areas, schools, parks and other nonindustrial areas to the maximum extent practicable; and

Not applicable. Industrial zones are adjacent to the proposed site.

B. The city may require a landscape buffer, or other visual or sound barrier (fence, wall, landscaping, or combination thereof) to mitigate adverse impacts that cannot be avoided through building orientation standards alone.

> **The proposed project will meet all required buffering requirements. Although no street setback is required, 5' of landscape buffer is being provided at the parking area along Sandy Road.**

19.85.060 building height: The following building height standards are intended to promote land use compatibility and flexibility for industrial development at an appropriate community scale.

A. Base Requirement: Buildings shall be no more than three stories or 45 feet in height, whichever is greater, and shall comply with the building setback standards in FMC 19.85.030.

The proposed project is below the maximum of three stories or 45 feet in height. It building height is proposed to be 28'-10".

B. Performance Option: The allowable building height may be increased to 55 feet, when approved as part of a conditional use permit. The development approval may require additional setbacks, stepping-down of building elevations, visual buffering, screening, and/or other appropriate measures to provide a height transition between industrial development and adjacent nonindustrial development. Smoke stacks, cranes, roof equipment, and other similar features which are necessary to the industrial operation may not exceed 20 feet in height without approval of a conditional use permit.

Not applicable. The proposed project is below the 45 foot maximum.

C. Method of Measurement: "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

C.1 The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;

The proposed building height is measured with this method.

19.85.070 special standards for certain uses:

A. Uses With Significant Noise, Light/Glare, Dust, Vibration, or Traffic Impacts. The following uses shall require conditional use permit approval, in addition to development review or site design review:

A.1 Uses with Significant Noise, Light/Glare, Dust and Vibration Impacts. Uses which are likely to create significant adverse impacts beyond the industrial district boundaries, such as noise, light/glare, dust, or vibration, shall require conditional use approval, in conformance with Article IV of this title. The following criteria shall be used in determining whether the adverse impacts of a use are likely to be "significant":

A.1.a Noise: The noise level beyond the property line exceeds 65 dBA (24-hour average) on a regular basis.

Not applicable. The proposed project uses are not anticipated to exceed the maximum noise levels.

A.1.b Light/Glare: Lighting and/or reflected light from the development exceeds ordinary ambient light and glare levels (i.e., levels typical of the surrounding area).

Not applicable. The proposed project uses are not anticipated to generate excessive ambient light or glare levels.

1.c Dust and/or Exhaust: Dust and/or exhaust emissions from the development exceeds ambient dust or exhaust levels, or levels that existed prior to development.

Not applicable. The proposed project uses are not anticipated to generate excessive dust or exhaust levels.

2. Traffic: Uses which are likely to generate unusually high levels of vehicle traffic due to shipping and receiving. “Unusually high levels of traffic” means that the average number of daily trips on any existing street would increase by 10 percent or more as a result of the development. The city may require a traffic impact analysis prepared by a qualified professional prior to deeming a land use application complete, and determining whether the proposed use requires conditional use approval. Applicants may be required to provide a traffic analysis for review by ODOT for developments that increase traffic on state highways.

See included traffic impact report for supporting information.

3. Resource extraction, such as the operation of mineral and aggregate quarries and similar uses, shall require a conditional use permit in conformance with Article IV of this title. The applicant shall also be required to prepare a site reclamation plan for review and approval by the city and other affected agencies, prior to commencing resource extraction. The required scope of the reclamation plan shall be identified by the conditional use permit, and shall comply with applicable requirements of state natural resource regulatory agencies.

Not applicable. No resource extraction is proposed.

3.B Residential Caretakers: One residential caretaker unit shall be permitted for each primary industrial use, subject to the following conditions:

Not applicable. No residential caretakers uses proposed.

3.C Wireless Communication Equipment: Wireless communication equipment includes radio (i.e., cellular), television and similar types of transmission and receiving facilities. The requirements for wireless communication equipment are provided in Chapter 19.245 FMC. Wireless communication equipment shall also comply with required setbacks, lot coverage and other applicable standards of the general industrial district.

Not applicable. No wireless communication equipment proposed.

3.D Columbia River Uses Located North of Marine Drive

Not applicable. The proposed project is not located north of Marine Drive.

19.85.080 special standards for city of Fairview adopted Metro Title 4 industrial properties:

A. The purpose of this section is to impose special standards to protect and preserve the supply of industrial lands in Fairview in accordance with the limitations set out in Title 4 of Metro's Urban Growth Management Functional Plan (see Figure 9-C in the Comprehensive Plan for all Fairview Adopted Title 4 Industrial and Employment Lands).

A.1 Limitation on Retail/Commercial Service Land Uses: Retail and commercial service uses (in accordance with FMC 19.85.020) are limited in size to a maximum of 5,000 square feet in gross floor area for a single outlet (e.g., convenience market, small restaurant, secondary use for wholesaler, similar use) and up to 20,000 square feet in gross floor area for a multi-building project.

Not applicable. No retail/commercial services are proposed.

A.2 Freight Network Analysis Required: A freight network impact statement is to be included in all traffic studies for proposed developments on properties identified as industrial lands in Title 4 of the Metro Urban Growth Management Functional Plan. The purpose of this statement is to analyze potential adverse effects of the proposed development on the regional freight system as identified in the regional transportation plan (RTP) and the Fairview transportation system plan. Freight routes located in Fairview include Interstate 84, Marine Drive, 223rd Avenue, Fairview Parkway, Sandy Boulevard, and Glisan Street.

Refer to included traffic impact report.

A.3 Land Division Standards: Properties in the general industrial district that are identified as industrial lands as shown on the Title 4 Properties Map in the Comprehensive Plan shall be subject to certain land division restrictions. All land divisions in the general industrial district shall be in accordance with Chapter 19.430 FMC, Land Divisions and Lot Line Adjustments.

Not applicable. No land divisions proposed.

B. The following standards shall apply to all general industrial properties included in the Fairview Title 4 industrial land inventory:

B.1 Lots smaller than 50 acres may be divided into any number of smaller lots.

The proposed project is located on a lot that is smaller than 50 acres. No land divisions proposed.

19.162 Access and Circulation

19.162.010 purpose: The purpose of this chapter is to ensure that developments provide safe and efficient access and circulation, for pedestrians and vehicles. FMC 19.162.020 provides standards for vehicular access and circulation. FMC 19.162.030 provides standards for pedestrian access and circulation. Standards for transportation improvements are provided in Chapter 19.165 FMC. (Ord. 6-2001 § 1)

> **The proposed project will comply with required codes to provide a safe and efficient access and circulation route for pedestrians and vehicles as described below and as shown on the provided drawings and traffic study. A variance has been included to Multnomah County requesting approval of two driveways in order to improve site circulation and associated vehicle safety.**

19.162.020 vehicular access and circulation: The purpose of this chapter is to ensure that developments provide safe and efficient access and circulation, for pedestrians and vehicles. FMC 19.162.020 provides standards for vehicular access and circulation. FMC 19.162.030 provides standards for pedestrian access and circulation. Standards for transportation improvements are provided in Chapter 19.165 FMC. (Ord. 6-2001 § 1)

A. Intent and Purpose: The intent of this section is to manage vehicle access to development through a connected street system, while preserving the flow of traffic in terms of safety, roadway capacity, and efficiency. Access shall be managed to maintain an adequate “level of service” and to maintain the “functional classification” of roadways as required by the city’s transportation system plan. Major roadways, including highways, arterials, and collectors, serve as the primary system for moving people and goods. “Access management” is a primary concern on these roads. Local streets and alleys provide access to individual properties. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function. This section attempts to balance the right of reasonable access to private property with the right of the citizens of the city and the state of Oregon to safe and efficient travel. It also requires all developments to construct planned streets (arterials and collectors) and to extend local streets.

To achieve this policy intent, state and local roadways have been categorized in the transportation system plan by function and classified for access purposes based upon their level of importance and function (see Chapter 19.165 FMC). Regulations have been applied to these roadways for the purpose of reducing traffic accidents, personal injury, and property damage attributable to access systems, and to thereby improve the safety and operation of the roadway network. This will protect the substantial public investment in the existing transportation system and reduce the need for expensive remedial measures. These regulations also further the orderly layout and use of land, protect community character, and conserve natural resources by promoting well-designed road and access systems and discouraging the unplanned subdivision of land.

> **See included site plan and traffic impact report for supporting information. Note also that a variance has been included to Multnomah County, requesting approval of two driveways in order to improve site circulation and associated vehicle safety.**

B. Applicability: This section shall apply to all public streets within the city and to all properties that abut these streets.

> **The proposed project location applies to this section.**

C. Access Permit Required: Access to a public street requires an access permit in accordance with the following procedures:

C.1 Permits for access to city streets shall be subject to review and approval by the city engineer based on the standards contained in this chapter, and the provisions of the transportation standards. An access permit may be in the form of a letter to the applicant, or it may be attached to a land use decision notice as a condition of approval. In either case, an access permit will be reviewed consistent with the procedures required for the complementary development permit. If no development permit is requested, the access permit shall be reviewed consistent with a Type III process.

The proposed project will comply with the permit process. A variance has been included to Multnomah County requesting approval of two driveways in order to improve site circulation and associated vehicle safety.

C.2 Permits for access to state highways shall be subject to review and approval by the Oregon Department of Transportation (ODOT), except when ODOT has delegated this responsibility to the city or Multnomah County. In that case, the city or county shall determine whether access is granted based on its adopted standards.

Not applicable. Multnomah County has jurisdiction over Sandy Rd., and no access to I-84 is requested.

C.3 Permits for access to county highways shall be subject to review and approval by Multnomah County, except where the county has delegated this responsibility to the city, in which case the city shall determine whether access is granted based on adopted county standards.

Multnomah County is included in this process, and a variance has been included to Multnomah County requesting approval of two driveways in order to improve site circulation and associated vehicle safety.

D. Traffic Study Requirements: The city may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements.

See included site plan and traffic impact report for supporting information.

E. Conditions of Approval: The city may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street. When obtaining access to off-street parking areas (both to and from), backing onto a public street shall not be permitted, except for single-family dwellings.

Not applicable. The proposed project will meet the requirements of Multnomah County for any upgrades required along Sandy Road. A variance is included to request approval to maintain the two existing curb cuts located on the site that is essential to the function of the project use.

F. Access Options: When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the

following methods. These methods are “options” to the developer/subdivider, unless one method is specifically required by “Special Standards for Certain Uses.” A minimum of 10 feet per lane is required.

F.3 Option 3: Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing.

A variance is included, to request approval to maintain the two existing curb cuts located on the site that is essential to the function of the project use.

G. Access Spacing: Access spacing ensures safe connections to local and arterial streets. Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures:

G.1 Local Streets: A minimum of 50 feet separation (as measured from the sides of the driveway/street) shall be required on local streets (i.e., streets not designated as collectors or arterials), except as provided in subsection (G)(3) of this section.

Not applicable. The proposed project is not located along a local street.

G.2 Arterial and Collector Streets: Access spacing on collector and arterial streets, and at controlled intersections (i.e., with four-way stop sign or traffic signal) shall be determined based on the policies and standards contained in the city’s transportation system plan. Access to Interstate 84 is subject to the jurisdiction of ODOT.

The proposed project is located along a collector street, Sandy Road. This project will comply with required standards, and a variance has been included to Multnomah County requesting approval of two driveways in order to improve site circulation and associated vehicle safety.

G.3 Special Provisions for All Streets: Direct street access may be restricted for some land uses, in conformance with the provisions of Chapters 19.20 through 19.155 – Land Use Districts. For example, access consolidation, shared access, and/or access separation greater than that specified by subsections (G)(1) and (G)(2) of this section may be required by the city, county or ODOT for the purpose of protecting the function, safety and operation of the street for all users. (See subsection I of this section.) Where no other alternatives exist, the permitting agency may allow construction of an access connection along the property line farthest from an intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required.

This project will comply with required standards, and a variance has been included to Multnomah County requesting approval of two driveways in order to improve site circulation and associated vehicle safety.

H. Number of Access Points: Reducing the number of access points on a street provides pedestrians fewer obstructions, fewer points at which automobile traffic crosses the sidewalk, and fewer opportunities for conflicts between through traffic and vehicles using access points.

The proposed project will not be adding any additional access points to the site, but requesting that the two existing access points remain. A variance has been

included to Multnomah County requesting approval of two driveways in order to improve site circulation and associated vehicle safety.

I. Shared Driveways: Shared driveways serve to reduce impermeable surfaces, reduce visual blight associated with large expanses of pavement, and provide more linear curb space for on-street parking.

Not Applicable. No shared driveways.

J. Figure 19.162.020.J provides examples of street layout and connectivity.

Not applicable. This project does not impact street layout or connectivity.

K. Street Connectivity and Formation of Blocks Required: In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets.

Not applicable. This project does not impact street connectivity or formation of blocks.

L. Driveway Openings: All driveway openings must comply with the "Standard Specifications for Public Works Construction," pages 53 – 55. Driveway openings or curb cuts shall be within the minimum width necessary to provide the required number of vehicle travel lanes (10 feet for each travel lane). The following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize surface water runoff, and avoid conflicts between vehicles and pedestrians.

L.1 Single-family, two-family, and three-family uses shall have a minimum driveway width of 10 feet, and a maximum width of 24 feet, except that one recreational vehicle pad driveway may be provided in addition to the standard driveway for lots containing more than 10,000 square feet of area.

Not applicable. The proposed project is an industrial use.

L.2 Multiple-family uses with between four and seven dwelling units shall have a minimum driveway width of 20 feet, and a maximum width of 24 feet.

Not applicable. The proposed project is an industrial use.

L.3 Multiple-family uses with more than eight dwelling units, and off-street parking areas with 16 or more parking spaces, shall have a minimum driveway width of 24 feet, and a maximum width of 30 feet. These dimensions may be increased if the city engineer determines that more than two lanes are required based on the number of trips generated or the need for turning lanes.

The proposed project provides access widths that meet or exceed the minimum access width of 24 feet with a maximum width of 30 feet. See provided drawings for additional information.

L.4 Access widths for all other uses shall be based on 10 feet of width for every travel lane, except that driveways providing direct access to parking spaces shall conform to the parking area standards in Chapter 19.164 FMC, Vehicle and Bicycle Parking.

The proposed project provides access widths that meet or exceed the minimum access width of 10 feet of width for every travel lane. See provided drawings for additional information.

L.5 Driveway Aprons: Driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive, as shown above. Driveway aprons shall conform to ADA standards for sidewalks and pathways, which require a continuous route of travel that is a minimum of three feet in width, with a cross slope not exceeding two percent.

The proposed project will provide driveway aprons that conform to ADA standards. See provided drawings for additional information.

M. Fire Access and Parking Area Turnarounds: A fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive. Parking areas shall provide adequate aisles or turnaround areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner. For requirements related to cul-de-sacs, please refer to Chapter 19.165 FMC.

The project, as proposed, provides fire access and the ability for vehicles to enter and circulate through the site in a forward motion with no turn around required.

N. Vertical Clearances: Driveways, private streets, aisles, turnaround areas and ramps shall have a minimum vertical clearance of 13 feet 6 inches for their entire length and width.

The proposed project provides vertical clearances of not less than 13’-6”.

O. Vision Clearance: No signs, structures or vegetation in excess of three feet in height shall be placed in “vision clearance areas,” as shown above. The city engineer upon finding that more sight distance is required may increase the minimum vision clearance area (i.e., due to traffic speeds, roadway alignment, etc.).

The proposed project provides vision clearances that meet requirements.

P. Construction. The following development and maintenance standards shall apply to all driveways and private streets, except that the standards do not apply to driveways serving one single-family detached dwelling:

P.1 Surface Options: Driveways, parking areas, aisles, and turnarounds may be paved with asphalt, concrete or comparable surfacing, or a durable nonpaving material may be used to reduce surface water runoff and protect water quality. Paving surfaces shall be subject to review and approval by the city engineer.

> **The proposed project includes asphalt drive surface at the site entry and north parking lot locations. All other proposed driving surfaces and parking areas are proposed as compacted gravel.**

P.2 Surface Water Management: When a paved surface is used, all driveways, parking areas, aisles and turnarounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with city standards.

> **The proposed project includes surface water management strategies, including catch basins and stormwater detention controls as indicated on the submitted drawings.**

P.3 Driveway Aprons: When driveway approaches or “aprons” are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing (see also subsection L of this section). (Ord. 2-2017 § 1 (Exh. A); Ord. 5-2009 § 2 (Att. 1); Ord. 6-2001 § 1)

> **The proposed project includes driveway aprons that are paved with concrete as indicated on the submitted drawings.**

19.162.030 pedestrian access and circulation: The standards presented in this code provide standards for safe, connected and user-friendly pedestrian connections and pathways that join neighborhoods and buildings within a development.

A. Pedestrian Access and Circulation: To ensure safe, direct and convenient pedestrian circulation, all developments, except single-family detached housing (i.e., on individual lots), shall provide a continuous pedestrian and/or multi-use pathway system. (Pathways only provide for pedestrian circulation. Multi-use pathways accommodate pedestrians and bicycles.) The system of pathways shall be designed based on the standards in subsections (A)(1) through (5) of this section:

A.1 Continuous Pathways: The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas whenever possible. The developer may also be required to connect or stub pathway(s) to adjacent streets and private property, in accordance with the provisions of FMC 19.162.020, Vehicular access and circulation, and the transportation standards in Chapter 19.165 FMC.

> **The proposed project includes continuous pathways that are paved with concrete as indicated on the submitted drawings.**

A.2 Safe, Direct, and Convenient Pathways: Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:

The proposed project provides safe, direct and convenient pathways that meet the definitions for "reasonably direct", "safe and convenient" and that lead to the primary industrial public entrance as stated above (A.2) and below (A2.a – A2.d).

A.2.a "Reasonably direct" means a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

A.2.b "Safe and convenient" means bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

A.2.c For commercial, industrial, mixed use, public, and institutional buildings, the "primary entrance" is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

A.2.d For residential buildings the "primary entrance" is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard or breezeway, which serves as a common entrance for more than one dwelling.

A.3 Connections within Development: For all developments subject to site design review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable.

The proposed project includes one building with multiple entrances. All entrances are connected with a common concrete pathway. See submitted drawings for additional information.

A.4 Street Connectivity: Pathways (for pedestrians and bicycles) shall be provided at or near midblock where the block length exceeds the length required by FMC 19.162.020. Pathways shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments, as applicable. Pathways used to comply with these standards shall conform to all of the following criteria:

The proposed project meets this requirement as indicated on the submitted drawings.

A.4.a Multi-use pathways (i.e., for pedestrians and bicyclists) are no less than 10 feet wide and located within a 20-foot-wide right-of-way or easement that allows access for emergency vehicles.

Not applicable.

A.4.b If the streets within the subdivision or neighborhood are lighted, the pathways shall also be lighted.

Not applicable. The proposed project is not located within a subdivision and includes no internal streets.

A.4.c Stairs or switchback paths using a narrower right-of-way/easement may be required in lieu of a multi-use pathway where grades are steep.

Not applicable. No steep grades are present.

A.4.d The city may require landscaping within the pathway easement/right-of-way for screening and the privacy of adjoining properties.

The proposed project will meet the requirements of the city, and landscape screening is provided along Sandy Road at the location of the proposed parking.

A.4.e The hearings body or planning director may determine, based upon facts in the record, that a pathway is impracticable due to: physical or topographic conditions (e.g., freeways, railroads, extremely steep slopes, sensitive lands, and similar physical constraints); buildings or other existing development on adjacent properties that physically prevent a connection now or in the future, considering the potential for redevelopment; and sites where the provisions of recorded leases, easements, covenants, restrictions, or other agreements recorded as of the effective date of this code prohibit the pathway connection.

Not applicable.

A.5 Connections to Other Facilities: Proposed pathways shall be located to provide access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas and park and transit facilities. To the greatest extent possible, access shall be reasonably direct, providing a route or routes that do not deviate unnecessarily from a straight line or that do not involve a significant amount of out-of-direction travel.

Not applicable. The project does not impact other facility connections.

B. Design and Construction: Pathways shall conform to all of the standards in subsections (B)(1) through (B)(5) of this section:

B.1 Vehicle/Pathway Separation: Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised six inches and curbed, or separated from the driveway/street by a five-foot minimum strip with bollards, a landscape buffer, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps.

The proposed project includes pathways that are parallel to a driveway and/or street and will provide a 6” raised and curbed separation. See submitted drawings for additional information.

B.2 Housing/Pathway Separation: Pedestrian pathways shall be separated a minimum of five feet from all residential living areas on the ground floor, except at building entrances. Separation is measured as measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of Chapter 19.163 FMC, Landscaping, Street Trees, Fences and Walls. No pathway/building separation is required for commercial, industrial, public, or institutional uses.

Not applicable. No housing is located on the site.

B.3 Crosswalks: Where pathways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials, humps/raised crossings.

The proposed project will provide clearly marked crosswalks with contrasting paving materials. See submitted drawings for additional information.

B.4 Pathway Surface: Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, at least six feet wide, and shall conform to ADA requirements. Multi-use paths (i.e., for bicycles and pedestrians) shall be the same materials, at least 10 feet wide. (See also Chapter 19.165 FMC, Transportation Standards for public, multi-use pathway standard.)

The proposed project will provide pathway surfaces that are minimum of 6 feet wide with durable walkway surface such as concrete. See submitted drawings for additional information.

B.5 Accessible Routes: Pathways shall comply with the Americans with Disabilities Act, which requires accessible routes of travel.

The proposed project will comply with the required codes.

19.163 Landscaping, Street Trees, Fences and Walls

19.163.010 purpose:
The purpose of this chapter is to promote community health, safety and welfare by protecting natural vegetation, and setting development standards for landscaping, street trees, fences and walls. Together, these elements of the natural and built environment contribute to the visual quality, environmental health and character of the community. Trees provide climate control through shading during summer months and wind screening during winter. Trees and other plants can also buffer pedestrians from traffic. Walls, fences, trees and other landscape materials also provide vital screening and buffering between land uses. Landscaped areas help to control surface water drainage and can improve water quality, as compared to paved or built surfaces.

19.163.020 landscape conservation:
The purpose of this chapter is to promote community health, safety and welfare by protecting natural vegetation, and setting

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. “Significant vegetation” means:

All definitions identified below (B.1 – B..3) are understood.

B.1 Significant Trees and Shrubs: Individual trees and shrubs with a trunk diameter of six inches or greater, as measured four feet above the ground (DBH), and all plants within the drip line of such trees and shrubs, shall be protected.

B.2 Sensitive Lands: Trees and shrubs on sites that have been designated as “sensitive lands,” in accordance with Chapter 19.106 FMC, Natural Resource Regulations, and Chapter 19.105 FMC, Floodplain Overlay (e.g., due to slope, natural resource areas, wildlife habitat, etc.) shall be protected.

B.3 Exception: Protection shall not be required for plants listed as non-native, invasive plants by the Oregon State University Extension Service in the applicable OSU bulletins for Multnomah County.

C. Mapping and Protection Required. Significant vegetation shall be mapped as required by this code. Significant trees shall be mapped individually and identified by species and size (diameter at four feet above grade, or “DBH”). A “protection” area shall be defined around the edge of all branches (drip-line) of each tree (drip lines may overlap between trees). The city also may require an inventory, survey, or assessment prepared by a qualified professional when necessary to determine vegetation boundaries, building setbacks, and other protection or mitigation requirements.

The proposed project retains all significant trees. No significant trees are impacted by the project scope of work.

D. Protection Standards. All of the following protection standards shall apply to significant vegetation areas:

D.1 Protection of Significant Trees: Significant trees identified as meeting the criteria in subsection (B)(1) of this section shall be retained whenever practicable. Preservation may become impracticable when it would prevent reasonable development of public streets, utilities, or land uses permitted by the applicable land use district.

The proposed project retains all significant trees. No significant trees are impacted by the project scope of work.

D.2 Sensitive Lands: Sensitive lands shall be protected in conformance with the provisions of Chapters 19.105 and 19.106 FMC.

The proposed project conforms to all sensitive land provisions.

D.3 Conservation Easements and Dedications: When necessary to implement the Comprehensive Plan, the city may require dedication of land or recordation of a conservation easement to protect sensitive lands, including groves of significant trees. This will be addressed on a case by case basis. (Ord. 3-2012 § 6; Ord. 6-2001 § 1)

The proposed project conforms to the conservation easements and dedications.

19.163.025 existing landscape:

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

B. Construction: All areas of significant vegetation shall be protected prior to, during, and after construction. Grading and operation of vehicles and heavy equipment is prohibited within significant vegetation areas, except as approved by the city for installation of utilities or streets. Such approval shall only be granted after finding that there is no other reasonable alternative to avoid the protected area, and any required mitigation is provided in conformance with Chapter 19.105 FMC, Floodplain Overlay and Chapter 19.106 FMC, Natural Resource Regulations.

The proposed project will protect all areas of significant vegetation prior to, during, and after construction. Significant vegetation onsite occurs only at the existing creek bank along the east edge of the site, and setbacks and protections are provided at this area.

C. Exemptions: The protection standards in FMC 19.163.020(D) shall not apply in the following situations:

C.1 Dead, Diseased, and/or Hazardous Vegetation: Vegetation that is dead or diseased, or poses a hazard to personal safety, property or the health of other trees, may be removed. Prior to tree removal, the applicant shall provide a report from a certified arborist or other qualified professional to determine whether the subject tree is diseased or poses a hazard, and any possible treatment to avoid removal, except as provided by subsection (C)(2) of this section.

C.2 Emergencies: Significant vegetation may be removed in the event of an emergency without land use approval when the vegetation poses an immediate threat to life or safety, as determined by the planning director. The planning director shall prepare a notice or letter of decision within 10 days of the tree(s) being removed. The decision letter or notice shall explain the nature of the emergency and be on file and available for public review at City Hall. (Ord. 3-2012 § 6; Ord. 6-2001 § 1)

Understood.

19.163.030 New landscaping:

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

B. Landscaping Plan Required. A landscape plan is required at the time of design review or other pertinent applications. All landscape plans shall conform to the requirements in FMC 19.420.020 (E), Landscape plans.

The landscape plan is included in the submitted drawings.

C. Landscape Area Standards. The minimum percentage of required landscaping equals:

The proposed property is located within the General Industrial District and meets the requirements that a minimum of 10 percent of the site be landscaped. See drawings for additional information.

D. Landscape Materials. This section provides guidelines that ensure significant vegetation growth and establishment using a variety of size specifications and coverage recommendations.

The provided guidelines below are understood and provided (D.1 – D.10).

Landscape materials include trees, shrubs, ground cover plants, nonplant ground covers, and outdoor hardscape features, as described below:

D.1 Native Vegetation: Native vegetation shall be preserved or planted where practicable.

D.2 Plant Selection: A combination of deciduous and evergreen trees, shrubs and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions. As necessary, soils shall be amended to allow for healthy plant growth.

D.3 Non-native, invasive plants, as per FMC 19.164.020(B), shall be prohibited.

D.4: Hardscape features (i.e., patios, decks, plazas, etc.) may cover up to 15 percent of the required landscape area. Swimming pools, sports courts and similar active recreation facilities may not be counted toward fulfilling the landscape requirement.

D.5 Nonplant Ground Covers: Bark dust, chips, aggregate or other nonplant ground covers may be used, but shall cover no more than five percent of the area to be landscaped. “Coverage” is measured based on the size of plants at maturity or after five years of growth, whichever comes sooner.

D.6 Tree Size: Trees shall have a minimum caliper size of 1.5 inches or greater, or be six feet or taller, at time of planting.

D.7 Shrub Size: Shrubs shall be planted from one-gallon containers or larger.

D.8 Ground Cover Size: Ground cover plants shall be sized and spaced so that they grow together to cover a minimum of 80 percent of the underlying soil within three years.

D.9 Significant Vegetation: Significant vegetation preserved in accordance with FMC 19.163.020 may be credited toward meeting the minimum landscape area standards. Credit shall be granted on a per square foot basis. The street tree standards of FMC 19.163.040 may be waived when trees preserved within the front yard provide the same or better shading and visual quality as would otherwise be provided by street trees.

D.10 Stormwater Facilities: Stormwater facilities (e.g., detention/retention ponds and swales) shall be landscaped with water tolerant, native plants.

E. Landscape Design Standards. The landscape design standards provide guidelines within setback areas, parking areas, etc.

All yards, parking lots and required street tree planter strips shall be landscaped in accordance with the provisions of this chapter. Landscaping shall be installed with development to provide erosion control, visual interest, buffering, privacy, open space and pathway identification, shading and wind buffering, based on the following standards:

The following guidelines are understood and provided (E.1.a – E.1.h). See landscape plan provided in submittal drawings.

E.1 Yard Setback Landscaping: Landscaping shall satisfy the following criteria:

E.1.a Provide visual screening and privacy within side and rear yards; while leaving front yards and building entrances mostly visible for security purposes;

E.1.b Use shrubs and trees as windbreaks, as appropriate;

E.1.c Retain natural vegetation, as practicable;

E.1.d Define pedestrian pathways and open space areas with landscape materials;

E.1.e Provide focal points within a development, such as signature trees (i.e., large or unique trees), hedges and flowering plants;

E.1.f Use trees to provide summer shading within common open space areas, and within front yards when street trees cannot be provided;

E.1.g Use a combination of plants for year-long color and interest;

E.1.h Use landscaping to screen outdoor storage and mechanical equipment areas, and to enhance graded areas such as berms, swales and detention/retention ponds.

2. Parking Areas. A minimum of five percent of the combined area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of an evenly distributed mix of shade trees with shrubs and/or ground cover plants. “Evenly distributed” means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy. At a minimum, one tree per five parking spaces total shall be planted to create a partial tree canopy over and around the parking area. All parking areas with more than 20 spaces shall include landscape islands with trees to break up the parking area into rows of not more than 12 contiguous parking spaces. All landscaped areas shall have minimum dimensions of four feet by four feet to ensure adequate soil, water, and space for healthy plant growth.

The proposed project includes (24) parking stalls which equals to the requirement of 4.8 (5) trees. The landscaping will be located in areas of four feet by four feet or larger.

3. Buffering and Screening Required. Buffering and screening are required under the following conditions:

3.a Parking/Maneuvering Area Adjacent to Streets and Drives: Where a parking or maneuvering area is adjacent and parallel to a street or driveway, a decorative wall (masonry or similar quality material), arcade, trellis, evergreen hedge, or similar screen shall be established parallel to the street or driveway. The required wall or screening shall provide breaks, as necessary, to allow for access to the site and sidewalk by pedestrians via pathways. The design of the wall or screening shall also allow for visual surveillance of the site for security. Evergreen hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number and spacing to provide the required screening within one year after planting. Any areas between the wall/hedge and the street/driveway line shall be landscaped with plants or other ground cover. All walls shall be maintained in good condition, or otherwise replaced by the owner.

The proposed landscaping meets this requirement. See the landscape plan for additional information.

3.b Parking/Maneuvering Area Adjacent to Building: Where a parking or maneuvering area, or driveway, is adjacent to a building, the area shall be separated from the building by a raised pathway, plaza, or landscaped buffer no less than four feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect buildings from being damaged by vehicles. When parking areas are located adjacent to residential ground-floor living space, a landscape buffer is required to fulfill this requirement.

The proposed landscaping meets this requirement. See the landscape plan for additional information.

3.c Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas, and Automobile-Oriented Uses: All mechanical equipment, outdoor storage and manufacturing,

and service and delivery areas, shall be screened from view from all public streets and residential districts. Screening shall be provided by one or more of the following: decorative wall (i.e., masonry or similar quality material), evergreen hedge, non-see-through fence, or a similar feature that provides a non-see-through barrier. Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation, in accordance with Chapter 19.162 FMC, Access and Circulation. (Ord. 6-2001 § 1)

The proposed landscape meets this requirement. See the landscape plan for additional information.

19.163.040 Street Trees:

The guidelines provided in this section promote healthy street trees and adequate canopy cover to provide shade, reduce stormwater runoff, and improve the appearance of a development.

Street trees shall be planted for all developments that are subject to land division or site design review. Requirements for street tree planting strips are provided in Chapter 19.165 FMC, Public Facility Standards. Planting of unimproved streets shall be deferred until the construction of curbs and sidewalks. Street trees shall conform to the following standards and guidelines:

A. Soil Preparation, Planting and Care: The developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two years after planting. The developer shall also be responsible for tree care (pruning, watering, fertilization, and replacement as necessary) during the first two years after planting.

Understood.

B. Assurances: The city shall require the developer to provide a performance and maintenance bond in an amount determined by the city engineer, to ensure the planting of the tree(s) and care during the first two years after planting.

Understood.

C. Growth Characteristics: Trees shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following should guide tree selection:

The following guidelines are understood and provided (C.1 – C.9). See landscape plan provided in submittal drawings.

C.1 Provide a broad canopy where shade is desired.

C.2 Use low-growing trees for spaces under utility wires.

C.3 Select trees which can be “limbed-up” where vision clearance is a concern.

C.4 Use narrow or “columnar” trees where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.

C.5 Use species with similar growth characteristics on the same block for design continuity.

C.6 Avoid using trees that are susceptible to insect damage, and avoid using trees that produce excessive seeds or fruit.

C.7 Select trees that are well adapted to the environment, including soil, wind, sun exposure, and exhaust. Drought-resistant trees should be used in areas with sandy or rocky soil.

C.8 Select trees for their seasonal color, as desired.

C.9 Use deciduous trees for summer shade and winter sun.

D. Caliper Size: The minimum caliper size at planting shall be 1.5 inches, based on the American Association of Nurserymen Standards.

The proposed street trees shall be at a minimum 1.5" caliper size.

E. Spacing and Location: Street trees shall be planted within existing and proposed planting strips, and in sidewalk tree wells on streets without planting strips. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity. In general, trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with existing trees, retaining walls, utilities and similar physical barriers.

The proposed street trees are planted no more than 30 feet apart.

F. Maintenance and Irrigation: The use of drought-tolerant plant species is encouraged, and may be required when irrigation is not available. Irrigation shall be provided for plants that are not drought-tolerant. If the plantings fail to survive, the property owner shall replace them with an equivalent specimen (i.e., evergreen shrub replaces evergreen shrub, deciduous tree replaces deciduous tree, etc.). All other landscape features required by this code shall be maintained in good condition, or otherwise replaced by the owner.

The proposed street trees are drought tolerant and will be watered by hand or with drip irrigation until established.

G. Additional Requirements: Additional buffering and screening may be required for specific land uses, as identified by Article II of this title, and the city may require additional landscaping through the conditional use permit process. (Ord. 6-2001 § 1)

Understood.

19.163.050 fences and walls:

The fences and walls section provides height limits for construction of new walls. The guidelines prevent walls that reduce pedestrian connectivity and sight clearance. The standards also provide guidelines relating to maintenance.

Not applicable. The proposed project does not include any fences or walls.

19.164 Vehicle and Bicycle Parking

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. Historically, some communities have required more parking than is necessary for some land uses, paving extensive areas of land that could be put to better use. Because vehicle parking facilities can occupy large amounts of land, they must be planned and designed carefully to use the land efficiently while maintaining the visual character of the community. This chapter recognizes that each development has unique parking needs by providing a flexible approach for determining parking space requirements (i.e., “minimum” and “performance-based” standards). This chapter also provides standards for bicycle parking because many people use bicycles for recreation, commuting, and general transportation. Children as well as adults need safe and adequate spaces to park their bicycles throughout the community. (Ord. 6-2001 § 1)

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)

19.164.030 standards

A. The minimum number of required off-street vehicle parking spaces (i.e., parking that is located in parking lots and garages and not in the street right-of-way) shall be determined based on the standards in Table 19.164.030.A.

(Table 19.164.030.A)
General Office: 3.4 spaces per 1,000 sf

Industrial Uses, Except Warehousing: 1.6 spaces per 1,000 square feet of leasable floor area.

Warehousing: 0.3 spaces per 1,000 square feet of gross floor area. Parking ratios apply to warehouses 150,000 gross square feet or greater.

	Office	Warehouse (under 150,000 sf)	Maintenance
Parking Ratio	3.4 per 1,000 sf	1.6 per 1,000 gsf	0.3 per 1,000 gsf
Total SF	2,940 sf	8,668 sf	392 f
Parking Required	9.9 spaces	13.9 spaces	0.1 spaces
Total Parking Req’d	**23.9 stalls (24 spaces)**		
Total Parking Provided	**22 standard spaces**	**2 accessible spaces**	

*Light Industrial use has no maximum parking space restrictions.

B. Credit for On-Street Parking.

Not Applicable. The proposed project does not include On-Street Parking.

C. Parking Location and Shared Parking.

C.1 Location: Vehicle parking is allowed only on approved parking shoulders (streets), within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this code. Specific locations for parking are indicated in Article II of this title for some land uses (e.g., the requirement that parking be located to side or rear of buildings, with access from alleys, for some uses). (See also Chapter 19.162 FMC, Access and Circulation.)

The proposed project includes specific locations for parking. See provided drawings for additional information.

C.2 Off-Site Parking: Except for single-family dwellings, the vehicle parking spaces required by this chapter may be located on another parcel of land, provided the parcel is within 500 feet walking distance of the use it serves. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.

Not Applicable. The proposed project does not include off-site parking.

C.3 Mixed Uses If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street vehicle parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (i.e., the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly.

Not Applicable. The proposed project does not include mixed land-uses.

C.4 Shared Parking: Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use.

Not Applicable. The proposed project does not require shared parking.

C.5 Availability of Facilities: Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers and/or employees, as applicable. Signs shall conform to the standards of Chapter 19.170 FMC, Sign Regulations.

Understood.

D. Maximum Number of Parking Spaces: The number of parking spaces provided shall not exceed the standards in the following table:

No maximum parking limitations for Light Industrial use.

E. Parking Management: The planning director may require a parking management plan for development of any use that requires more than 10 parking spaces based on the minimum parking spaces provided in Table 19.164.030.A. The parking management plan shall be prepared by a qualified parking or traffic consultant or certified engineer and should include the following:

Not applicable. The minimum required parking is under 10 parking spaces.

F. Parking Stall Standard Dimensions and Compact Parking Spaces: All off-street parking stalls shall be improved to conform to city standards for surfacing, stormwater management and striping, and provide dimensions in accordance with the following table. Disabled person parking shall conform to the standards and dimensions of this chapter. The number of compact parking spaces shall not exceed 40 percent of all parking spaces provided on site.

The proposed project meets the required standards indicated, including stormwater management, striping, and accessible parking. The typical parking space dimension is 9'-0" x 19'-0". See provided drawings for additional information.

G. Variances: Developments may request exceptions to the parking standards; see FMC 19.520.030(A)(4).

The proposed project is not requesting any parking variances.

H. Disabled Person Parking Spaces: The following parking shall be provided for disabled persons, in conformance with the Americans with Disabilities Act (Figure 19.164.030.H):

The proposed project includes two accessible parking stalls that conform to this requirement.

19.164.040 bicycle parking standards

All uses which are subject to site design review shall provide bicycle parking, in conformance with the following standards, which are evaluated during site design review:

A. Number of Bicycle Parking Spaces: A minimum of two bicycle parking spaces per use is required for all uses with greater than 10 vehicle parking spaces. The following additional standards apply to specific types of development:

This section applies to the proposed project as more than 10 vehicle parking stalls are provided.

1. Multifamily Residences: Every residential use of four or more dwelling units shall provide bicycle parking spaces according to the following standards:

Not applicable. The proposed project does not include Multifamily residences.

2. Commercial Retail, Office, and Institutional Developments: Commercial retail, office, and institutional developments shall provide bicycle parking spaces according to the following standards:

Not applicable.

3. Schools.

Not applicable.

4. Colleges and Trade Schools.

Not applicable.

5. Town Center Commercial District.

Not applicable.

6. Multiple Uses: For buildings with multiple uses (such as a commercial or mixed use center), bicycle parking standards shall be calculated by using the total number of motor vehicle parking spaces required for the entire development. A minimum of one bicycle parking space for every 10 motor vehicle parking spaces is required.

The proposed project includes 24 vehicle parking spaces. 24/10= 2.4 (3) short-term bicycle spaces are required for this project.

C. Location and Design: Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one building entrance (e.g., no farther away than the closest parking space). It should be incorporated whenever possible into building design and coordinated with the design of street furniture when it is provided. Street furniture includes benches, streetlights, planters and other pedestrian amenities.

The proposed project meets this requirement. See provided drawings for additional information.

D. Visibility and Security: Bicycle parking should be visible to cyclists from street sidewalks or building entrances, so that it provides sufficient security from theft and damage.

The proposed project meets this requirement. See provided drawings for additional information.

E. Options for Storage: Bicycle parking requirements for long-term and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building.

The proposed project meets this requirement by providing bike racks to lock to. See provided drawings for additional information.

F. Lighting: Bicycle parking shall be at least as well lit as vehicle parking for security.

The proposed bicycle parking location is adjacent to vehicle parking and will meet the required criteria.

G. Reserved Areas: Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

The proposed project meets this requirement. See provided drawings for additional information.

H. Hazards: Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards (Chapter 19.162 FMC, Access and Circulation). (Ord. 2-2017 § 1 (Exh. A); Ord. 6-2001 § 1)

The proposed project meets this requirement. See provided drawings for additional information.

Exhibit A2

WDY Structural • Civil Engineers

February 21, 2018
Environment Works Warehouse
22820 NE Sandy Blvd
Fairview, OR 97202

Subject: Type III Site Design Review
Project: New Warehouse Building

Project Description

The project proposes to construct a new 12,000 sf warehouse building on an approximately 4.21 acre lot with an estimated 500 lineal feet of frontage along NE Sandy Blvd. The project would like to limit the amount of disturbance area as possible. There will be paved parking at the front north side of the building and gravel fleet parking on the south back side of the building.

Site Civil Related Sections

19.105: The project site is not known to be within the flood plain overlay.

10.106: The project does have buffer requirements relative to the flow line of the "Fairview Creek" on the west and "No Name" on the east that will be verified by a surveyor and detailed in the construction document permit phase. The site plan layout as shown has adequate buffering to provide the minimum 40′ distance from "No Name" Creek.

19.165: The project proposes to provide two access driveways to Sandy Blvd. A variance to the Multnomah County Standards will be pursued. Other Multnomah County requirements will be provided as required. No public improvements such as streets or utilities are anticipated to be required to be constructed at this time. Connection permits for water, sanitary and storm discharge to "Fairview Creek" are the only anticipated utility work with in public Right of Way's or tracts. Storm drainage is planned to be managed with an extended dry basin to provide infiltration to the maximum extent practical and to include detention with to control release flows and attenuate the post developed runoff flows to their respective predeveloped runoff flow rates. There exists a private easement that serves a privately-owned billboard sign and provides an electoral supply line to the billboard. It is planned to meet the current stipulations of the easement agreement, if changes are necessary the owner will coordinate these modifications with easement beneficiary and record these modifications with the county and show them on the permit drawings.

The proposed site design will also need to meet the Columbia South Shore Well Head Protection design requirements. Discussions with the City of Gresham site inspector have been held between the engineer and City of Gresham inspector and the site plan, as designed, is believed to meet the standards. It will be the owner's responsibility to develop a protection and action plan for they equipment parking and material storage areas in the gravel yard area and to follow the Columbia South Shore Well Head Protection reference manual. The proposed site plan is otherwise intended and designed to meet Fairview Municipal Code and Design starndards without any variance or adjustment requests

Sincerely,
Chris DesLauriers, PE
WDY Inc. 503-203-8111

Exhibit A3

WDY Structural • Civil Engineers

City of Fairview **August 6, 2018**
1300 NE Village St
Fairview, OR 97204

Attn: Sarah Selden
Eric Rutledge
Allan Berry

RE: LU # 2018-14-DR DESIGN EXCEPTION REQUEST PER FMC 19.106
"Proposed Strom Facility Development in Natural Resources Buffer"

Dear Mr. Eric Rutledge and Ms. Sarah Selden,

The purpose of this narrative is to request a Design Exception Process under the Fairview Municipal Code (FMC) 19.106 for temporary and permanent disturbances within the "Fairview Creek" Resource Protection Area (RPA). The proposed disturbances will include installing a storm water quality and detention basin system that will manage both public and private storm water runoff from current and future public and private developments. This narrative will describe the proposed development's encroachment on the Fairview Creek 55' RPA buffer and how the project proposes to meet the requirements for disturbance mitigation in accordance with the City of Fairview's FMC section 19.106 "Natural Resource Regulations".

Existing Site Description & Limitations:
The existing site is a 4.21-acre lot located at 22820 NE Sandy Blvd in Fairview, Oregon. The current site consists of existing unkept pavement area's and concrete building pads in the central portion of the site that will be removed and demolished for the new development. The site has generally remained clear and mowed in the past, however, it has become overgrown in the past year. The site is bounded on the east by "No Name Creek" and on the west by a fence that follows the west property line. The west property line follows a City maintenance access way that follows "Fairview Creek" and is between the creek and project property fence. Fairview Creek is approximately 30 to 50 feet west of the west property line and flows through City owned property along this stretch of the creek. The Sandy Boulevard right-of-way bounds the north property line and slopes moderately to the west to a low point where Fairview Creek crosses under the right-of-way. The site's south boundary follows the I-84 right of way. The site generally slopes from the south to the north and northwest toward Fairview Creek. The southern portion of the site slopes steeply to the south along the I-84 freeway embankment. Many of the slopes in this embankment area are in the range of 33% (3H:1V) with some locations as steep as 45% (1H:1V) in grade. No significant trees over 6-inch diameter appear exist onsite within the areas proposed for development and the onsite plants are generally thick grasses, blackberry's and other invasive and nuisance species of plants. There is currently no existing developed storm drainage system onsite or in the public right-of-way and the storm runoff flows into the NE Sandy Blvd roadside ditches which currently generally flow into "Fairview Creek" in this area. The eastern 60 feet to 80 feet of the site along the eastern property line gently slopes toward "No Name Creek". There is an existing billboard in the southeastern corner of the site that is to remain that has an easement for power that runs north through the site.

Proposed Development:
The proposed development is for a small privately-owned business owner that operates an environmental cleanup specialty construction company. The project is proposing to install a premanufactured metal building that will be used for fleet vehicle maintenance, work material and equipment storage and includes office space at one end of the building for business administrations, management and project employee dispatching. The site will have a paved

parking lot, landscaping and walkways on the north side of the building and gravel fleet vehicle parking on the south side of the building. The site will be accessed with an enter only driveway on the west and exit only driveway on the east. A short 2.5 foot tall to 7.5 foot tall retaining wall will be required along the west entrance access drive off the southwest corner of the building to manage grading. A water quality and detention basin that will serve both public and private stormwater will be installed in the northwest corner of the site and will discharge runoff into Fairview Creek.

Multnomah County is requiring a 20 ft dedication along the south side of the Sandy Blvd Right of Way, which is also the north subject property line, for future public street improvements along Sandy Blvd. The steep slopes from the I-84 embankment, the 20 ft dedication and the two creeks with their respective RPA buffer requirements significantly limit the developable area of the site and greatly reduce the allotted areas for locating storm water mitigation structures. The shape of the lot and the current and proposed grading generally show that runoff flows toward the northwest corner of the property where the site plan currently shows the proposed surface storm water management facility. Due to high ground water and low permeability rates, infiltration is not feasible, however, onsite water quality and detention will be provided with a vegetative surface storm water quality and detention basin in conjunction with detention pipe. The site plan has been through multiple revisions during preliminary phases to develop the most functional use of the site for the purposes of the business while maintaining the least impact to Creek RPA’s. The site has been granted a variance for allowing the enter only and exit only driveways as there was not enough room onsite to allow parking and truck turnaround areas in the gravel fleet parking area. The discovery of the large 20 foot dedication requirement during the preliminary phases and correctly mapping of the RPA buffers have significantly constrained the area on this site available for development.

The RPA requires a 40 ft environmental setback from the centerline of “No Name Creek” that will be met with the proposed development as shown on the included site plan. No disturbances are proposed for the “No Name Creek” RPA buffer and therefor no Exception Process or Type III approvals are required for the work along this buffer. A Type I boundary verification has been completed and provided to the City for review and grading will be performed within 15 feet of the buffer area.

“Fairview Creek” is to the west of the west property line and flows northwest through City owned property towards “Fairview Lake” and this RPA requires a 55 foot environmental set back. The RPA mapping additionally shows Upland Habitat on the City owned property along the project property’s west property line and follows the south line of the City owned property. It was originally understood that this section of Fairview Creek did not have additional RPA requirements since due to it’s locations, however, the project team was recently made aware that the site is within the natural resource area of “Fairview Creek” meaning the City’s RPA requirements apply to the development encroachments along the west property line. The City of Fairview also provided a natural resource area map showing the approximate centerline of the creek and the Upland Habitat area along the property between the creek and the property line. The City requirements call for a 55 foot RPA setback from the centerline of “Fairview Creek”. The Ordinary High Water Line has been surveyed and the 55 foot buffer setback from the center line of the Creek was found to cross the west property line within the area of the proposed storm facility and also includes much of the proposed block retaining wall and access drive and a portion of the south gravel parking area. Due to the constraints of the site, it is not feasible to move the proposed storm basin and other proposed developments. The dedication on the north side of the site also limits the storm facility and development from being expanded north out of the buffer area. The location of the proposed storm facility is at existing the low point of the site and otherwise cannot be moved. An existing easement for the existing billboard prevents the

development from being shifted further east. The steep I-84 embankment will be cut back where possible to the south but otherwise leaves a large undevelopable area and therefore the site plan cannot be shifted south to accommodate detention along the north side of the parking lot. "No Name Creek" to the east would present the same setback encroachment issues and grading issues if the detention basin were to be moved east. The proposed development will not encroach the upland habitat, but will both permanently and temporarily encroach the 55 foot RPA buffer. The zoning and use of the site and proposed location of the storm facility and block retaining wall and the vegetative set back between the west access drive and property were found to have the least impacts on the environmental sensitive areas in addition to providing a permanent additional buffer that will be enhanced with native plant species to keep the development activities separate from the environmentally protected areas.

The storm water mitigation plan will collect the southern half of the Sandy Blvd right of way along the property frontage and all onsite storm water runoff and route it into a surface vegetative storm water quality and detention basin. The basin will be in the northwest corner of the property due to the developable area of the site being limited to the above-mentioned boundary constraints and the natural topography directing storm water to this area. The storm runoff will be discharged into "Fairview Creek" via a detention control manhole and a rip-rap protected outfall mitigating runoff impacts to the creek from the development. The storm facility will also provide water quality to a substantial area of public roadway that is currently not discharging to a water quality facility. All temporary disturbances to install the outfall will be mitigated. The outfall location will be field located so not to disturb or remove any native trees. Overall the proposed site plan and development will enhance the storm runoff discharges by providing water quality for existing impervious surfaces and impervious surfaces of the proposed and future developments along this property frontage.

Mitigation & Meeting the Resource Protection Area Requirements:

Since it is not feasible to change the proposed site plan and permanent encroachments will impact the 55 foot "Fairview Creek" buffer, a Type III Encroachment Exception Process is required and requested for the development of the storm facility, block retaining wall, access driveway and gravel parking encroachments into the 55' RPA buffer setback from "Fairview Creek". This exception process is requested to allow reasonable and legal development of the property while providing mitigation and protection for water and wildlife resources. As previously stated the centerline of the creek, its setback and the upland habitat area adjacent to the property were determined from a City provided maps and reasonably verified through field surveys by a licensed surveyor registered in the State of Oregon and site visits by a Oregon licensed professional engineer. In addition to the creek setback, the development is within 15 feet of mapped Upland Habitat, however, the Upland Habitat follows the property line and is not proposed to be disturbed. Therefore, the city requires a Type I staff review boundary verification process for the development along the RPA's and Upland Habitat. This boundary verification has been performed, as mentioned via a licensed surveyor and field confirmations have been conducted by a licensed professional engineer and it is understood that the upland habitat boundary follows the west property boundary line. The boundary verification provides reasonable certainty that the standards of FMC code are met and will be properly implemented to allow the proposed development and ensure that mitigation for the temporary and permanent encroachments are planned, reviewed and executed under the develop permit. The proposed mitigation development permanent disturbances are discussed below and will be fully evaluated by competent City staff during the permitting and site development review phase.

General

The placement of the basin and discharging the stormwater runoff into "Fairview Creek" will not negatively impact the function or flow of the creek or its water quality. The storm facility for this development and the southern half of the public right of way will enhance the creek drainage. The facility will provide water quality and detention for the existing untreated impervious areas of the roadway and will include capacity for the future Sandy Blvd build out and all onsite development. The stormwater detention and water quality facility is designed with best management practices per the City of Fairview's Stormwater Management Plan which meet the requirements of allowed disturbances in RPA buffer area's. The City of Fairview follows City of Portland storm drainage facility design standards which are proven practices for mitigating storm runoff. The storm facility will help to minimize potential storm water flooding and erosion impacts downstream by implementing onsite detention. The existing roads and impervious surfaces and all future development associated with this property will be treated and detained onsite with a controlled discharge to the creek and the function of the facility will not harm the Creek habitat. The temporary disturbance area will not exceed more than 25 percent of the area of the applicable RPA. The permanent disturbances will provide for buffer averaging which will provide replacement buffer area onsite meeting the FMC 19.106 requirements. No permanent disturbance of the upland habitat area is proposed. It is understood that this development does not require coordination with other regulations including the Oregon Departments of State Lands, the U.S. Army Corps of Engineers and the Oregon Department of Environmental Quality as it pertains to "Fairview Creek" the RPA and Upland Habitat. It is understood that the City of Fairview has jurisdiction over this portion of Fairview Creek.

Erosion & Sediment Control

An Erosion and Sediment Control Plan in compliance with the city and state DEQ requirements is required and will be implemented. Erosion and sediment control devices and best management practices will be installed between the development area and the Creek along the property lines and around any temporary disturbance area's to protect the Creek during construction. Work areas will be clearly marked and area's of disturbed native soils will be minimized.

Vegetation Mitigation

There will be a re-vegetation mitigation plan to compensate for the permanent disturbances that occur to the RPA area as a result of the development activity. The areas disturbed for grading and the permanent disturbance replacement areas will be planted per the FMC with one tree and 5 shrubs for every 100 square feet of disturbances. Additionally, all nuisance and invasive species within the disturbance and buffer replacement areas will be removed per the FMC requirements.

The proposed development does not anticipate the removal of trees or major pruning. Therefore, the mitigation will likely comply with "Option 2 of the Section E of the City of Fairview's Municipal Code Chapter 19.106 – Natural Resource Regulations". This means the mitigation is based on the size of the disturbance area within the mapped protection area. The total buffer area on the east side of Fairview Creek, along the project property line is 17,246 square feet. The estimated total temporary disturbance is 678 square feet for installing the storm facility discharge outfall and rip-rap. The proposed permanent disturbance is 1,819 square feet for the retaining wall, access drive and gravel parking. The permanent disturbance will be mitigated by providing replacement buffer area on the southwestern hillside. The storm facility is an allowed installation and permanent disturbance that will offer native species vegetation and enhancement to the buffer but is considered a permanent disturbance and disturbs 2,127 square feet of PRA area. Mitigation plantings with native trees and shrubs will be planted at a rate of one tree and five shrubs for every 100 square feet of disturbed area. Any

remaining bare ground will be planted or seeded with native grasses or herbs as approved by the City.

Per these requirements, a vegetation management and maintenance plan will be provided by the owner to the City for review and approval for maintaining the vegetation for a minimum of 5 years. A property deed restriction for onsite new and existing to remain RPA buffers will also be required that will require the onsite RPA areas to be maintained as RPA areas. The final development mitigation planting plans will show in detail how the plantings meet the FMC for plantings in the RPA. Any invasive species will be removed prior to plantings. The maintenance plan will include monitoring and reporting the vegetation status on an annual basis for five years as required. This information will be provided to the City of Fairview Public Works director by the owner documenting the survival of the trees and shrubs. Any plants that die will be required to be replaced. The vegetation survival enhancement practices including mulching, irrigation, and weed control will be implemented where deemed applicable or necessary by the owner and City of Fairview.

Future Development

There are no other structures within the Fairview Creek RPA along this property. Any future proposed site changes that could result in the increase of direct stormwater discharge to the natural resource area must go through the proper permitting processes to follow the FMC. The storm basin and its appurtenances have been designed for the proposed development and will be properly maintained. The retaining wall, access drive and fleet parking will create a natural buffer between the development site and Upland Habitat and RPA that will keep development activates from negatively impacting the RPA's over the implementation of the project.

The proposed encroachment will allow a small business to bring revenue and commerce to the City of Fairview while providing an opportunity for the City gain some significant enhancements to this stretch of Fairview Creek that is otherwise ignored, unkept and over grown with nuisance and invasive species. The permanent and temporary disturbances of the RPA of "Fairview Creek" will be properly designed through the permitting and review process and implemented and managed. The project team and ownership feel's confident that the information verifying the centerline of Fairview Creek and the Upland Habitat is adequate and sufficiently meets Type I Boundary Verification requirements. The proposed permanent encroachments are allowed encroachments through the Type III Design Review Commission review process and require only standard mitigation requirements. Please see the attached site plan with the location and boundary of the RPA and the city provided natural resource map showing the creek centerline and upland habitat area. We sincerely request the DRC to approve the plan as shown with conditions that the City staff will review and enforce implementation of the mitigation planting and maintenance plans.

Sincerely,

Chris Deslauriers, P.E.
WDY, Inc.

Exhibit A4

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info@eworksnw.com
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To Whom It May Concern,

The following variance request was developed for Multnomah County by Mike Ard, PE with Ard Engineering. We appreciate you're your consideration of this variance. If any further information is need please feel free to give me a call.

Regards,

Matthew Lowrance
Owner

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A. Applicant name, telephone/fax number(s), email address, mailing address,

Applicant Response: Environmental Works, LLC – Matthew Lowrance (t)503.676.5063 matthew@eworksnw.com 2634 SE Steele Street, Portland, OR 97202

B. Property location and zoning;

Applicant Response: 22820 NE Sandy Boulevard, Fairview, Oregon – City of Fairview General Industrial Zoning (GI)

C. Current or intended use of the property;

Applicant Response: The subject property is currently vacant. It is proposed for development with a 12,000 square foot specialty contractor's establishment, which will accommodate Environmental Works, an environmental consulting and construction firm currently located in Portland, Oregon.

D. The nature and a full description of the requested variance;

Applicant Response: Multnomah County allows one access from the subject property onto NE Sandy Boulevard, a Minor Arterial roadway. The proposed variance would allow two site access driveways spaced approximately 232 feet apart to better serve the subject property. The westerly driveway will serve entering vehicles, while the easterly driveway will serve exiting vehicles.

E. Site plan, sight distance, pedestrian traffic, intersection alignment, traffic generation, vehicle mix, traffic circulation including impact on through traffic, and other similar traffic safety considerations;

Applicant Response:

It is anticipated that the proposed development will generate both passenger vehicle and truck trips, with truck types including excavators, directional drills, tanker trucks, utility trucks, dump trucks and trailers. Based on the trip generation analysis previously prepared by Ard Engineering, it is anticipated that the site will generate 20 trips during the morning peak hour, 24 trips during the evening peak hour, and 120 daily site trips. Overall, approximately 20 percent of site trips are projected to be truck trips.

The proposed site plan is designed to minimize conflicts between vehicles both within the site and at the site access intersections. With a single driveway on NE Sandy Boulevard, the ingress and egress of vehicles may be impeded by conflicting vehicle movements, particularly when the turning vehicles are large trucks. For instance, if a vehicle waiting to exit from the site while a truck it attempting to enter the site, the truck may need to stop within NE Sandy Boulevard to allow the exiting vehicle to depart from the driveway prior to proceeding to turn into the site. This difficulty can be compounded when the exiting vehicle is also a large truck and therefore requires similar maneuvering space on NE Sandy Boulevard in order to accomplish its turn. Under the proposed plan, entering traffic will be directed to use the west driveway while exiting traffic will use the east driveway. This eliminates the potential for conflicts at the access that could result in stopped vehicles on NE Sandy Boulevard. Although utilization of two driveways does result in an additional access along the site

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frontage, the number of turning vehicles is unchanged, the number of vehicles needing to stop on NE Sandy Boulevard is reduced, and the severity of potential conflicts at the driveway is reduced.

This proposed site plan also results in improved safety for pedestrians and bicycles traveling along NE Sandy Boulevard, since they will only need to cross one travel lane at each driveway. Similar to providing a center median island for pedestrians crossing a two-way street, the separation of entering and exiting movements allows the travel way to be narrowed and allows crossing one potential conflict at a time rather than both conflicts at the same time.

In addition to the benefits to through traffic, pedestrians and bicycles traveling along NE Sandy Boulevard, the proposed site plan also allows for improved separation of passenger vehicles and trucks within the site, while better accommodating turn-around movements by trucks and emergency vehicles within the site. After entering the site, passenger vehicles will immediately turn into the parking area at the north side of the proposed building. Trucks will continue south to the opposite side of the building, where they can circulate behind the building to exit the site. For vehicles exiting the site, trucks will continue to the east side of the property, turn north, and exit onto NE Sandy Boulevard via the east driveway. Passenger vehicles will merge with truck traffic just prior to exiting the site at a location where adequate sight lines are provided for both the passenger vehicles and trucks to allow safe re-integration of the vehicle types prior to entering NE Sandy Boulevard. Since the site exit is located directly opposite an existing driveway on the north side of NE Sandy Boulevard, exiting drivers will be able to see and yield to vehicles entering and exiting the existing north-side driveway as appropriate.

Sight distance was examined for each of the proposed access driveways. NE Sandy Boulevard has no significant horizontal or vertical curvature which obstructs sight lines in the vicinity of the proposed driveways.

Based on the posted speed limit of 40 mph along NE Sandy Boulevard, a minimum of 445 feet of intersection sight distance is desired to maintain uninterrupted flow of traffic along the roadway. Intersection sight distance was measured in accordance with the requirements described in *A Policy On Geometric Design of Highways and Streets*, published by the American Association of State Highway and Transportation Officials from a location 15 feet behind the edge of the traveled way at an elevation 3.5 feet above the driveway surface to a location within the oncoming travel lane 3.5 feet above the roadway surface. The available intersection sight distance was measured to be in excess of 600 feet in each direction from both of the proposed driveway locations. Accordingly, adequate intersection sight distance is available for safe and efficient operation of the two driveways.

Based on the detailed analysis, the two proposed site access driveways are projected to operate safely and efficiently upon completion of the proposed development, with minimal impacts on NE Sandy Boulevard.

F. Existing right-of-way or improvement limitations, and utility considerations;

Applicant Response: These factors are not applicable to the requested variance.

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G. Adjacent land uses, their types, access requirements, and impact of traffic on them;

Multnomah County access spacing requirements call for a minimum of 90 meters of distance from centerline to centerline between driveways on a Minor Arterial street. Accordingly, an inventory of driveways within 90 meters (295 feet) of either of the proposed driveways was conducted. There are six existing driveways located within this distance of the proposed access driveways, all of which are located on the north side of NE Sandy Boulevard. Each driveway was examined with respect to spacing distance, land uses, vehicle types, and impacts from the proposed use.

The westernmost existing driveway on the north side of NE Sandy Boulevard is centered 241 feet west of the proposed west site entrance driveway. This driveway serves as the access for T.G. Pallet Repair and accommodates both truck and passenger vehicle trips.

The second, third and fourth driveways all appear to access property under single ownership on the north side of NE Sandy Boulevard (tax lot 400). It may therefore be possible to reduce the number of accesses to this property in the future upon any redevelopment of that site.

The second driveway is centered 115 feet west of the proposed west site entrance driveway. The driveway serves passenger vehicle and tractor-trailer truck traffic entering and exiting the site.

The third driveway is centered 79 feet west of the proposed west site entrance driveway. It provides access to a home on the property and accommodates passenger vehicles.

The fourth driveway is centered 44 feet east of the proposed west site entrance driveway and 188 feet west from the proposed east site access driveway. It is a gated and locked access leading to a gravel parking lot nearly filled with parked passenger vehicles.

The fifth driveway is aligned directly opposite the proposed east site exit driveway. It is a private access that serves the "Townsend Farms" development on the north side of NE Sandy Boulevard. It accommodates passenger vehicles, full-size buses, and trucks.

The sixth driveway is centered 62 feet east of the east site exit driveway and serves the Wildish contractor's establishment on the property. It accommodates both passenger vehicles and trucks. It should be noted that the access spacing for this driveway will be unchanged under the proposed site plan, since the spacing from the existing driveway to the west on the north side of NE Sandy Boulevard is also 62 feet.

Adequate sight lines are available from the two proposed driveway locations to each of the existing driveways along the north side of NE Sandy Boulevard. Accordingly, no significant conflicts or hazards are anticipated in conjunction with approval of the proposed driveway configuration. Since the existing driveways along NE Sandy Boulevard have access spacings of as little as 35 feet as measured from centerline to centerline, approval of the proposed driveway configuration is also not projected to result in a change to the roadway culture. Additionally, since the driveways will be limited to one-way operation only, the new driveways can reasonably be expected to operate with fewer conflicts and delays than the existing driveways on NE Sandy Boulevard.

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H. Topography, grade, side hill conditions, and soil characteristics;

Applicant Response: These factors are not applicable to the requested variance.

I. Drainage characteristics and problems;

Applicant Response: These factors are not applicable to the requested variance.

J. Fire Department access requirements within a public right-of-way and their written approval of the proposed modification;

Applicant Response: The proposed variance will improve site access and internal circulation for all vehicles, with particular benefits to emergency vehicles, which can enter and circulate within the site more easily given two points of access, and which would be expected to encounter fewer conflicts with large vehicles trying to exit the site, since exiting vehicles will all utilize the east driveway, leaving the west driveway open for entering traffic.

K. Natural and historic features including but not limited to trees, shrubs or other significant vegetation, water courses, wetlands, rock outcroppings, development limitation, areas of significant environmental concern, etc;

Applicant Response: These factors are not applicable to the requested variance.

L. Multnomah County Comprehensive Plan policies applicable to the particular parcel or location.

Applicant Response:

16.200 ***General Variance Criteria:*** **In order to be granted a variance, <u>the applicant must demonstrate that</u>:**

A. Special circumstances or conditions apply to the property or intended use that do not apply to other property in the same area. The circumstances or conditions may relate to the size, shape, natural features and topography of the property or the location or size of physical improvements on the site or the nature of the use compared to surrounding uses;

Applicant Response: The subject property has frontage on only one roadway, NE Sandy Boulevard. Since alternative access is not available, in order to provide multiple points of access to serve the subject property it is necessary to construct two driveways onto NE Sandy Boulevard. Other properties generally do not have opportunity for access only to a Minor Arterial roadway, and properties of similar scale frequently utilize more than one point of access.

B. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant and extraordinary hardship would result from strict compliance with the standards;

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Applicant Response: The subject property is zoned to allow uses which attract truck trips. Large trucks, including vehicles with trailers, are expected to enter and exit the site regularly. Utilizing a single entrance/exit driveway would require these vehicles to execute multi-point turns in order to turn around and maneuver within the site. Although it is possible for these vehicles to navigate the site in this manner, it will require them to make frequent backing maneuvers within the rear yard. Backing inherently reduces driver sight lines, particularly for trucks with trailers, where large blind spots are created on the far side of the trailer while backing. Such backing can therefore result in increased hazards to drivers, other vehicles, equipment and pedestrians within the site. Accordingly, utilizing a single driveway would result in increased hazards within the rear yard that can be significantly by allowing large vehicles to enter on one side of the building and turn around by traveling around the building while moving forward.

Utilizing two entrance driveways as proposed in the site plan also results in increased separation between pedestrians, passenger vehicles and trucks within the site, reduces the number, frequency and severity of conflicts within the site, and makes traffic flow within the site safer and more predictable.

In order to ameliorate any potential safety and operational concerns that could arise to the adjacent public roadway we have limited the driveways to one-way-only, resulting in operational and safety benefits both within the site and along the adjacent roadway, as previously described.

C. The authorization of the variance will not be materially detrimental to the public welfare or injurious to other property in the vicinity, or adversely affect the appropriate development of adjoining properties;

Applicant Response: As described previously in this document, the proposed access configuration separates conflicts between turning vehicles entering and exiting the subject property, reduces delays to through traffic as compared to a single consolidated access, reduces crossing hazards for pedestrians and bicycles traveling along NE Sandy Boulevard as compared to a single consolidated access, allows for greater separation between passenger vehicles and heavy vehicles within the site, and facilitates improved circulation with the subject property. Accordingly, the proposed access configuration will not be materially detrimental to the public welfare.

There are four other properties in the immediate vicinity that currently take access within less than 90 meters of one of the proposed access driveways. Three of these properties have only a single point of access and can continue to use a single point of access in the future regardless of whether or not they are redeveloped. The only site that may not be permitted to continue to utilize its accesses is lot 400, which currently has 3 driveways with access spacing of as little as 35 feet from centerline to centerline. It is anticipated that this property would be required to consolidate access locations in the future regardless of approval of the proposed driveways for the subject property.

Based on the analysis, the proposed variance will not be materially detrimental to the public welfare, will not be injurious to other property in the vicinity, and will not adversely affect the appropriate development of adjoining properties. Therefore, this criterion is met.

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D. The circumstances of any hardship are not of the applicant's making.

Applicant Response: The depth and shape of the subject property is inadequate to allow large vehicles to turn around in the forward direction while maintaining both a usable building envelope and a useable vehicle storage area within the rear yard. The lot size and shape therefore creates a hardship that is not of the applicant's own making.

Additionally, the existing access spacing along the north side of NE Sandy Boulevard opposite the subject property does not meet current Multnomah County access spacing standards. Accordingly, no driveway locations are available which will allow the site to comply with the access spacing standards. Therefore the existing access spacing also creates a hardship which is not of the applicant's own making.

Matthew Lowrance
Owner

Exhibit A5

REGISTERED PROFESSIONAL ENGINEER
54983PE
OREGON
JULY 10, 2002
MICHAEL T. ARD
EXPIRES: 12/31/19

ARD ENGINEERING
21370 SW Langer Farms Pkwy
Suite 142, Sherwood, OR 97140

Technical Memorandum

To: Matthew Lowrance, Environmental Works

From: Michael Ard, PE

Date: February 2, 2018

Re: 22820 NE Sandy Boulevard – Trip Generation Analysis

This trip generation memorandum is written to provide information related to a proposed 12,000 square foot business at 22820 NE Sandy Boulevard in Fairview, Oregon. The subject property is located on the south side of NE Sandy Boulevard north of Interstate 84 and east of NE 223rd Avenue.

The proposed building will serve as the new home of Environmental Works, an environmental consulting and construction firm currently located in Portland, Oregon. The facility accommodates office staff and construction equipment including excavators, directional drills, and trailers. Services include environmental testing and inspections, radon mitigation, excavation, horizontal directional drilling, plumbing services, sewer services, tank services, stormwater management, and contaminated soil remediation.

Site access will be directly to NE Sandy Boulevard, with an entrance driveway at the west side of the building and an exit driveway at the east side of the building. On-site circulation is designed to accommodate the separation of passenger vehicles and larger work vehicles by providing parking at the front of the building for passenger vehicles, while work vehicles including larger equipment and trailers will park at the back of the building. This approach to on-site circulation and site access results in better accommodation of large vehicles and trailers while improving safety by reducing conflicts between passenger vehicles and large vehicles within the site.

TRIP GENERATION

Multnomah County staff has requested information regarding the expected number of trips that will be generated by the proposed use. In addition, they have requested information regarding the distribution of site trips onto the surrounding road network.

The trip generation estimate for the proposed site use was prepared using data from the *Trip Generation Manual, 10th Edition,* published by the Institute of Transportation Engineers. Trip generation was calculated using trip rates for ITE land use code 190, *Specialty Trade Contractor*. Trip generation was calculated based on the 12,000 square foot gross floor area of the proposed building.

Based on the analysis, the proposed use is projected to result in 20 trips during the morning peak hour, 24 trips during the evening peak hour, and 122 daily trips. A summary of the trip generation calculation is

provided in the table on the following page. A detailed trip generation worksheet and associated data from the 10th Edition Trip Generation Manual are also provided in the attached technical appendix.

Environmental Works - Specialty Trade Contractor

	Morning Peak Hour			Evening Peak Hour			Daily Trips		
	In	Out	Total	In	Out	Total	In	Out	Total
12,000 sf gross floor area	15	5	20	8	16	24	61	61	122

The distribution of site trips was determined based on the location of the facility in conjunction with the locations of likely project sites and expected employee travel patterns.

Overall, 70 percent of site trips are projected to travel to and from the west on NE Sandy Boulevard. This includes 35 percent projected to travel to Fairview Parkway to access Interstate 84, 25 percent projected to travel to and from the north on NE 223rd Avenue for access to NE Marine Drive, and 10 percent projected to travel to and from the south on NE 223rd Avenue.

The remaining 30 percent of site trips are projected to travel along NE Sandy Boulevard to NE 238th Avenue, with 25 percent accessing Interstate 84 and the remaining 5 percent continuing along NE 238th Avenue to the south.

Based on the above trip generation and distribution patterns, the following traffic volumes are projected for the area street segments:

- NE Fairview Parkway between NE Sandy Boulevard and Interstate 84 = 43 daily trips
- NE 238th Avenue between NE Sandy Boulevard and Interstate 84 = 37 daily trips
- NE 223rd Avenue north of NE Sandy Boulevard = 30 daily trips
- NE 223rd Avenue south of NE Sandy Boulevard = 12 daily trips

Appendix

Exhibit A5

Trip Generation Calculation Worksheet

Land Use Description: Specialty Trade Contractor
ITE Land Use Code: 180
Independent Variable: Gross Floor Area
Quantity: 12.0 Thousand Square Feet

Summary of ITE Trip Generation Data

AM Peak Hour of Adjacent Street Traffic
Trip Rate: 1.66 trips per ksf
Directional Distribution: 73% Entering 27% Exiting

PM Peak Hour of Adjacent Street Traffic
Trip Rate: 1.97 trips per ksf
Directional Distribution: 32% Entering 68% Exiting

Total Weekday Traffic
Trip Rate: 10.22 trips per ksf
Directional Distribution: 50% Entering 50% Exiting

Site Trip Generation Calculations

12.0 ksf Specialty Trade Contractor

	Entering	Exiting	Total
AM Peak Hour	15	5	20
PM Peak Hour	8	16	24
Weekday	61	61	122

Data Source: *Trip Generation Manual, 10th Edition* , Institute of Transportation Engineers, 2017

Exhibit A5

Land Use: 180
Specialty Trade Contractor

Description

A specialty trade contractor is a business primarily involved in providing contract repairs and services to meet industrial or residential needs. This land use includes businesses that provide the following services: plumbing, heating and cooling, machine repair, electrical and mechanical repair, industrial supply, roofing, locksmith, weed and pest control, and cleaning.

Additional Data

Time-of-day distribution data for this land use are presented in Appendix A. For the 19 general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 7:30 and 8:30 a.m. and 4:15 and 5:15 p.m., respectively.

The sites were surveyed in the 2010s in Texas.

Source Numbers

889, 890

Exhibit A5

Specialty Trade Contractor
(180)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 19
1000 Sq. Ft. GFA: 6
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
10.22	3.00 - 43.33	8.82

Data Plot and Equation

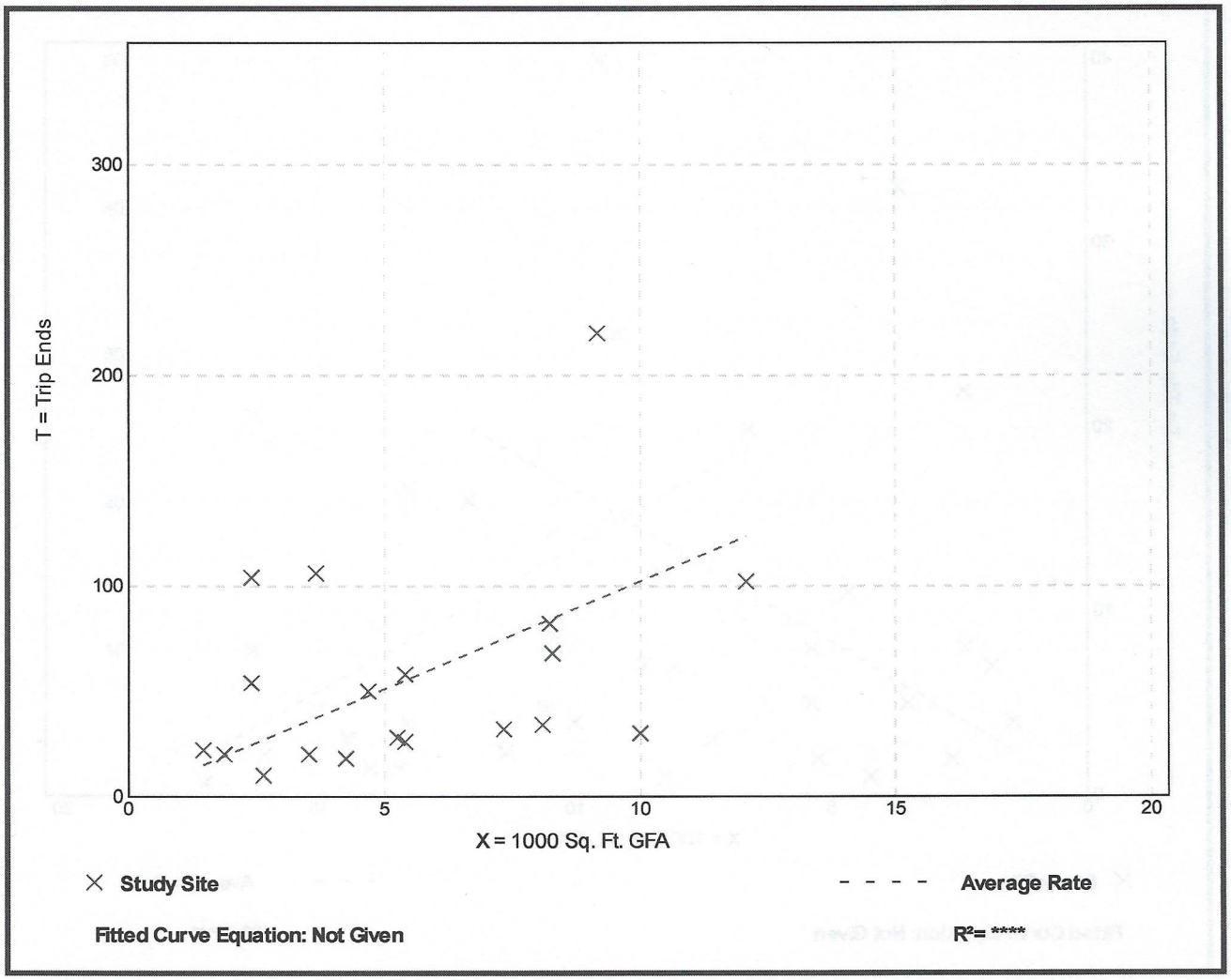


Exhibit A5

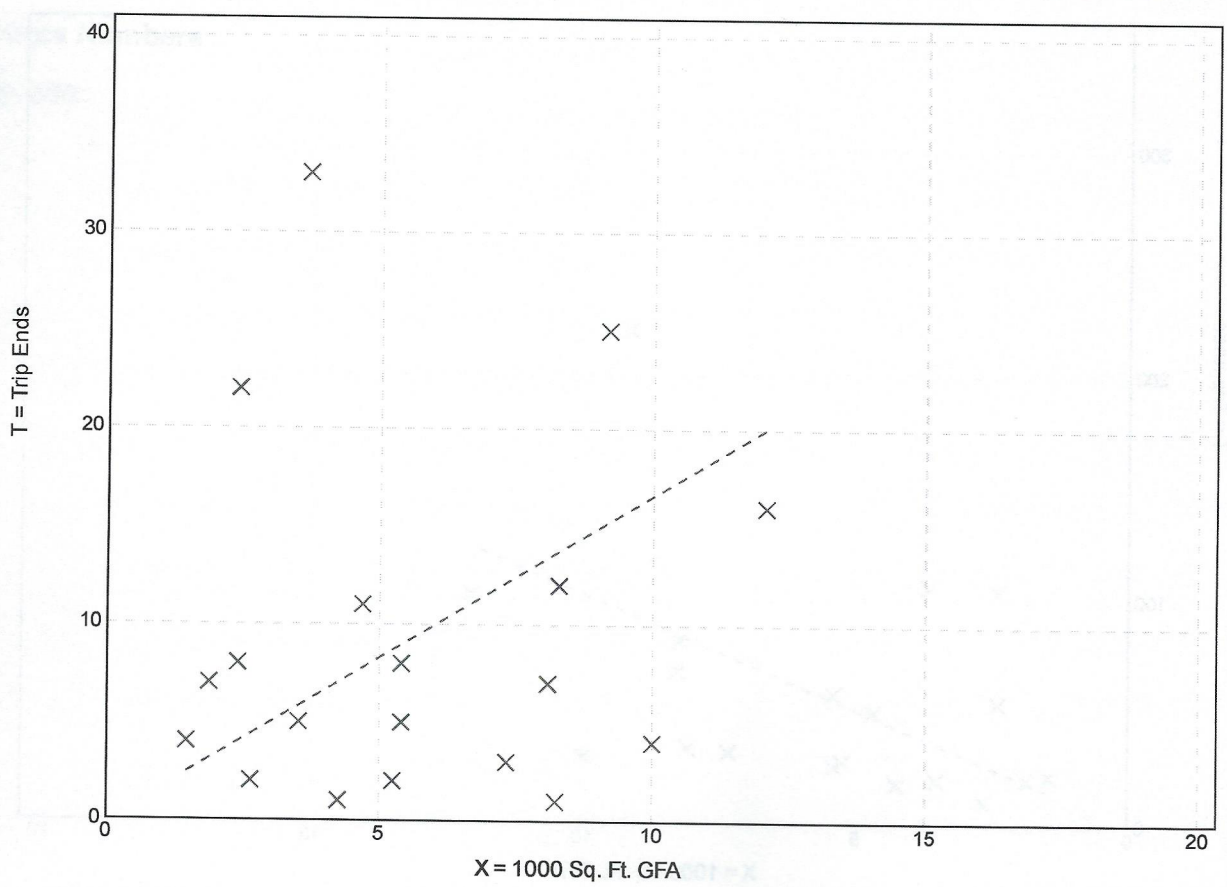
Specialty Trade Contractor
(180)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 19
1000 Sq. Ft. GFA: 6
Directional Distribution: 73% entering, 27% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.66	0.12 - 9.17	2.09

Data Plot and Equation



× **Study Site** - - - - **Average Rate**

Fitted Curve Equation: Not Given **R^2= ******

Exhibit A5

Specialty Trade Contractor
(180)

Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 18
1000 Sq. Ft. GFA: 6
Directional Distribution: 32% entering, 68% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.97	0.38 - 10.83	2.07

Data Plot and Equation

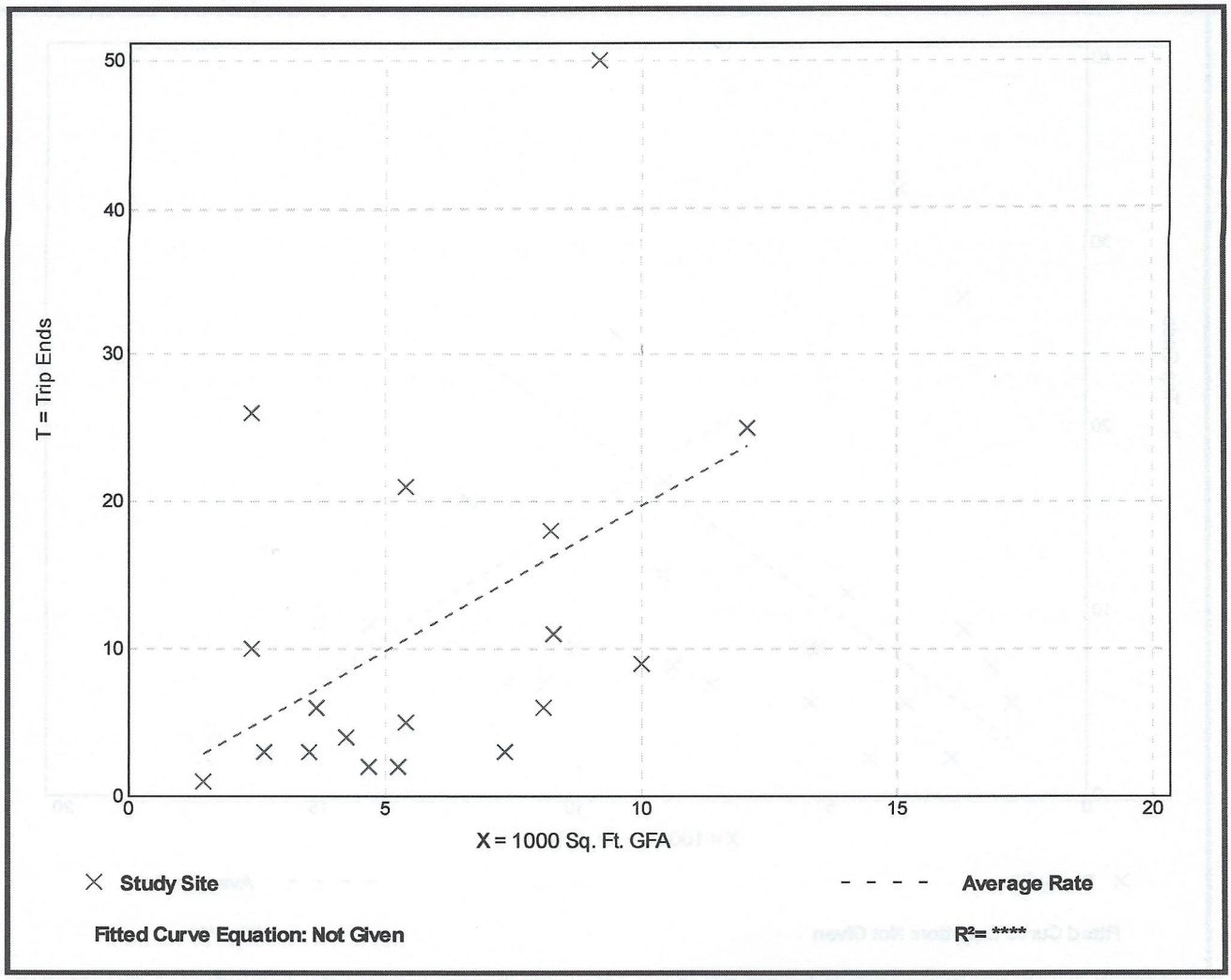


Exhibit A6

WDY Structural • Civil Engineers

PRELIMINARY STORM DRAINAGE CALCULATIONS

FOR

FAIRVIEW WAREHOUSE

22820 NE SANDY BLVD
FAIRVIEW, OREGON 97024

April 26, 2018

REGISTERED PROFESSIONAL ENGINEER
80058
OREGON
JUNE 7, 2012
CHRIS J. DESLAURIERS
EXPIRES: 12-31-2019

PRELIMINARY

TABLE OF CONTENTS/INCLUSIONS:

Storm Drainage Narrative:.....STM-1
Tributary Area Map:..... STM-2
Design Parameters and Calc Summaries:.....STM-3 to STM-8
HydroCad & Calculations Print-Outs:.....STM-9 to STM-20

Exhibit A6

STM-1

WDY **Structural • Civil Engineers**

Fairview Warehouse
22820 NE Sandy Blvd
Fairview, OR 97024

April 26, 2018

RE: Fairview Warehouse Preliminary "Storm Drainage Narrative"

Dear Mr. Amundson,

At your request, WDY, Inc. has completed the following preliminary storm drainage calculations for Fairview Warehouse. The purpose of this report is to design storm water quality swales and a detention system with the capacity to receive the proposed developed area. The storm drainage design is developed in accordance with the City of Fairview's Stormwater Management Plan.

Site Existing Conditions

The existing site is currently undeveloped with two gravel access driveways, three concrete slabs from previous buildings, gravel areas and native grass areas. At the west and east side of the property there are larger trees. "No Name Creek" bounds the east property line and "Fairview Creek" is parallel and adjacent to the west property line but on city owned property. The site slopes from the south to the north with a steeply sloping bank bounding the south property line which abuts the I84 ODOT right-of-way. The onsite property is approximately 172,433 sf in size after the new 20 ft Sandy Blvd right-of-way dedication.

Proposed New Site Development:

The proposed development is to construct a new warehouse, parking lot, and walkways creating a new impervious area of 27,093 sf, 44,209 sf of gravel fleet parking and equipment storage area, and 2,413 sf of new landscaping. Approximately 4,000 sf will be provided for two water quality swales and the remaining 69,172 sf will be regraded and seeded with native grasses. The remaining 25,546 sf area is in an environmental setback zone due to "No Name Creek" and will not be developed. This area is not accounted for in the calculations and slopes toward the creek.

The stormwater mitigation plan is to capture stormwater runoff via roof downspouts and catch basins. The discharge will be directed to vegetated water quality swales and then routed to a 48" diameter HDPE detention pipe. The stormwater runoff from the site will be discharged into "Fairview Creek" and the runoff rates will be detained and attenuated to pre-developed flows with a detention control manhole. The detention requirements are to detain 2, 10, and 25-year storm runoff rates to their respective pre-developed runoff rates.

See enclosed area maps and detailed calculations for supporting information.

Sincerely,

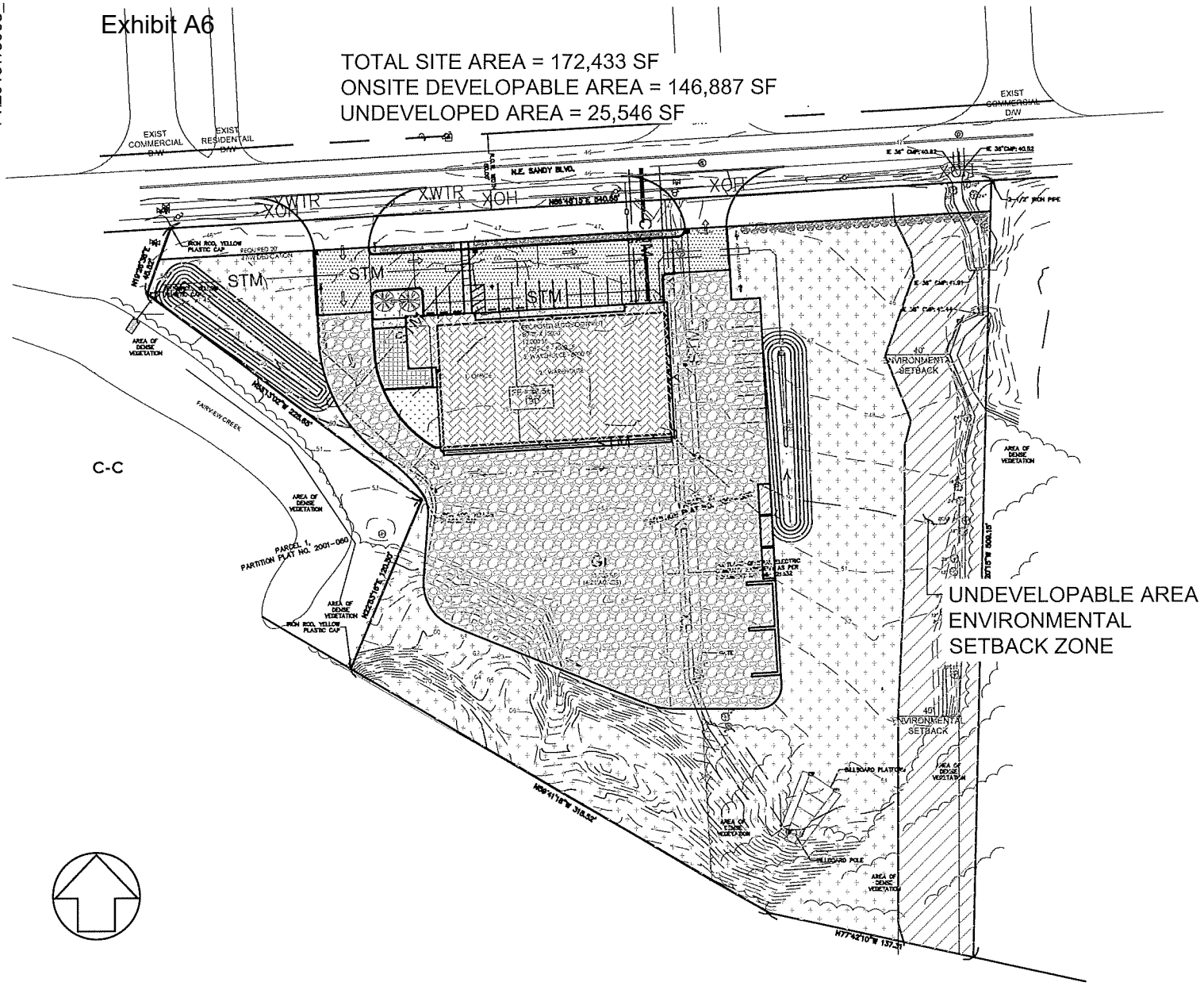
Chris Deslauriers, P.E.

6443 SW Beaverton-Hillsdale Hwy, suite 210 • Portland, OR 97221 • ph: 503.203.8111 • fx: 503.203.8122 • www.wdyi.com

P:\2018\18005_

Exhibit A6

TOTAL SITE AREA = 172,433 SF
ONSITE DEVELOPABLE AREA = 146,887 SF
UNDEVELOPED AREA = 25,546 SF



HATCH LEGEND	HATCH LEGEND
ASPHALT & ADDITIONAL IMPERVIOUS = 9,938 SF CN=98	HARDSCAPED WALKWAY = 1,016 SF CN=98
GRAVEL = 44,209 SF CN=89	LANDSCAPING = 2,413 SF CN=86
BUILDING ROOF = 14,365 CN=98	NATIVE GRASS & VEGETATED W.Q. SWALE = 73,172 SF CN=86
CONCRETE CURB & WALK = 1,774 SF CN=98	ENVIRONMENTAL PROTECTION ZONE = 25,546 SF CN=98

DETAIL: PROPOSED TRIBUTARY AREA MAP **SCALE:** 1" = 100'-0"

Job Name: FAIRVIEW WAREHOUSE **Date:** APRIL 2018

Job No.: 18005.70 **Drawn:** RMK

Client: KOBLE CREATIVE **Sheet:** STM-2

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WDY
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Exhibit A6

WDY Structural • Civil Engineers

Job Name:	**Fairview Warehouse**	Job No:	**18005_5**	Sheet No:	**ST.M. - 3**
Client:	**Koble Creative**	Date:	**April 2018**	By:	RMK

SITE STORM DRAINAGE DESIGN CRITERIA

- Water quality and quantity design per City of Portland which meets the City of Fairview's Stormwater Management Plan.
- Rainfall Depths Per 2016 SWMM: TABLE A-1:

Storm Event	Rainfall Depth
2-yr	2.4 in
5 yr	2.9 in
10 yr	3.4 in
25 yr	3.9 in
100 yr	4.4 in

- See STM-8 for Tc calculations.
- Existing Hydrologic Soil Group C, Open Space, Good; Curve Number (CN) = 86
- Impervious areas are analyzed with runoff CN = 98
- Gravel areas are analyzed with runoff CN = 89
- Native Grass/Landscaping areas are analyzed with runoff CN = 86
- The design for detention facilities were to detain flows to the following:
  - 2 year post-developed → 2 year pre-developed
  - 10 year post-developed → 10 year pre-developed
  - 25 year post-developed → 25 year pre-developed
- The design for water quality adheres to the following:
  - Treat 90 percent of the average annual runoff volume of a predetermined water quality storm for a rate-based facility based on the post developed time of concentration of 13 minutes which interpolates to be 0.151 in/hr based on the City of Portland 2016 SWMM Appendix A, pg A-18.

Exhibit A6

TRIBUTARY AREAS

- Total Site Areas

Onsite Developable Area	= 146,887 SF	
Area Not Being Developed*	= 25,546 SF	
Total	= 172,433 SF	= 3.96 acres

* Environmental Setback Area - sheet flows to "No Name Creek"; not included in detention analysis

- Pre-developed Total Areas

Impervious	= 0 SF	
Pervious	= 146,887 SF	CN = 86
Total	= 146,887 SF	= 3.37 acres

- Post-developed Tributary Areas

Impervious Concrete	= 1,774 SF	CN = 98
Impervious Hardscape Walkway	= 1,016 SF	CN = 98
Impervious Roof	= 14,365 SF	CN = 98
Impervious AC Onsite	= 9,938 SF	CN = 98
Pervious Gravel	= 44,209 SF	CN = 89
Pervious Landscaping	= 2,413 SF	CN = 86
Pervious Native	= 73,172 SF	CN = 86
Total Tributary Area	= 146,887 SF	= 3.37 acres

Exhibit A6

SUMMARY OF STORM DESIGN

- Summary of Detention Design Release Rates [4 ft Diameter Pipe 200' Long I.E.=40.50']

Storm Even	Pre-Developed Runoff	Post-Developed Runoff	Discharge to Fairview Creek*	Peak Elevation
2-yr	0.61 cfs	1.03 cfs	0.61 cfs	42.10 ft
10-yr	1.17 cfs	1.76 cfs	1.16 cfs	43.33 ft
25-yr	1.46 cfs	2.13 cfs	1.46 cfs	44.21 ft
100-yr	1.76 cfs	2.51 cfs	2.44 cfs	44.44 ft

*The discharge to "Fairview Creek" is the rate at which water is being released into the creek.

WATER QUALITY SWALE CALCULATIONS

- Treat 90 percent of the average annual runoff volume
- Post developed time of concentration = 13 min (see STM-8)
- Water quality storm for rate-based facility for Tc of 13 min = 0.151 inches per hour for impervious area only

  - Impervious Area to Each Swale
    - Impervious = 13,547 sf
    - Gravel Impervious = 22,105 sf
    - Total Area = 35,652 sf = 0.82 acres

  - Q_{WQ} = CIA
    - C = 0.88 per BES Sewer and Drainage Facilities Design Manual for class D soil, 100% impervious, and drainage area slope <5%
    - I = 0.151 in/hr
    - A_{total} = 0.82 ac
      - Q_{WQ} = 0.109 cfs

  - Manning's equation for trapezoidal water quality swale:
    - $Q_{WQ} = \frac{1.486 \times A \times R^{2/3} \times S^{1/2}}{n}$
  - Side slopes of 4:1 for water quality depth area
  - Bottom width = b = 2'
  - Bottom slope = S = 0.5%
  - Manning's number = n = 0.24
  - Flow area = A = function of side slopes, bottom width and depth
  - Hydraulic radius = R = function of side slopes, bottom width and depth
- For Q_{WQ} = 0.109 cfs, the water quality depth:
  - **d = 0.253 ft < 0.5 ft OK**

Exhibit A6

CONVEYANCE CALCULATIONS

- Pipe Capacity Equation
  - $Q_{max} = \frac{1.486 \times A \times R^{2/3} \times S^{1/2}}{n}$
  - A = Area; R = Hydraulic Radius; S = Slope; n = Manning's Roughness Coefficient
- 8" dia. where n = 0.013, A = 0.35 sf, R = 0.167 ft, S = 0.05 **Q_{max} = 2.71 cfs > Q_{25}= 2.13 cfs OK**

TIME OF CONCENTRATION

- **Time of Concentration T_c for Pre-Developed Conditions:**

Pre-Developed Sheet Flow:

L = 300'

P = 1.58 in

S = 5%

n = 0.24

$$T_1 = \frac{0.42\,(0.24 \times 300)^{0.8}}{(2.4)^{0.5} \times (0.05)^{0.4}} = 27.5 \text{ MIN}$$

Pre-Developed Shallow Flow:

L = 419'

$V = kS^{0.5} = 2.46$ ft/s

k = 11

S = 5%

$$T_2 = \frac{419}{60 \times 2.46} = 2.8 \text{ MIN}$$

Pre-Developed Tc = 27.5 + 2.8 = 30.3 min; Use 30 MIN

- **Time of Concentration T_c for Post-Developed Conditions:**

Post-Developed Sheet Flow:

L = 100'

P = 2.4 in

S = 5%

n = 0.24

$$T_1 = \frac{0.42\,(0.24 \times 100)^{0.8}}{(2.4)^{0.5} \times (0.05)^{0.4}} = 11.4 \text{ MIN}$$

Post-Developed Shallow Flow:

L = 357'

$V = kS^{0.5} = 6.04$ ft/s

k = 27

S = 5%

$$T_2 = \frac{357}{60 \times 6.04} = 0.99 \text{ MIN}$$

Post-Developed Pipe Flow:

L =223'

$$T_2 = \frac{223}{60 \times 7.57} = 0.49 \text{ MIN}$$

$V_{full} = 1.489(R^{2/3})S^{0.5}/n = 7.57$ ft/s

R = A/P = 0.125 (6" pipe)

S = 5%

n = 0.011

Post-Developed Tc = 11.4 + 0.99 + 0.49 = 12.9 min; Use 13 MIN

18005_Option 1 *Type IA 24-hr 2 yr Rainfall=2.40"*
Prepared by WDY ENGINEERS INC. Printed 4/24/2018
HydroCAD® 10.00 s/n 07105 © 2011 HydroCAD Software Solutions LLC Page 1

Summary for Subcatchment 15S: Pre-Dev - 2yr

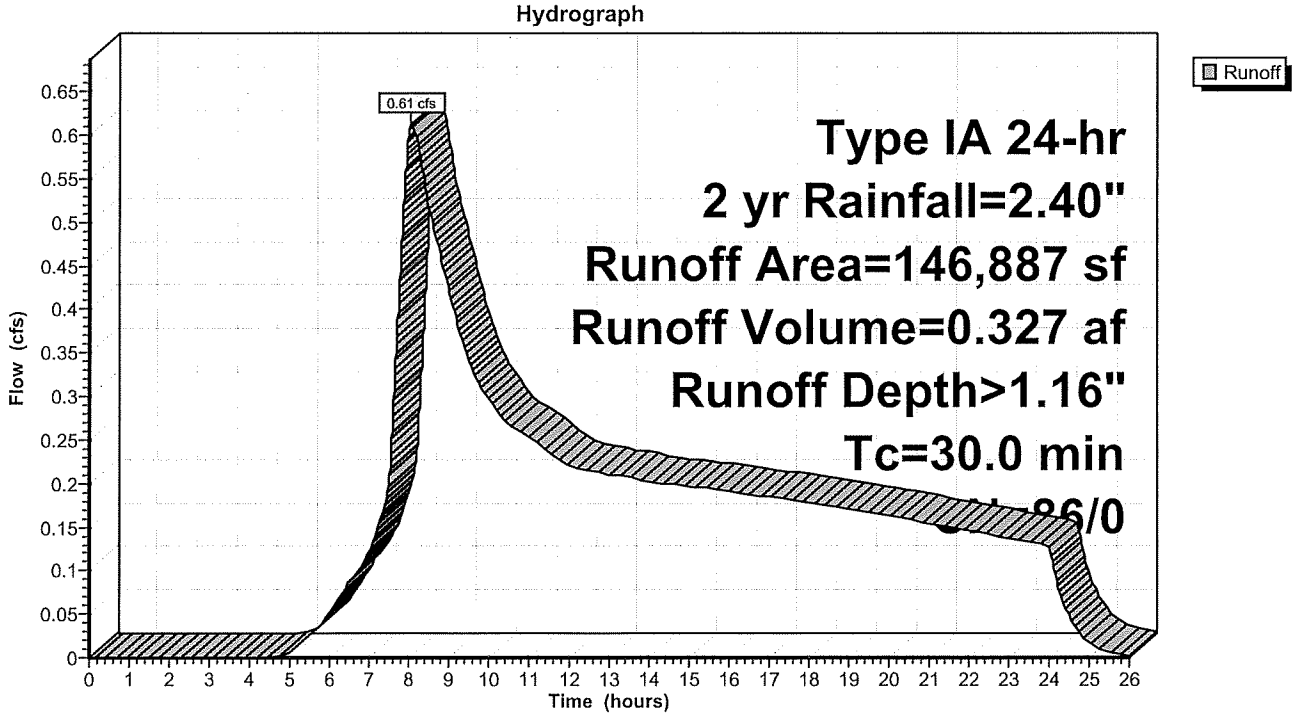
Runoff = 0.61 cfs @ 8.04 hrs, Volume= 0.327 af, Depth> 1.16"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-26.00 hrs, dt= 0.01 hrs
Type IA 24-hr 2 yr Rainfall=2.40"

	Area (sf)	CN	Description
*	146,887	86	Pre-developed
	146,887	86	100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
30.0					**Direct Entry, Sheet + Shallow Flow**

Subcatchment 15S: Pre-Dev



Summary for Subcatchment 15S: Pre-Dev – 10 yr

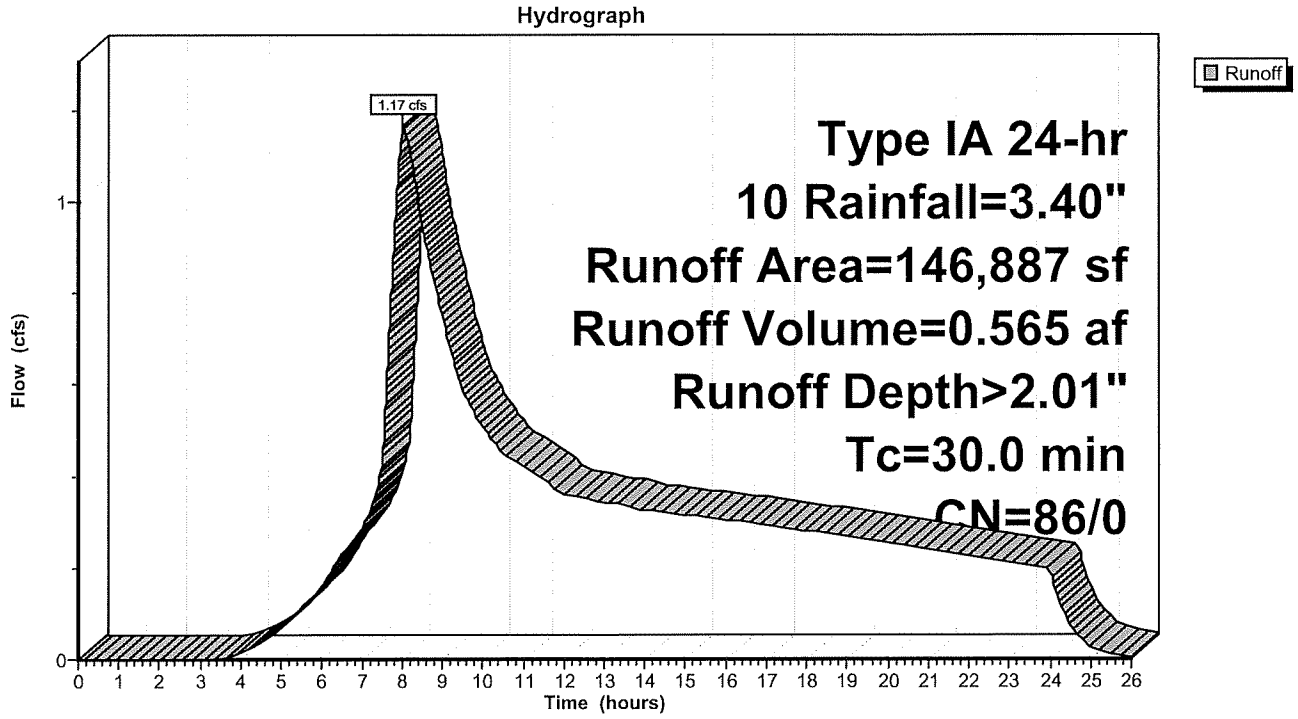
* Runoff = 1.17 cfs @ 8.01 hrs, Volume= 0.565 af, Depth> 2.01"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-26.00 hrs, dt= 0.01 hrs
Type IA 24-hr 10 Rainfall=3.40"

	Area (sf)	CN	Description
*	146,887	86	Pre-developed
	146,887	86	100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
30.0					**Direct Entry, Sheet + Shallow Flow**

Subcatchment 15S: Pre-Dev



Summary for Subcatchment 15S: Pre-Dev – 25 yr

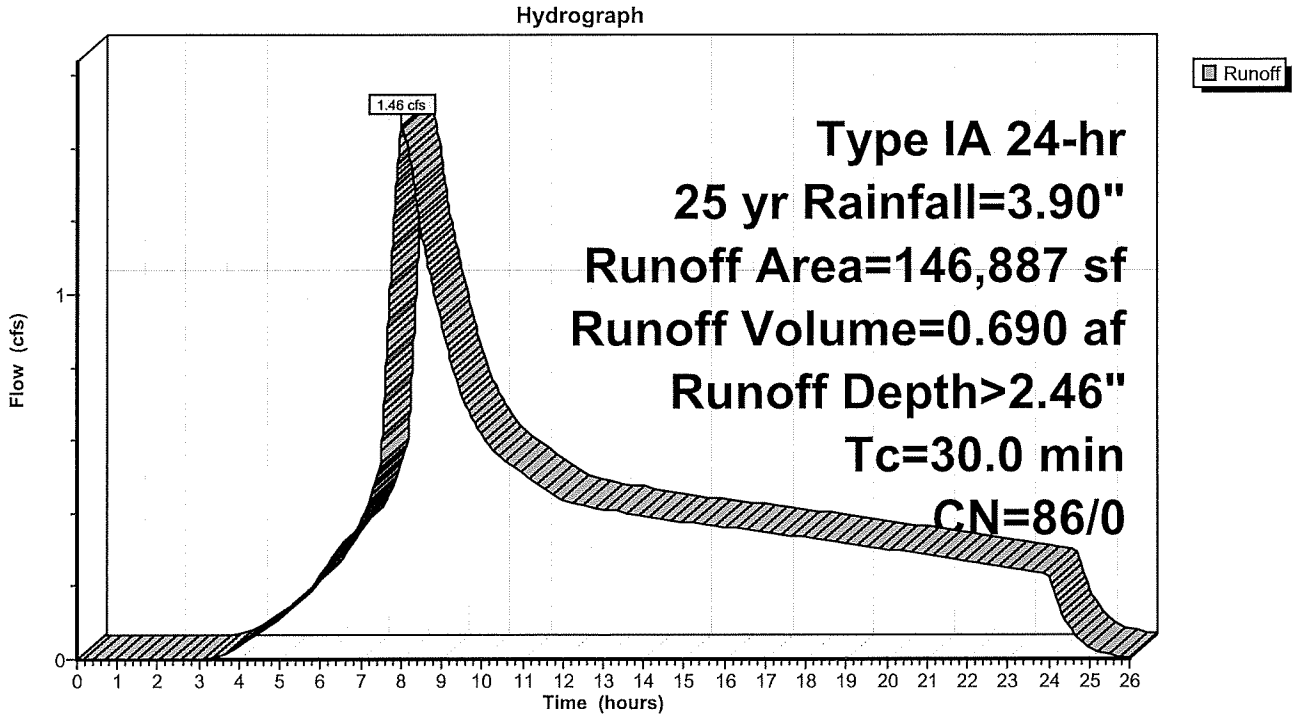
* Runoff = 1.46 cfs @ 8.01 hrs, Volume= 0.690 af, Depth> 2.46"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-26.00 hrs, dt= 0.01 hrs
Type IA 24-hr 25 yr Rainfall=3.90"

	Area (sf)	CN	Description
*	146,887	86	Pre-developed
	146,887	86	100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
30.0					**Direct Entry, Sheet + Shallow Flow**

Subcatchment 15S: Pre-Dev



Summary for Subcatchment 15S: Pre-Dev - 100 yr

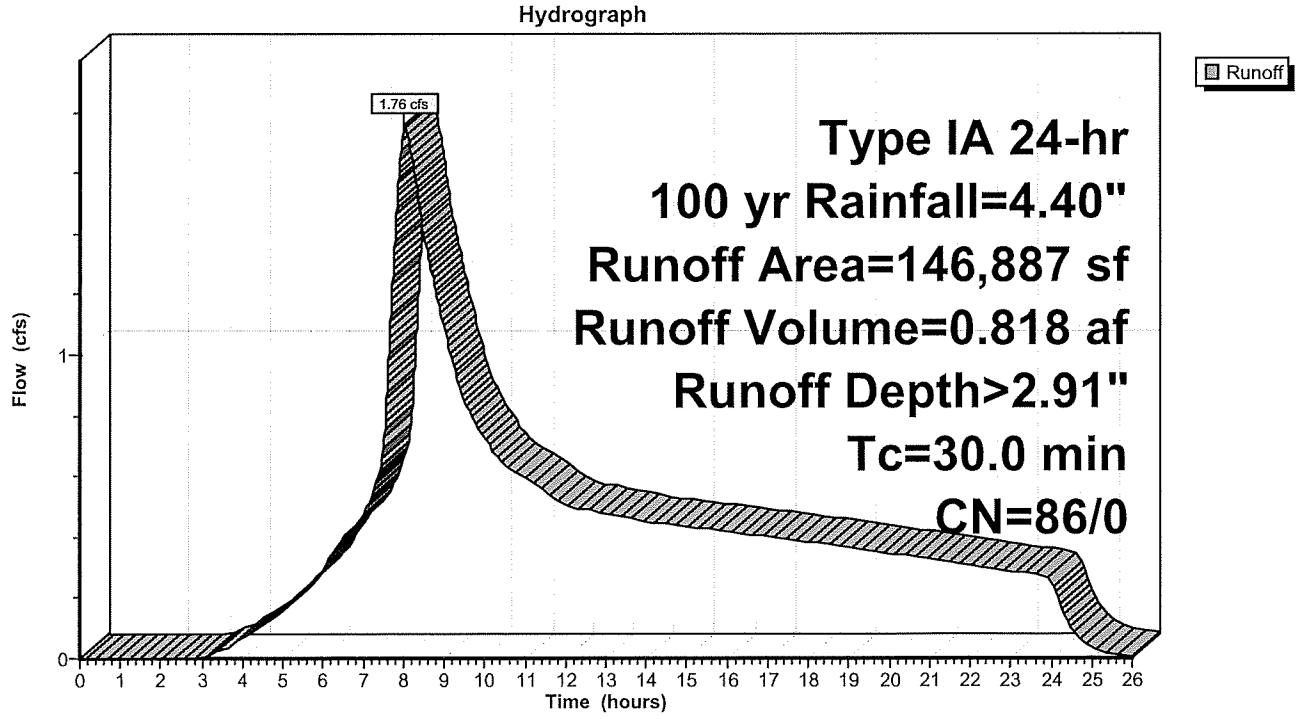
Runoff = 1.76 cfs @ 8.01 hrs, Volume= 0.818 af, Depth> 2.91"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-26.00 hrs, dt= 0.01 hrs
Type IA 24-hr 100 yr Rainfall=4.40"

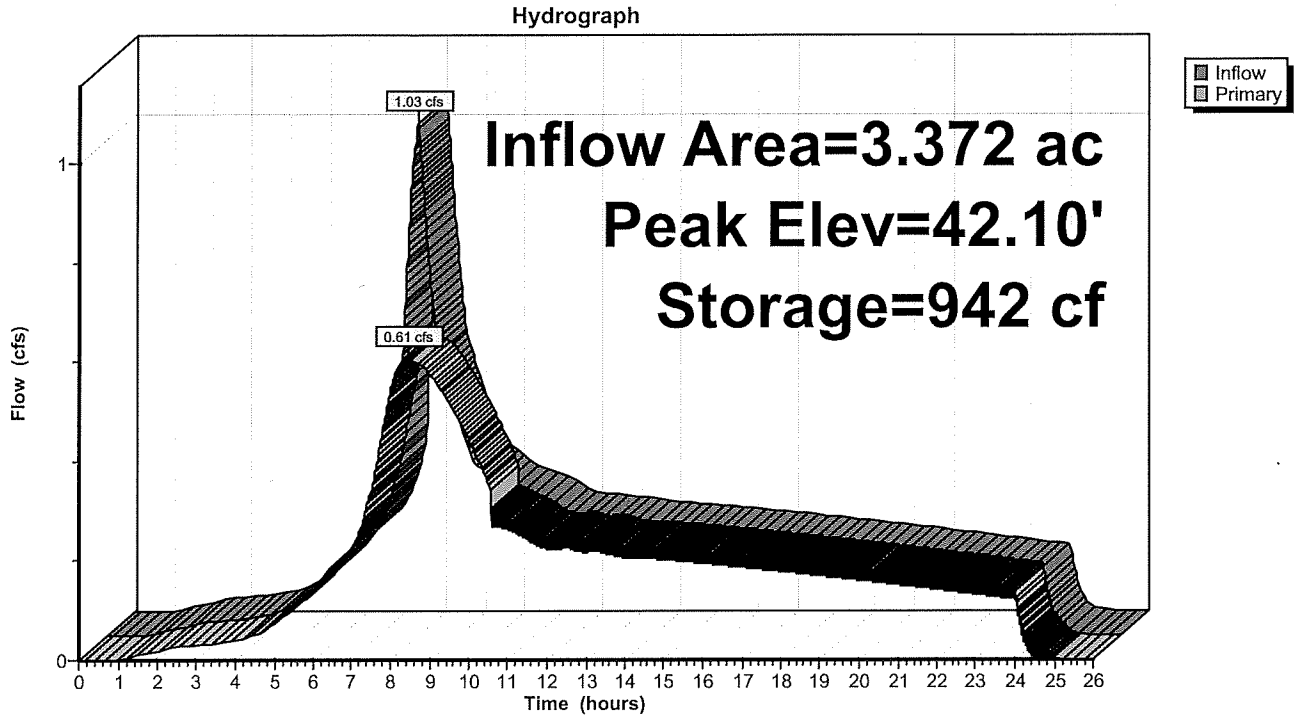
	Area (sf)	CN	Description
*	146,887	86	Pre-developed
	146,887	86	100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
30.0					**Direct Entry, Sheet + Shallow Flow**

Subcatchment 15S: Pre-Dev



Pond 17P: Detention



2 yr-post

Summary for Pond 17P: Detention

[87] Warning: Oscillations may require Finer Routing or smaller dt

Inflow Area = 3.372 ac, 18.44% Impervious, Inflow Depth = 1.40" for 2 yr event
Inflow = 1.03 cfs @ 8.00 hrs, Volume= 0.394 af
Outflow = 0.61 cfs @ 8.45 hrs, Volume= 0.394 af, Atten= 41%, Lag= 27.0 min
Primary = 0.61 cfs @ 8.45 hrs, Volume= 0.394 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-26.00 hrs, dt= 0.01 hrs / 9
Peak Elev= 42.10' @ 8.45 hrs Surf.Area= 784 sf Storage= 942 cf

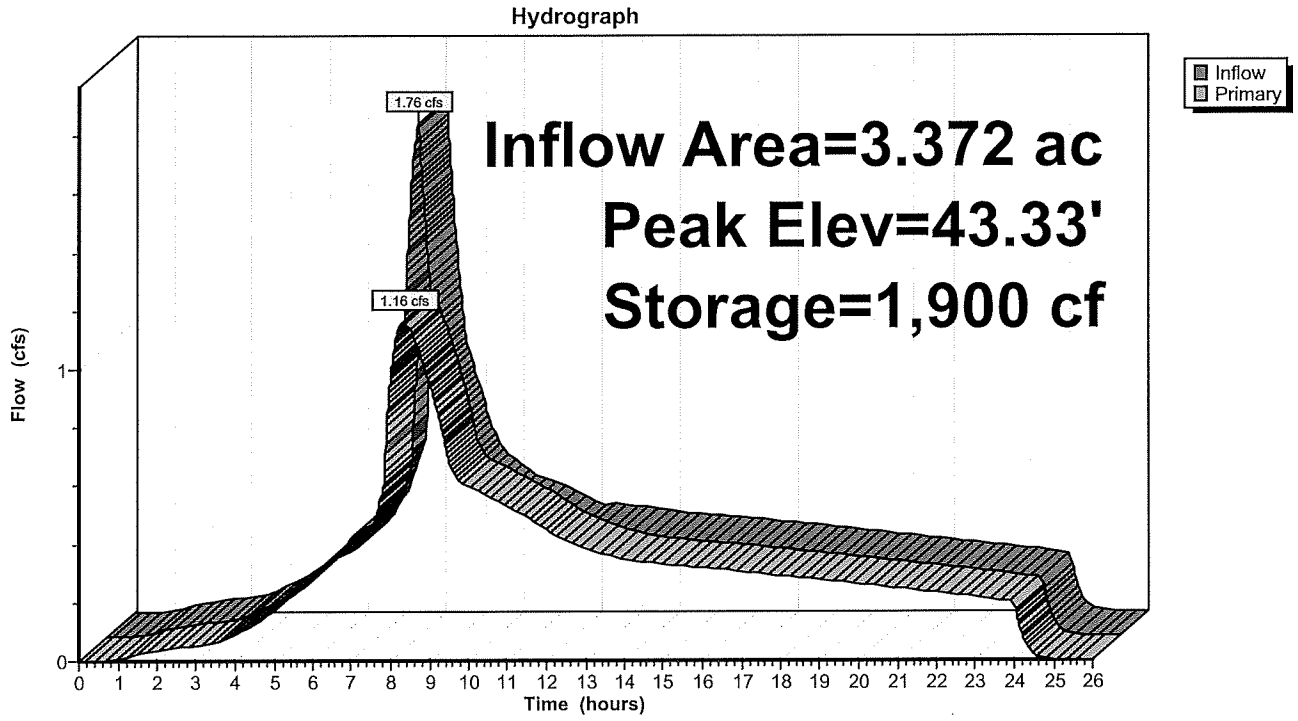
Plug-Flow detention time= (not calculated: outflow precedes inflow)
Center-of-Mass det. time= 5.2 min (775.1 - 769.8)

Volume	Invert	Avail.Storage	Storage Description
#1	40.50'	2,513 cf	**48.0" D x 200.0'L Pipe Storage**

Device	Routing	Invert	Outlet Devices
#1	Primary	39.80'	**12.0" Round Culvert** L= 30.0' Ke= 0.500 Inlet / Outlet Invert= 39.80' / 39.50' S= 0.0100 '/' Cc= 0.900 n= 0.011, Flow Area= 0.79 sf
#2	Device 1	39.80'	**3.9" Horiz. Orifice 1 - 2 yr** C= 0.600 Limited to weir flow at low heads
#3	Device 1	42.10'	**3.9" Vert. Orifice 2 - 10 yr** C= 0.600
#4	Device 1	43.33'	**1.6" Vert. Orifice 3 - 25 yr** C= 0.600
#5	Device 1	44.21'	**10.0" Horiz. Overflow** C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=0.61 cfs @ 8.45 hrs HW=42.10' (Free Discharge)
└─**1=Culvert** (Passes 0.61 cfs of 5.08 cfs potential flow)
  ├─**2=Orifice 1 - 2 yr** (Orifice Controls 0.61 cfs @ 7.31 fps)
  ├─**3=Orifice 2 - 10 yr** (Orifice Controls 0.00 cfs @ 0.23 fps)
  ├─**4=Orifice 3 - 25 yr** (Controls 0.00 cfs)
  └─**5=Overflow** (Controls 0.00 cfs)

Pond 17P: Detention



10 yr -post

Summary for Pond 17P: Detention

Inflow Area = 3.372 ac, 18.44% Impervious, Inflow Depth = 2.29" for 10 event
Inflow = 1.76 cfs @ 8.00 hrs, Volume= 0.644 af
Outflow = 1.16 cfs @ 8.34 hrs, Volume= 0.644 af, Atten= 34%, Lag= 20.2 min
Primary = 1.16 cfs @ 8.34 hrs, Volume= 0.644 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-26.00 hrs, dt= 0.01 hrs / 9
Peak Elev= 43.33' @ 8.34 hrs Surf.Area= 728 sf Storage= 1,900 cf

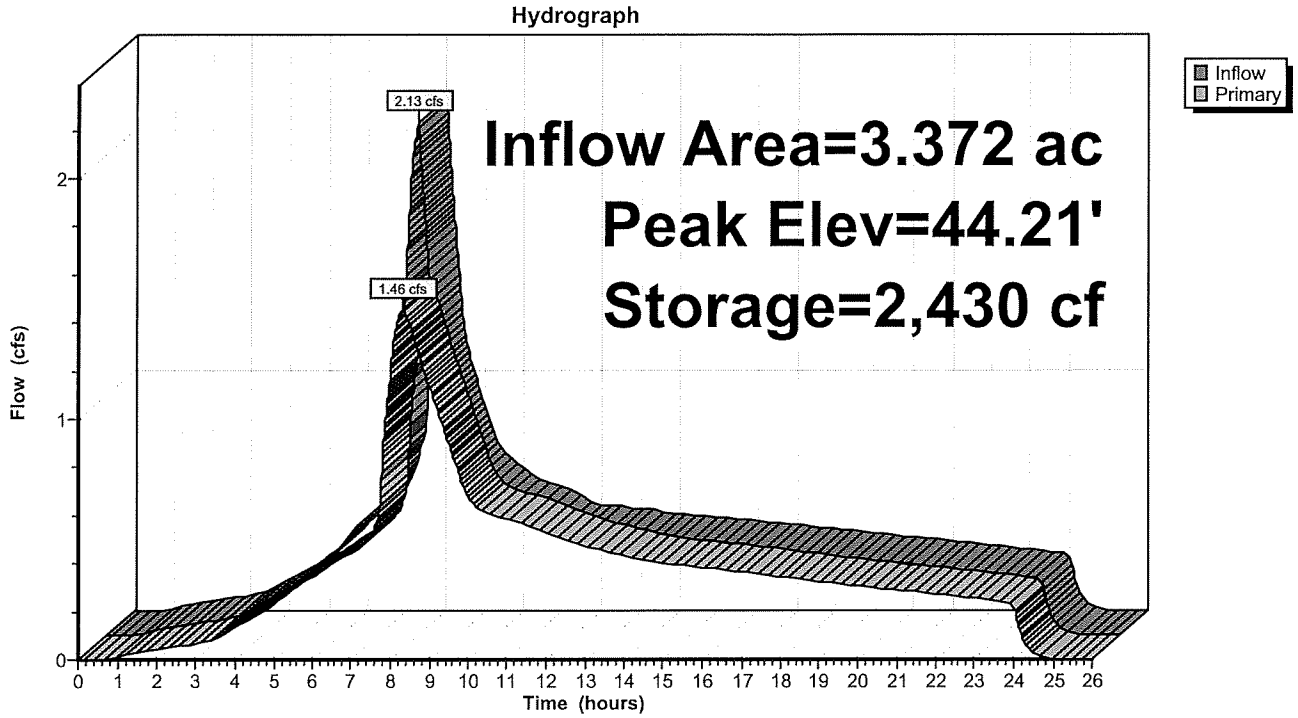
Plug-Flow detention time= 9.6 min calculated for 0.644 af (100% of inflow)
Center-of-Mass det. time= 9.6 min (757.1 - 747.5)

Volume	Invert	Avail.Storage	Storage Description
#1	40.50'	2,513 cf	**48.0" D x 200.0'L Pipe Storage**

Device	Routing	Invert	Outlet Devices
#1	Primary	39.80'	**12.0" Round Culvert** L= 30.0' Ke= 0.500 Inlet / Outlet Invert= 39.80' / 39.50' S= 0.0100 '/' Cc= 0.900 n= 0.011, Flow Area= 0.79 sf
#2	Device 1	39.80'	**3.9" Horiz. Orifice 1 - 2 yr** C= 0.600 Limited to weir flow at low heads
#3	Device 1	42.10'	**3.9" Vert. Orifice 2 - 10 yr** C= 0.600
#4	Device 1	43.33'	**1.6" Vert. Orifice 3 - 25 yr** C= 0.600
#5	Device 1	44.21'	**10.0" Horiz. Overflow** C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=1.16 cfs @ 8.34 hrs HW=43.33' (Free Discharge)
└─**1=Culvert** (Passes 1.16 cfs of 6.58 cfs potential flow)
  ├─**2=Orifice 1 - 2 yr** (Orifice Controls 0.75 cfs @ 9.05 fps)
  ├─**3=Orifice 2 - 10 yr** (Orifice Controls 0.41 cfs @ 4.97 fps)
  ├─**4=Orifice 3 - 25 yr** (Controls 0.00 cfs)
  └─**5=Overflow** (Controls 0.00 cfs)

Pond 17P: Detention



25-yr post

Summary for Pond 17P: Detention

Inflow Area = 3.372 ac, 18.44% Impervious, Inflow Depth = 2.75" for 25 yr event
Inflow = 2.13 cfs @ 8.00 hrs, Volume= 0.773 af
Outflow = 1.46 cfs @ 8.31 hrs, Volume= 0.773 af, Atten= 32%, Lag= 18.6 min
Primary = 1.46 cfs @ 8.31 hrs, Volume= 0.773 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-26.00 hrs, dt= 0.01 hrs / 9
Peak Elev= 44.21' @ 8.31 hrs Surf.Area= 417 sf Storage= 2,430 cf

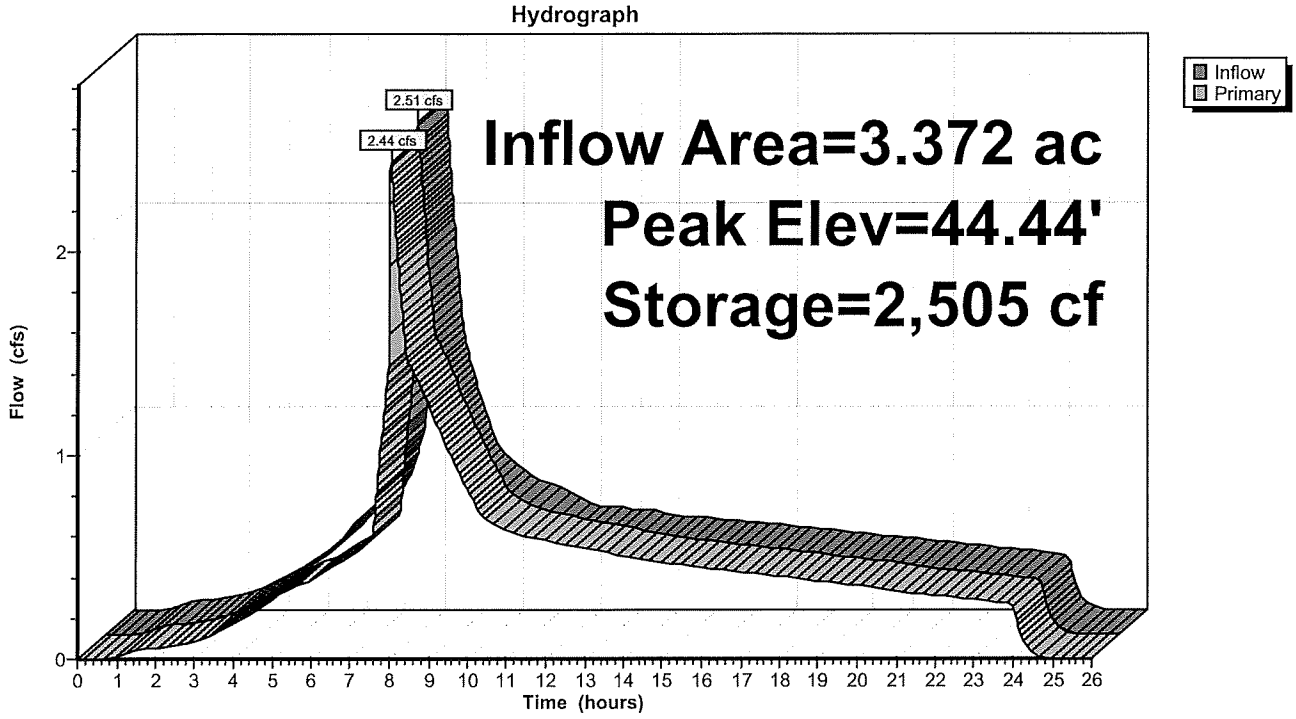
Plug-Flow detention time= (not calculated: outflow precedes inflow)
Center-of-Mass det. time= 12.3 min (751.6 - 739.3)

Volume	Invert	Avail.Storage	Storage Description
#1	40.50'	2,513 cf	**48.0" D x 200.0'L Pipe Storage**

Device	Routing	Invert	Outlet Devices
#1	Primary	39.80'	**12.0" Round Culvert** L= 30.0' Ke= 0.500 Inlet / Outlet Invert= 39.80' / 39.50' S= 0.0100 '/' Cc= 0.900 n= 0.011, Flow Area= 0.79 sf
#2	Device 1	39.80'	**3.9" Horiz. Orifice 1 - 2 yr** C= 0.600 Limited to weir flow at low heads
#3	Device 1	42.10'	**3.9" Vert. Orifice 2 - 10 yr** C= 0.600
#4	Device 1	43.33'	**1.6" Vert. Orifice 3 - 25 yr** C= 0.600
#5	Device 1	44.21'	**10.0" Horiz. Overflow** C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=1.46 cfs @ 8.31 hrs HW=44.21' (Free Discharge)
└─**1=Culvert** (Passes 1.46 cfs of 7.47 cfs potential flow)
  ├─**2=Orifice 1 - 2 yr** (Orifice Controls 0.84 cfs @ 10.11 fps)
  ├─**3=Orifice 2 - 10 yr** (Orifice Controls 0.56 cfs @ 6.71 fps)
  ├─**4=Orifice 3 - 25 yr** (Orifice Controls 0.06 cfs @ 4.33 fps)
  └─**5=Overflow** (Controls 0.00 cfs)

Pond 17P: Detention



100-yr post

Summary for Pond 17P: Detention

Inflow Area = 3.372 ac, 18.44% Impervious, Inflow Depth = 3.22" for 100 yr event
Inflow = 2.51 cfs @ 8.00 hrs, Volume= 0.905 af
Outflow = 2.44 cfs @ 8.03 hrs, Volume= 0.905 af, Atten= 3%, Lag= 2.2 min
Primary = 2.44 cfs @ 8.03 hrs, Volume= 0.905 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-26.00 hrs, dt= 0.01 hrs / 9
Peak Elev= 44.44' @ 8.03 hrs Surf.Area= 200 sf Storage= 2,505 cf

Plug-Flow detention time= 14.5 min calculated for 0.904 af (100% of inflow)
Center-of-Mass det. time= 14.5 min (746.9 - 732.4)

Volume	Invert	Avail.Storage	Storage Description
#1	40.50'	2,513 cf	**48.0" D x 200.0'L Pipe Storage**

Device	Routing	Invert	Outlet Devices
#1	Primary	39.80'	**12.0" Round Culvert** L= 30.0' Ke= 0.500 Inlet / Outlet Invert= 39.80' / 39.50' S= 0.0100 '/' Cc= 0.900 n= 0.011, Flow Area= 0.79 sf
#2	Device 1	39.80'	**3.9" Horiz. Orifice 1 - 2 yr** C= 0.600 Limited to weir flow at low heads
#3	Device 1	42.10'	**3.9" Vert. Orifice 2 - 10 yr** C= 0.600
#4	Device 1	43.33'	**1.6" Vert. Orifice 3 - 25 yr** C= 0.600
#5	Device 1	44.21'	**10.0" Horiz. Overflow** C= 0.600 Limited to weir flow at low heads

Primary OutFlow Max=2.43 cfs @ 8.03 hrs HW=44.44' (Free Discharge)
└─**1=Culvert** (Passes 2.43 cfs of 7.69 cfs potential flow)
  ├─**2=Orifice 1 - 2 yr** (Orifice Controls 0.86 cfs @ 10.37 fps)
  ├─**3=Orifice 2 - 10 yr** (Orifice Controls 0.59 cfs @ 7.10 fps)
  ├─**4=Orifice 3 - 25 yr** (Orifice Controls 0.07 cfs @ 4.91 fps)
  └─**5=Overflow** (Weir Controls 0.92 cfs @ 1.55 fps)

Exhibit C1

First American Title Company of Oregon
National Commercial Services
200 SW Market Street, Suite 250
Portland, Oregon 97201

Escrow Officer: **Connie Haan**
Phone: **(503)790-7852**
Fax: **(866)678-0591**
E-mail **chaan@firstam.com**

File No: **NCS-882674-OR1**

Title Officer: **Connie Haan**
Phone: **(503)790-7852**
Fax: **(866)678-0591**
E-mail **chaan@firstam.com**

File No: **NCS-882674-OR1**

PRELIMINARY TITLE REPORT-SUPPLEMENTAL

ALTA Owners Standard Coverage	Liability	$	1,060,000.00	Premium	$	TBD
ALTA Owners Extended Coverage	Liability	$		Premium	$	
ALTA Lenders Standard Coverage	Liability	$		Premium	$	
ALTA Lenders Extended Coverage	Liability	$	TBD	Premium	$	TBD
ALTA Leasehold Standard Coverage	Liability	$		Premium	$	
ALTA Leasehold Extended Coverage	Liability	$		Premium	$	
Endorsements	Liability	$		Premium	$	
Govt Service Charge				Cost	$	
Other					$	

We are prepared to issue Title Insurance Policy or Policies in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit "A" attached hereto.

and as of **12/07/2017** at **8:00 a.m.,** title to the fee simple estate is vested in:

Townsend Farms, Inc., an Oregon corporation

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.

3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.

5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

6. City liens, if any, for the city of Fairview.

   Note: An inquiry has NOT been made concerning the actual status of such liens. A fee of $25.00 will be charged per tax account each time an inquiry request is made.

7. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Fairview Creek.

8. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Fairview Creek or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.

9. Abutter's rights of ingress and egress to or from State Highway Commission have been relinquished in the document Stipulated Final Judgement, Multnomah County Circuit Court Case No. 9401-00381 recorded March 23, 1995 as Fee No. 95033862 of Official Records.

10. This item has been intentionally deleted.

11. Easement, including terms and provisions contained therein:

Recording Information:	August 12, 1996 as Fee No. 96121532
In Favor of:	Portland General Electric Company, an Oregon corporation
For:	Electric power line and appurtenant signal or communication lines

12. A lease dated November 28, 1995, executed by N. W. Pettijohn as lessor and National Advertising Company, a Delaware corporation doing business as 3M Media as lessee, recorded February 18, 1997 as Fee No. 97023708 of Official Records.

Defects, liens, encumbrances or other matters affecting the leasehold estate, whether or not shown by the public records.

Affects: The land and other property.

13. A Deed of Trust to secure an original indebtedness of $11,640,000.00 recorded January 21, 2010 as Fee No. 2010 011087 of Official Records.

Dated:	December 18, 2009
Trustor:	Townsend Farms, Inc., an Oregon corporation
Trustee:	Ticor Title Insurance Company
Beneficiary:	Jeffrey T. Townsend, Joyce Townsend, Jeffrey T. Townsend as Trustee of the Robin J. Townsend Irrevocable Stock Trust, Jeffrey T. Townsend as Trustee of the Ryan D. Townsend Irrevocable Stock Trust, Robin J. Townsend and Ryan D. Townsend c/o Jeffrey Townsend

Document re-recorded April 08, 2010 as Fee No. 2010 044967 of Official Records.

Affects: The land and other property.

14. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act, 1930 (7 U.S.C. §§499a, et seq.) or the Packers and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

15. Unrecorded leases or periodic tenancies, if any.

-END OF EXCEPTIONS-

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INFORMATIONAL NOTES

NOTE: Should title be acquired by Matthew Lowrance, the following matters will be shown as exceptions in the policy to be issued, unless they are taken care of to our satisfaction:

NOTE: Any defects, liens, encumbrances or other matters which name parties with the same or similar names as Matthew Lowrance. The name search necessary to ascertain the existence of such matters has not been completed. In order to complete this preliminary report or commitment, we will require a statement of information.

NOTE: This report does not include a search for Financing Statements filed in the office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the office of the County Clerk (Recorder) covering fixtures on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and book.

NOTE: Taxes for the year 2017-2018, paid in full.

Tax Amount:	$8,387.14
Code No.:	240
Map & Tax Lot No.	1N3E27B -01004
Property ID/Key No.	R510302

(Affects Land and Improvements)

NOTE: Taxes for the year 2017-2018, paid in full.

Tax Amount:	$1,083.07
Code No.:	240
Map & Tax Lot No.	1N3E27B -01004-A1
Property ID/Key No.	R510310

(Affects Billboard)

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

A. Survey or alternative acceptable to the company
B. Affidavit regarding possession
C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
   i. Satisfactory evidence that no construction liens will be filed; or
   ii. Adequate security to protect against actual or potential construction liens;
   iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon

THANK YOU FOR CHOOSING FIRST AMERICAN TITLE
WE KNOW YOU HAVE A CHOICE!

First American Title

First American Title Insurance Company of Oregon

SCHEDULE OF EXCLUSIONS FROM COVERAGE

1. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 2006
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
(i) the occupancy, use, or enjoyment of the Land;
(ii) the character, dimensions, or location of any improvement erected on the Land;
(iii) the subdivision of land; or
(iv) environmental protection;
or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
(a) created, suffered, assumed, or agreed to by the Insured Claimant;
(b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
(c) resulting in no loss or damage to the Insured Claimant;
(d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
(e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors? rights laws, that the transaction creating the lien of the Insured Mortgage, is
(a) a fraudulent conveyance or fraudulent transfer, or
(b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

2. American Land Title Association OWNER POLICY - 2006
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
(i) the occupancy, use, or enjoyment of the Land;
(ii) the character, dimensions, or location of any improvement erected on the Land;
(iii) the subdivision of land; or
(iv) environmental protection;
or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
(a) created, suffered, assumed, or agreed to by the Insured Claimant;
(b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
(c) resulting in no loss or damage to the Insured Claimant;
(d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
(e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors. rights laws, that the transaction vesting the Title as shown in Schedule A, is
(a) a fraudulent conveyance or fraudulent transfer; or
(b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

Exhibit "A"

Real property in the County of Multnomah , State of Oregon, described as follows:

PARCEL 2, PARTITION PLAT NO. 2001-80, IN THE CITY OF FAIRVIEW, COUNTY OF MULTNOMAH AND STATE OF OREGON.

Exhibit C2

MULTNOMAH COUNTY OREGON

DIVISION OF ASSESSMENT AND TAXATION
421 SW 6TH AVENUE #308
PORTLAND, OREGON 97204
RECORDING SECTION (503) 248-3034

Recorded in the County of Multnomah, Oregon
C. Swick, Deputy Clerk
18.00
96121532 11:27am 08/12/96
009 20002847 02 06
A49 3 0.00 15.00 3.00 0.00 0.00

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PLEASE DO NOT REMOVE

1 of 3

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AUG 12,1996

Exhibit C2

ELECTRIC POWER LINE EASEMENT

In consideration of the receipt of one and no/100 dollars ($1.00), NORMAN W. PETTIJOHN ("Grantors") hereby convey to PORTLAND GENERAL ELECTRIC COMPANY ("PGE"), an Oregon corporation, a perpetual easement over, under, upon and across the following described property (the "Property"), situated in Multnomah County, State of Oregon, being a strip of land 6 feet in width, extending 3 feet on each side of a center line, more particularly described as follows:

Situated in the Northwest quarter of Section 27, Township 1 North, Range 3 East, Willamette Meridian:

Commencing at the Easterly Northeast corner of the E. R. Scott D.L.C.; thence North 00°01'00" East 499.04 feet to the South right-of-way line of Northeast Sandy Road; thence along said right-of-way line South 85°24'00" West 712.71 feet to the Point of Beginning; thence along said centerline South 04°23'49" East 315.16 feet; thence South 22°46'06" East 33.48 feet to the terminus of said centerline.

Together with a strip of land 10 feet in width, extending 5 feet on each side of a centerline beginning at the above-described point of terminus; thence along said centerline South 34°59'41" East 82.43 feet to the terminus of said centerline.

The above described centerlines are shown on P.G.E. Drawing E-9282, attached hereto which by reference thereto is made a part hereof.

TERMS, CONDITIONS, AND COVENANTS

1. This easement shall be for the right to enter upon the Property and to erect, maintain, repair, rebuild, operate and patrol electric power lines and appurtenant signal or communication lines, and all uses directly or indirectly necessary thereto. Such uses shall include the necessary erection of poles, towers, wires, cables, guys, supports and appurtenances and the protection thereof from fire and other hazards. Such uses shall also include keeping the Property free from structures, equipment, trees, vines, brush and any and all other obstructions of any kind.

2. PGE shall have the present right to top, limb or fell trees located on land owned by Grantors adjacent to the Property if PGE determines that such trees represent a danger to the use of this easement.

3. Grantors shall have the right to use the Property for all purposes not inconsistent with the uses and purposes of this easement, except Grantors shall not build or erect any structure or improvement upon, over or under the Property without the prior written consent of PGE.

4. The Grantors warrant that they have marketable title to the Property and that PGE may peaceably enjoy the rights and benefits of this easement.

5. If PGE shall fail to use this easement for a continuous period of five years after the installation of electric power lines, then this easement shall terminate and all rights granted hereunder shall revert to the Grantors.

6. As used herein, the singular shall include the plural and vice versa.

7. This easement inures to the benefit of and binds the parties hereto, their heirs, devisees, administrators, executors, successors and assigns.

IN WITNESS WHEREOF, the Grantors have executed this easement this 11 day of June, 1996

Norman W. Pettijohn (SEAL)
Grantor

_____ (SEAL)
Grantor

_____ (SEAL)
Grantor

_____ (SEAL)
Grantor

OFFICIAL SEAL
JOHN Q NELSON JR
NOTARY PUBLIC-OREGON
COMMISSION NO 050447
MY COMMISSION EXPIRES JAN. 18, 2000

STATE OF OREGON)
) ss.
County of MULTNOMAH)

On JUNE 11, 1996, the above-named NORMAN W. PETTIJOHN, _____ and _____ personally appeared before me and acknowledged the foregoing instrument to be their voluntary act and deed.

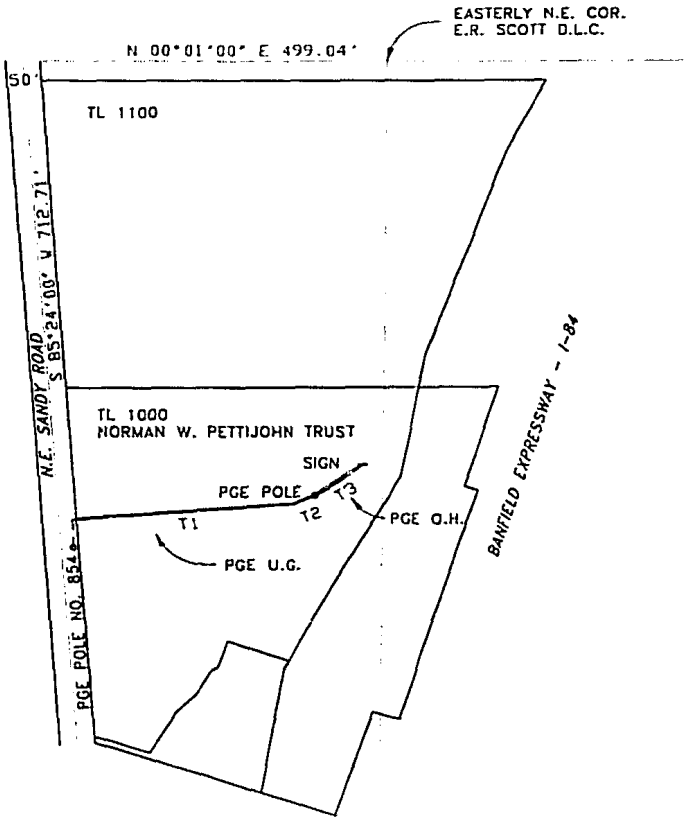
John Q Nelson
Notary Public for Oregon
My Commission Expires: Jan. 18, 2000

After Recording Return To: Portland General Electric Company
Attn Property Services
121 SW Salmon St. ~~3WTCPL02~~ 1WTC0401
Portland OR 97204

2

AUDIT 42226
Job G7716A

Exhibit C2



TANGENT TABLE

NUMBER	DISTANCE	BEARING
T1	315.16'	S 04°23'49" E
T2	33.48'	S 22°46'06" E
T3	82.43'	S 34°59'41" E

Audit 42226

Portland General Electric
Portland, Oregon

To Accompany Power Line Easement
Norman W. Pettijohn Trust
N.W. 1/4 Sec. 21, T. 1N., R. 3E., W.M., Mult. Co., Or.

SCALE 1"=200' DATE 5/10/96

DRAWN BY R.L.B. TRACED BY CHECKED

APPROVED

67716 A DWG. NO. E-9252

3

Exhibit C3

MULTNOMAH COUNTY OREGON

DIVISION OF ASSESSMENT AND TAXATION
421 SW 6TH AVENUE #308
PORTLAND, OREGON 97204
RECORDING SECTION (503) 248-3034

Recorded in the County of Multnomah, Oregon
C. Swick, Deputy Clerk
48.00
97023708 12:42pm 02/18/97
009 40012347 04 03
A67 5 0.00 25.00 3.00 20.00 0.00

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PLEASE DO NOT REMOVE

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FEB 18 1997

Exhibit C3

NATIONAL ADVERTISING COMPANY

PREPARED BY [redacted]D:
LEASE ADMINISTRATION DEPT
NATIONAL ADVERTISING CO
6850 S. HARLEM AVENUE
BEDFORD PARK, IL 60501

3M MEDIA LEASE AGREEMENT

Branch No. 130

Lease No. 01644BA, 17686A

THIS AGREEMENT, dated this 28 day of November, 19 95, is by and between N.W. Pettijohn ("LANDLORD"), and NATIONAL ADVERTISING COMPANY, a Delaware corporation, doing business as 3M Media, whose address is 6850 S. Harlem Avenue, Bedford Park, Illinois 60501 ("3M MEDIA").

LANDLORD AND NATIONAL ADVERTISING COMPANY d/b/a 3M MEDIA AGREE AS FOLLOWS:

1. PROPERTY. LANDLORD is the owner (or authorized lessor) of that certain real property (the "Property") located about 2500 feet or miles N-E-S-W of Exit 16 (street/highway or landmark) on the N-E-S-W side of Hwy. 84 (street or highway) for display(s) facing N-E-S-W being part of the LANDLORD's property known as Fairview, Multnomah, Oregon (Street Address / City / County / State). The display(s) are intended to be viewed from I-84 (street or highway).

SIZE: 14 x 48 North

This agreement is intended to replace that agreement dated January 28, 1988 between N.W. Pettijohn and 3M. Where in the State of Oregon has requested the relocation of an outdoor sign belonging to 3M and recognizing that new materials are required, Lessor and Lessee agree to the following: upon removal of the old structure the principal term shall begin. *

SKETCH THE APPROXIMATE LOCATION OF OUTDOOR ADVERTISING STRUCTURE ON PROPERTY

2. TERM. LANDLORD hereby grants and leases to 3M MEDIA and 3M MEDIA accepts the grant and leases from LANDLORD the Property to have and to hold upon the terms and conditions contained this Lease. Principal Term, as extended, and Year-to-Year Term are collectively the "Term" of this Lease.

* Until the removal of the old structure the terms of the January 28, 1988 agreement shall remain effective.

PRINCIPAL TERM. The Principal Term shall be for ten (10) years and shall commence upon the first day of the month as provided above.

YEAR-TO-YEAR TERM. Upon the expiration of the Principal Term, this Lease will continue on the terms and conditions on a year-to-year basis. LANDLORD or 3M MEDIA may terminate this Lease effective at the end of any lease year of the Year-to-Year Term by giving at least thirty (30) days written notice prior to the end of that lease year. * as the Landlord and 3M Media shall determine at that time.

3. RENT. 3M MEDIA shall pay Rent to LANDLORD annually in advance in the following amounts for each PRINCIPAL TERM: $3600.00. Rent shall be deemed to have been received on time unless LANDLORD notifies 3M MEDIA of non-receipt of payment. 3M MEDIA shall be permitted thirty (30) days from receipt of notice of non-receipt to make such payment without being in default of this Lease. At the beginning of the year to year term the terms of this lease shall be renegotiated.

4. LEASE PROVISIONS. This Lease contains the provisions on this page and on the reverse hereof. LANDLORD has read and understands all such terms and provisions.

Executed under the hand and seal of the parties on the dates provided below.

Offer Date: November 22, 1995

(i) LANDLORD Signature (SEAL)
N.W. Pettijohn
Print Name/Title if Corporation or Partnership
Witness (if applicable)
Witness (if applicable)

Subscribed and sworn to me by N.W. Pettijohn on 12/1/95
Ron D. Bailey
Notary Public for Oregon

(ii) LANDLORD Signature (SEAL)
AUG 06 1996
National Advertising Company Lease Administration
Print Name/Title if Corporation or Partnership
Witness (if applicable)
Witness (if applicable)

(iii) LANDLORD Name N.W. Pettijohn
Address: P.O. Box 839
Fairview, Oregon 97024
(503) 661-8822
Phone

(iv) NATIONAL ADVERTISING COMPANY Signature BILL SPECK (SEAL)
Real Estate Manager
Print Name/Title
Witness (if applicable)
Witness (if applicable)
Acceptance Date: 6-22-96

DEC 05 1995

OFFICIAL SEAL
RON D. BAILEY
NOTARY PUBLIC - OREGON
COMMISSION NO.017863
MY COMMISSION EXPIRES MAR 19, 1998

CUSTOMER SERVICE 1-800-571-8080

3M Media
STOCKTON

FEB 18 1997

Exhibit C3

5. LEASED PROPERTY. 3M MEDIA shall be entitled to use the Property to erect, maintain, service, remove and reposition (if subsequently necessary) an outdoor advertising structure (including necessary structures, footings, devices, power poles and connections) on the Property for such use or uses as permitted by law. The leased portion of the Property includes all necessary areas over, across and under the Property to provide for the construction, maintenance, service of advertising copy, repositioning and removal of the advertising structure and to provide for the installation of electrical and telephone service to the advertising structure, if necessary.

6. LANDLORD'S COVENANTS. (a) AUTHORITY OF LANDLORD. LANDLORD covenants and warrants that LANDLORD is either the owner, agent of the owner, or an authorized lessee of the Property and that LANDLORD has full power and authority to enter into and perform under the covenants of this Lease, including, without limitation, leasing the Property and authorizing the construction of the advertising structure at the location provided. LANDLORD agrees to provide 3M MEDIA with written proof of such authorization. LANDLORD grants to 3M MEDIA quiet enjoyment of the Property and warrants and agrees to defend 3M MEDIA in the quiet enjoyment of the Property during the Term of this Lease. LANDLORD and 3M MEDIA agree that this Lease may be recorded at the appropriate county office.

(b) ACCESS/NO OBSTRUCTIONS. LANDLORD covenants and warrants that 3M MEDIA shall have a reasonable means of access over, across and under the Property, and any adjoining or appurtenant property owned or controlled by LANDLORD, to erect, illuminate, maintain, service, remove and reposition its outdoor advertising structure. LANDLORD covenants and warrants not to erect, place, construct or maintain any improvement, structure, advertising display, vegetation (including any trees, shrubs, or other vegetation), or any other object on the Property, or on any adjoining or appurtenant property owned or controlled by LANDLORD, which would in any manner, partially or completely, obscure or obstruct the normal highway view(s) of 3M MEDIA'S advertising structure on the Property, or permit any third party to do so. 3M MEDIA has the right (i) to remove the obscuring or obstructing improvement, structure, advertising display or other object at LANDLORD'S expense; and (ii) to cut and/or remove any obscuring or obstructing vegetation at 3M MEDIA'S expense.

7. INDEMNITY AND INSURANCE. Each party agrees to indemnify and hold harmless the other from any and all claims or demands on account of bodily injury or physical property damage caused by or resulting from any negligent or willful acts or omissions of the indemnifying party or its agents, employees or contractors. 3M MEDIA agrees to carry, at its own cost and expense, general liability insurance in the amount of One Million Dollars ($1,000,000) covering any such contingency during the Term of this Lease.

8. 3M MEDIA'S TERMINATION RIGHT. If at any time (i) the normal highway view of 3M MEDIA'S advertising structure is obscured or obstructed; (ii) the use or installation of such advertising structure is prevented or restricted by law or by 3M MEDIA'S inability to secure and maintain any necessary permits or licenses; or (iii) 3M MEDIA is unable, for any period of ninety (90) consecutive days or more, to secure and maintain a suitable advertising contract for the advertising structure, 3M MEDIA may, at its option, terminate this Lease by giving LANDLORD fifteen (15) days written notice. If in the reasonable opinion of 3M MEDIA, any of the above conditions shall only temporarily exist, then 3M MEDIA may, at its option, instead of terminating this Lease, be entitled to pay reduced Rent equal to $100.00 per year during the period such conditions or any of them exist. Upon early termination of this Lease or reduction in Rent for any reason, LANDLORD agrees to refund to 3M MEDIA any prepaid or overpaid Rent. If 3M MEDIA'S advertising structure is a double-faced advertising structure and any of the conditions described in this paragraph affect only one face of the advertising structure, 3M MEDIA has the right to reduce the Rent (including any paid in advance) to 50% of the Rent rather than terminating the entire Lease.

9. CONVEYANCE. Any conveyance of the Property to a third party is subject to this Lease. In the event of a change of ownership of the Property, LANDLORD agrees to promptly notify 3M MEDIA and provide the new landlord with a copy of this Lease.

10. CONDEMNATION. In the event that all or any part of the Property is acquired or sought to be acquired by any entity having or delegated the power of eminent domain, 3M MEDIA shall, at its election and in its sole discretion, be entitled to: (i) contest the acquisition or defend against the taking of 3M MEDIA'S interest in the Property; (ii) relocate the outdoor advertising structure and appurtenances onto any portion of the Property not acquired or to be acquired; and/or, (iii) be compensated from any award or consideration payable by the acquiring entity for all costs, damages and value loss incurred by 3M MEDIA relating to its leasehold, as improved with the outdoor advertising structure. LANDLORD may not terminate this Lease under any right or circumstance if the Property has been taken or is threatened to be taken by eminent domain, or if the Property is conveyed to any entity or its agent with eminent domain authority. No contemporary or subsequent modification of this Lease or the foregoing sentence shall be effective unless it specifically references this paragraph and the foregoing sentence.

11. 3M MEDIA'S IMPROVEMENTS. All the outdoor advertising structures, power poles, materials and equipment on the Property are and shall remain the property of 3M MEDIA and may be removed by 3M MEDIA at any time prior to or within ninety (90) days after the termination of this Lease or any extended term of this Lease. 3M MEDIA agrees to remove the advertising structure, (exclusive of footings which shall only be removed to grade level) and restore the surface to its natural condition.

12. ENTIRE AGREEMENT. This Lease contains the entire agreement between the parties and may not be changed except by written agreement signed by the parties. Oral representations or agreements shall have no effect. If the proper legal description of the Property is not attached, either party may attach or provide it at a later time.

13. NOTICE. All notices are effective upon dispatch and must be in writing and delivered by mail, personal delivery or commercial courier to LANDLORD and 3M MEDIA at the respective addresses set forth above.

STATE OF _____)
) SS
COUNTY OF _____)

On this _____ day of _____, 19 ____, before me _____ (Print Notary's Name),
the undersigned officer, personally appeared _____ (Print LANDLORD'S Name #1),
_____ (Print LANDLORD'S Name #2), known to me (or satisfactorily proven) to be the person(s) whose name(s) is subscribed to the above instrument, and being informed of the contents of said instrument, acknowledged voluntary execution of same for the uses and purposes herein contained. Given under my hand and official seal.

My Commission Expires: _____ _____ Signature of Notary

STATE OF Colorado)
) SS
COUNTY OF Delta)

On this 2nd day of August, 19 96, before me Cindie L Castiglione (Print Notary's Name),
the undersigned officer, personally appeared Bill Spec (Print LANDLORD'S Name #1),
_____ (Print LANDLORD'S Name #2), known to me (or satisfactorily proven) to be the person(s) whose name(s) is subscribed to the above instrument, and being informed of the contents of said instrument, acknowledged voluntary execution of same for the uses and purposes herein contained. Given under my hand and official seal.

My Commission Expires: 11/4/97 Cindie L Castiglione Signature of Notary

NOTARY PUBLIC
CINDIE L. CASTIGLIONE
STATE OF COLORADO

Parcel Identification Number: _____

Legal Description of Property (For Recording Purposes): _____

PLEASE RETURN TO:
Mortgage Management Services, Inc.
Attn: Connie Sams Job No. 300-9501
1990 Post Oak Blvd. Suite 1080
Houston, Texas 77056

After recording return to: Nat _____ nator, _____ Address

My Comm. Expires

FEB 18 1997

Exhibit C3

Warranty Deed, dated October 25, 1995, from Norman W. Pettijohn to Norman W. Pettijohn, Trustee, or his successor in trust, of the Norman W. Pettijohn Trust dated July 31, 1995.

REVISED TAX LOT #3

A tract of land in the N.W. 1/4 of Section 27, Township 1 North, Range 3 East of the Willamette Meridian, County of Multnomah and the State of Oregon, being more particularly described as follows:

Commencing at a brass cap marking the easterly northeast corner of the E.R. Scott D.L.C.; thence North 0°01'00" East 499.04 feet to a point in the southerly right of way line of N.E. Sandy Blvd.; thence South 85°25'27" West along said southerly right of way line 30.09 feet to the Point of Beginning; thence South 0°01'00" West to the northerly right of way line of the Banfield Expressway I-84, recorded March 23, 1995 in Volume 95, Page 33862 of the final acquisition Judgment #9401-00381, a distance of 730.66 feet; thence North 62°33'14" West along the said northerly right of way line a distance of 125.35 feet; thence North 69°55'32" West along the said northerly right of way line a distance of 335.87 feet; thence North 79°08'11" West along said northerly right of way line a distance of 52.30 feet; thence leaving said right of way North 0°02'33" West a distance of 509.44 feet to the southerly right of way of N.E. Sandy Blvd.; thence North 85°25'27" East along the said southerly right of way line a distance of 480.19 feet to the Point of Beginning.

Containing 6.693 acres more or less.

RECEIVED
AUG 06 1996
National Advertising Company
Lease Administration

FEB 18 1997

Exhibit C3

Warranty Deed, dated October 25, 1995, from Norman W. Pettijohn to Norman W. Pettijohn, Trustee, or his successor in trust, of the Norman W. Pettijohn Trust dated July 31, 1995.

REVISED TAX LOT #4

A tract of land in the N.W. 1/4 of Section 27, Township 1 North, Range 3 East of the Willamette Meridian, County of Multnomah and the State of Oregon, being more particularly described as follows:

Commencing at a brass cap marking the Easterly northeast corner of the E.R. Scott D.L.C.; thence North 0°01'00" East 499.04 feet to a point in the southerly right of way line of N. E. Sandy Blvd.; thence South 85°25'27" West along said southerly right of way line a distance of 510.28 feet to the point of beginning; thence South 0°32'33" East to the northerly right-of-way line of the Banfield Expressway (I-84) recorded March 23, 1995 in Volume 95, Page 33862 of the final acquisition Judgment No.9401-00381, a distance of 509.44 feet; thence North 79°08'11" West along said Expressway northerly right-of-way line a distance of 135.12 feet; thence North 61°07'21" West along said Expressway northerly line, to the east line of that tract conveyed to the City of Fairview, recorded June 20, 1995 in Volume 95, Page 72407, a distance of 333.12 feet; thence North 19°11'28" East along the east line of said tract to the City of Fairview, a distance of 92.62 feet; thence North 70°57'06" West along the northerly line of said tract to the City of Fairview, a distance of 41.45 feet; thence North 29°39'36" West along the northerly line of said tract to the City of Fairview, a distance of 13.67 feet; thence North 58°44'35" West along the northerly line of said tract to the City of Fairview, a distance of 39.06 feet; thence North 45°43'15" West, along the northerly line of said tract to the City of Fairview, a distance of 41.79 feet; thence North 55°50'23" West, along the northerly line of said tract to the City of Fairview, a distance of 73.68 feet; thence North 18°03'50" East, along the easterly line of said tract to the City of Fairview, a distance of 80.23 feet to the southerly right-of-way line of N. E. Sandy Blvd.; thence North 85°25'27" East, along the southerly line of said N. E. Sandy Blvd., a distance of 540.64 feet to the Point of Beginning.

Containing 4.414 acres more or less.

AUG 0 6 1996
National Advertising
Lease Administration

FEB 18 1997

Exhibit C3

Warranty Deed, dated October 25, 1995, from Norman W. Pettijohn to Norman W. Pettijohn, Trustee, or his successor in trust, of the Norman W. Pettijohn Trust dated July 31, 1995.

REVISED TAX LOT 215

A tract of land in the northwest 1/4 of Section 27, Township 1 North, Range 3 East of the Willamette Meridian, County of Multnomah and the State of Oregon, being more particularly described as follows:

Beginning at a brass cap marking the easterly northeast corner of the E. R. Scott D.L.C.; thence North 0°01'00" East 449.04 feet to a point in the southerly right-of-way line of N. E. Sandy Blvd.; thence South 85°25'27" West along said southerly right-of-way line 30.09 feet; thence South 0°01'00" West to the northerly right of way line of the Banfield Expressway I-84, recorded March 23, 1995 in Volume 95, Page 33862 of the final acquisition Judgment #9401-00381, a distance of 730.66 feet; thence South 62°33'14" East along said northerly right-of-way line, a distance of 33.79 feet to the east line of the E. R. Scott D.L.C.; thence North 0°01'00" East along the said east line, a distance of 249.60 feet to the point of beginning.
Containing more or less 0.5093 Acres.

20
3
20

95 136780

C Smith

AUG 06 1996
National Advertising Company
Lease Administration

FEB 18 1997

Exhibit D1

Fairview File #: 2018-14
Environmental Works Industrial Building /22820 NE Sandy Blvd.
FROM: Kyle Stuart, Gresham Fire (kyle.stuart@GreshamOregon.gov)
DATE: 03/09/2018
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 buildings varies based on construction and square footage. Square footage must include all attached overhangs. ***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. The building shall have address signage with a minimum 10" address numbers. Numbers must be visible from both directions, must face the street the building is addressed off of, and must be of a contrasting color to their background. ***OFC 505.1***

4. Without knowing the building construction type, a PUBLIC or PRIVATE fire hydrant is required to be within 225 feet of the main entrance driveway. The furthest point on each building shall be no more than 400 feet from a hydrant. Private fire hydrants shall be installed along the entire length of the fire access road with spacing no more than 450 feet apart. Show on the building plans where the nearest existing and new hydrants are located. ***OFC Appendix C and 507***

5. Each public or private fire hydrant used for fire flow for this property shall have a 5-inch **Storz** adapter with National Standard Threads installed on the 4 ½ -inch fire hydrant outlet. The adapter shall be constructed of high-strength aluminum alloy, have a Teflon coating on the seat and threads, and use a rubber gasket and two (2) set screws to secure it in place. The adapter shall be provided with an aluminum alloy pressure cap. The cap shall be attached to the hydrant barrel or Storz adapter with a cable to prevent theft of the cap. Adapter shall be Harrington HPHA50-45NHWCAP or equal approved by Gresham Fire.

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. Note: if building fire flow is not met sprinklers may be required. ***OFC 507.3 & B-101.1***

8. 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***

9. No Parking Fire Lane signage or curb marking will be required. Fire access roads 20' – 26' wide need to be marked on both sides. Fire access over 26ft to 32ft require signage on one side and access roads over 32 ft do not require signage. Indicate signage or curb marking on the building permit plans. I can email you our policy. ***OFC D 103.6***

10. Very limited information at tis time. Sprinklers and alarm may be required.

11. **IF** a gate is installed on a fire access road, it must meet the requirements of the Gresham Fire Gate Policy. This policy can be faxed to you if requested. ***OFC 506.1***

Note: Limited Information at this time more specific comments will be provided when building and site plan are submitted.

Exhibit D2

Amanda Gresen

From: Chet HAGEN <chet.hagen@multco.us>
Sent: Monday, April 30, 2018 4:30 PM
To: Chris Deslauriers
Cc: Terry Amundson; Amanda Gresen; Joanna VALENCIA
Subject: Re: FW: EP-2018-9863

Hi Chris,

I spoke with our transportation planning group and there is no mention of in lieu payments for public improvements adjacent to this property. When the street lighting plan is developed for this property, I can work with whomever the designer is to meet Mid County Lighting District standards. If you have any questions right now about our standards I'm happy to speak with you.

Thanks,

Chet

On Mon, Apr 30, 2018 at 2:38 PM, Chris Deslauriers <chris@wdyi.com> wrote:

Hi Chet,

I'm attaching a site plan. I hope this reaches you I may have input your email address incorrectly the first time.

Thank You,

Chris Deslauriers, P.E. | Associate, Project Manager | WDY Structural • Civil Engineers

503.203.8111 EXT 40 • 6443 SW Beaverton-Hillsdale Hwy. • Suite 210 • Portland, OR 97221 • www.wdyi.com

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Please consider the environment before printing this email.

Exhibit D2

From: Chris Deslauriers
Sent: Monday, April 30, 2018 2:38 PM
To: chet.hagen@multco.us
Cc: Terry Amundson <terry@koblecreative.com>; Amanda Gresen <amandag@koblecreative.com>
Subject: FW: EP-2018-9863

Hi Chet,

We're working on a landuse submittal for a project at 22820 NE Sandy Blvd. We have a comment to address street lighting. We may be able to get into this in more detail at permit level but we were asked to make contact with you and get your comments. Can you please let us know your thoughts? We are not building public improvements. A fee in lieu is being developed between the owner and county. Please let me know if you have any questions. We're hoping to submit our completeness review in the next couple days. I tried sending you a site plan but the server rejected the file. There's one existing light at about the mid point of the site. The next light west is about 400' away and the next light east is about 500'.

Thank You,

Chris Deslauriers, P.E. | Associate, Project Manager | WDY Structural • Civil Engineers

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Please consider the environment before printing this email.

--
Chet Hagen
Asset Management Program Manager
Multnomah County DCS Business Services

Exhibit D2

1620 SE 190th Ave. | Portland, OR 97233
chet.hagen@multco.us |
Office: (503) 988-0164
Cell: (509) 254-3789

Exhibit B1

SITE DESIGN REVIEW

2.21.2018

/kōblə/CREATIVE

Koble Creative Architecture LLC Portland, Oregon
koblecreative.com

preliminary
not for
construction

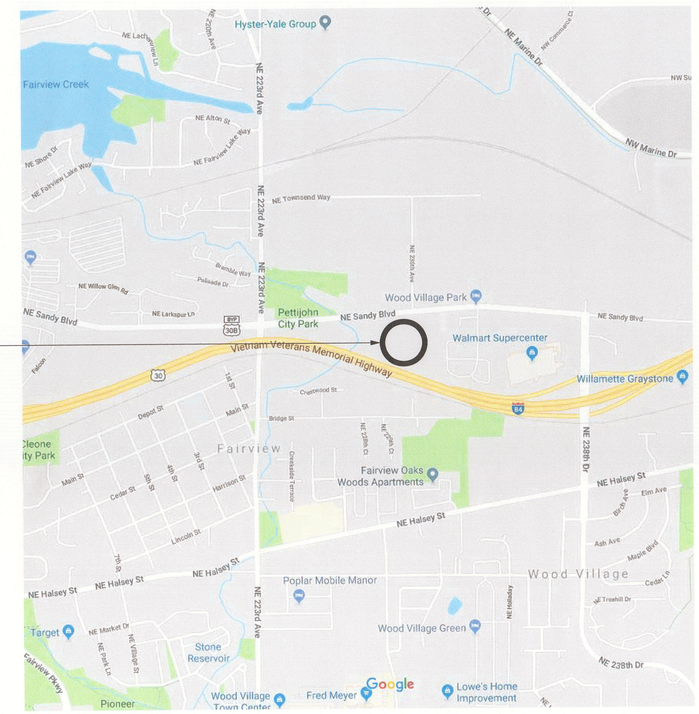
PROJECT INFO / ZONING

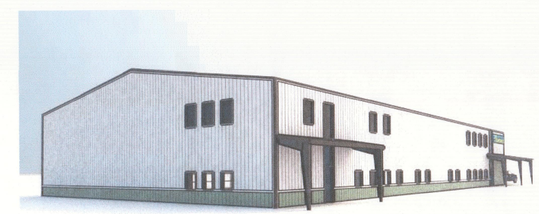
ADDRESS:	22820 NE SANDY BOULEVARD FAIRVIEW, OREGON 97024
COUNTY:	MULTNOMAH
PROPERTY ID:	R510302
JURISDICTION:	FAIRVIEW, OREGON
ZONING DESIGNATION:	GI - GENERAL INDUSTRY
LOT SIZE:	PARCEL 2 - 4.21 ACRES / 183,336 SF
BASEPOINT ELEVATION:	0'-0"
NEW BUILDING FOOTPRINT:	12,000 SF
NEW BUILDING HEIGHT:	28'-10"
MIN. SETBACKS:	40' FROM STREAMBANK
MAX. SETBACK:	NONE
MAXIMUM BUILDING COVERAGE:	85%
SITE LANDSCAPE:	10% OF SITE REQUIRED TO BE LANDSCAPED
REQUIRED VEHICLE PARKING: PROVIDED VEHICLE PARKING:	23 STANDARD STALLS, 1 ACCESSIBLE STALL 27 STANDARD STALLS, 2 ACCESSIBLE STALL
PARKING LANDSCAPE:	7,815 SF x 5% = 791 SF MINIMUM REQUIRED 1,442 SF PROVIDED AS INDICATED ON SITE PLAN 1 TREE PER 5 PARKING STALLS REQUIRED = 5 EVENLY DISTRUBUTED LANDSCAPE ALONG PERIMETER OF PARKING AREAS
PROVIDED BICYCLE PARKING:	2 SHORT TERM STALLS PROVIDED

DRAWING INDEX

Cv	COVER
C2.0	PRELIMINARY GRADING PLAN
C2.1	PRELIMINARY UTILITY PLAN
C3.0	CIVIL DETAILS
C3.1	CIVIL DETAILS
A0.1	PROPOSED SITE PLAN
A5.1	ELEVATIONS
A5.2	ELEVATIONS
L0.1	LANDSCAPING PLAN

PROJECT LOCATION





ENVIRONMENTAL WORKS

22820 NE Sandy Blvd.
Fairview, OR 97024

PROJECT TEAM

OWNER

Environmental Works
2634 SE Steele St.
Portland, OR 97202

Matthew Lowrance
503.719.6715
matthew@eworksnw.com

ARCHITECT

Koble Creative, Architecture LLC
2117 NE Oregon St. #701
Portland, OR 97232

Terry Amundson
503.539.4300
terry@koblecreative.com

STRUCTURE

Web Steel Buildings Northwest
37396 Ruben Lane, Sandy, Oregon 97055
Portland, OR 97221

503.668.7211
www.wsbnw.com

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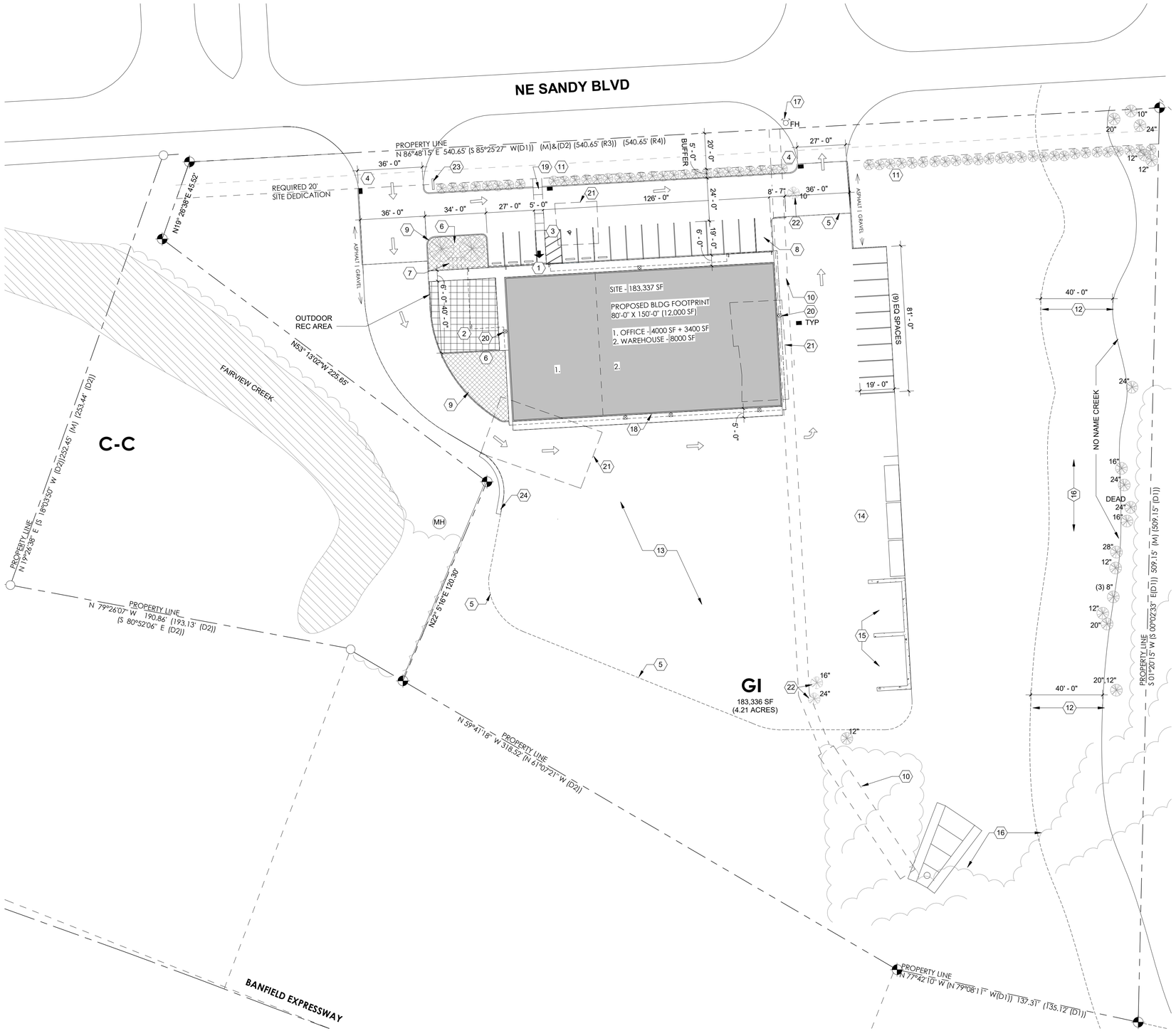
Exhibit B2



1/ PROPOSED SITE PLAN
scale: 1" = 30'-0"

SITE PLAN KEYNOTES

1 MAIN BUILDING ENTRY
2 NEW OUTDOOR RECREATION SPACE
3 (2) NEW VAN ACCESSIBLE PARKING STALLS
4 (E) DRIVEWAY
5 EXTENTS OF GRAVEL AREA
6 NEW LANDSCAPE PLANTING AREA
7 (4) SHORT-TERM BICYCLE PARKING STALLS
8 NEW CONCRETE SIDEWALK
9 NEW CONCRETE CURB, TYP.
10 EASEMENT FOR BILLBOARD AND ELECTRICAL
11 NEW CONTINUOUS EVERGREEN SHRUBS W/ MIN. OF 36" HEIGHT FOR MATURITY. SEE LANDSCAPE SCREENING REQ'S.
12 40' REQUIRED BUFFER FROM "NO NAME" CREEK
13 FLEET PARKING
14 TRASH & RECYCLING
15 ROCK/ SAND STORAGE
16 EXISTING TREES TO BE PROTECTED
17 EXISTING FIRE HYDRANT
18 5' CONCRETE APRON
19 PEDESTRIAN PATHWAY
20 BUILDING MOUNTED OUTDOOR LIGHTING HEIGHT @ 12'
21 DEMO EXISTING CONCRETE SLABS
22 EXISTING TREE TO BE REMOVED
23 NEW COMPANY SIGN
24 NEW 40 LF OF (1) ROW ULTRA BLOCK WALL

/kōblə/CREATIVE

Koble Creative Architecture LLC
Portland, Oregon / koblecreative.com

preliminary not for construction

Environmental Works

22820 NE Sandy Blvd.
Fairview, OR 97024

DATE: 3.30.2018
DRAWN BY: SNP
JOB NO: 41-2017
REV NO:

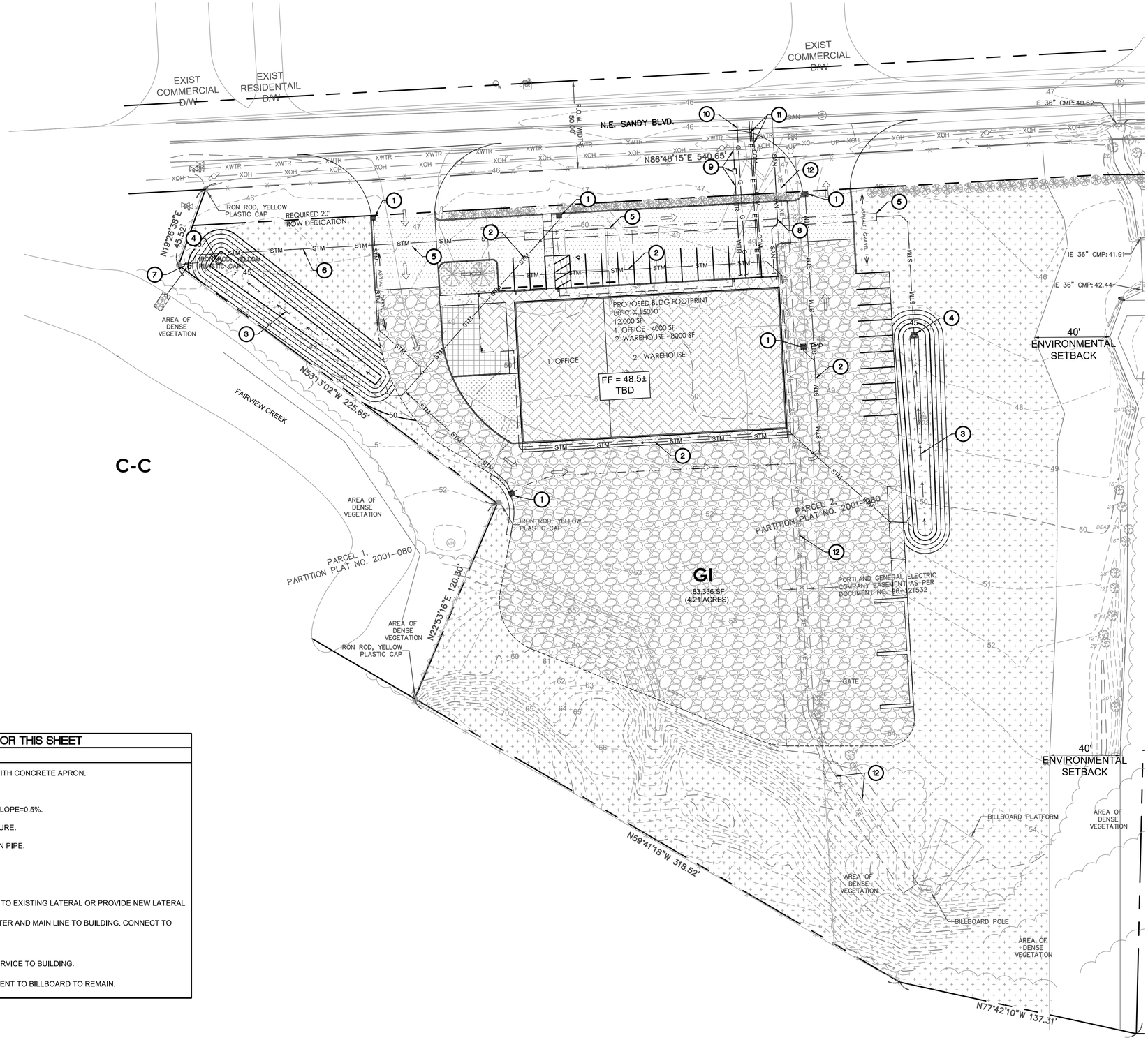
SITE PLAN AND SITE DETAILS

A101

PERMIT SET

© 2018

Exhibit B3



KEYNOTES FOR THIS SHEET	
MARK	DESCRIPTION
1	NEW C.I.P. CONCRETE CATCH BASIN WITH CONCRETE APRON.
2	NEW STM CONVEYANCE PIPE.
3	NEW 120 LF WATER QUALITY SWALE, SLOPE=0.5%.
4	NEW CONCRETE DITCH INLET STRUCTURE.
5	NEW 200 LF+/- 48" DIA HDPE DETENTION PIPE.
6	NEW 15" DIA STM CONVEYANCE.
7	NEW DETENTION CONTROL MANHOLE.
8	NEW 4" SANITARY TO BLDG. CONNECT TO EXISTING LATERAL OR PROVIDE NEW LATERAL IF 6" IS REQUIRED.
9	NEW 2" WATER SERVICE LATERAL, METER AND MAIN LINE TO BUILDING. CONNECT TO EXISTING LATERAL.
10	NEW GAS SERVICE TO BUILDING.
11	NEW ELECTRICAL AND DATA/COMM SERVICE TO BUILDING.
12	EXISTING POWER SUPPLY AND EASEMENT TO BILLBOARD TO REMAIN.

1 / C2.1 **PRELIMINARY UTILITY PLAN**

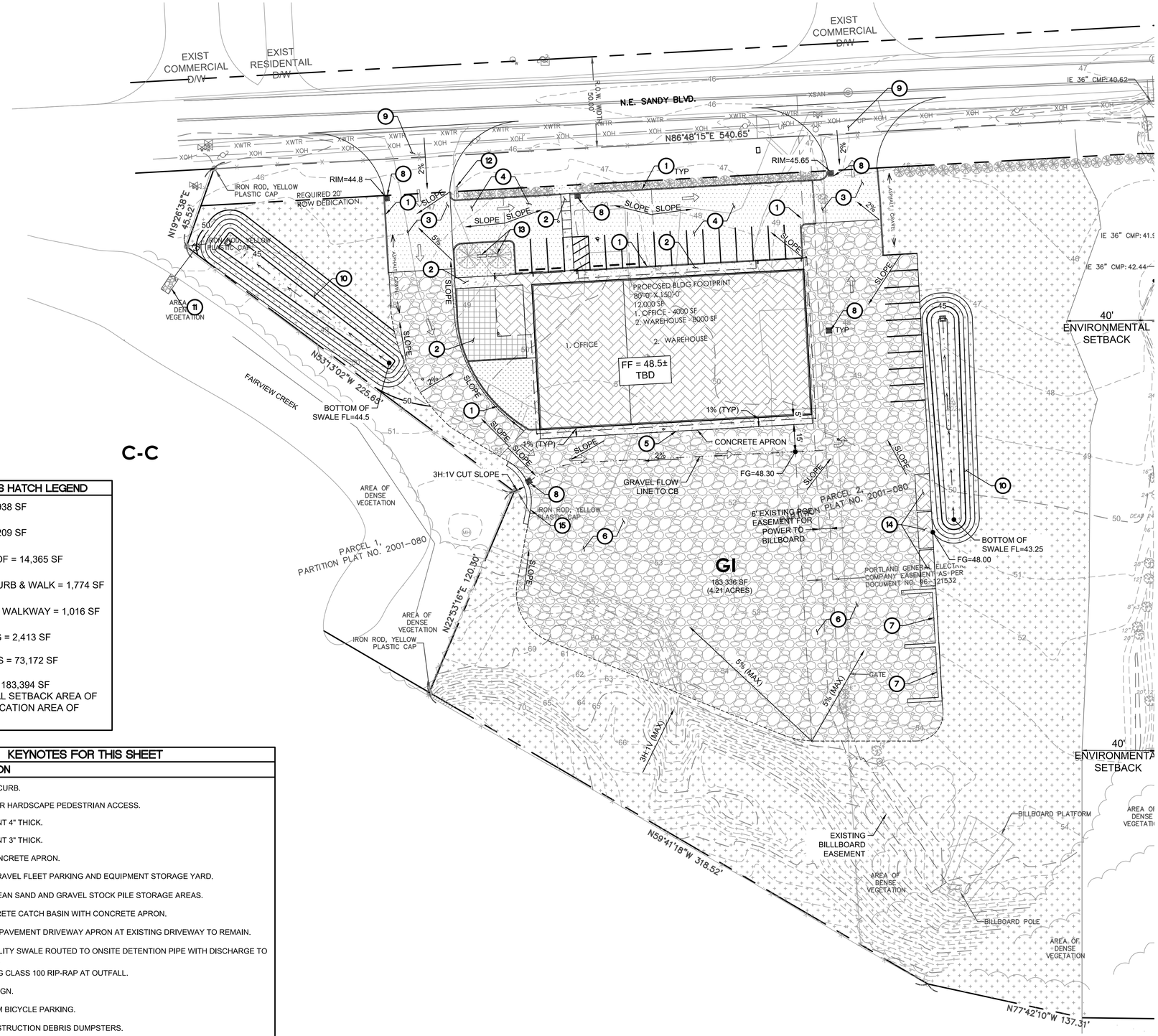
SCALE: 1" = 30'-0"

GRAPHIC SCALE

30 0 15 30 60

(IN FEET)
1 inch = 30 feet

Exhibit B4



NEW IMPROVEMENTS HATCH LEGEND
ASPHALT = 9,938 SF
GRAVEL = 44,209 SF
BUILDING ROOF = 14,365 SF
CONCRETE CURB & WALK = 1,774 SF
HARDSCAPED WALKWAY = 1,016 SF
LANDSCAPING = 2,413 SF
NATIVE GRASS = 73,172 SF

TOTAL SITE AREA = 183,394 SF
(W/ ENVIRONMENTAL SETBACK AREA OF 25,546 SF AND DEDICATION AREA OF 10,961 SF)

KEYNOTES FOR THIS SHEET

MARK	DESCRIPTION
1	NEW CONCRETE CURB.
2	NEW SIDEWALK OR HARDSCAPE PEDESTRIAN ACCESS.
3	NEW AC PAVEMENT 4" THICK.
4	NEW AC PAVEMENT 3" THICK.
5	NEW 8" THICK CONCRETE APRON.
6	NEW 20" THICK GRAVEL FLEET PARKING AND EQUIPMENT STORAGE YARD.
7	ULTRA BLOCK CLEAN SAND AND GRAVEL STOCK PILE STORAGE AREAS.
8	NEW C.I.P. CONCRETE CATCH BASIN WITH CONCRETE APRON.
9	NEW 4" THICK AC PAVEMENT DRIVEWAY APRON AT EXISTING DRIVEWAY TO REMAIN.
10	NEW WATER QUALITY SWALE ROUTED TO ONSITE DETENTION PIPE WITH DISCHARGE TO FAIRVIEW CREEK.
11	5' WIDE X 10' LONG CLASS 100 RIP-RAP AT OUTFALL.
12	NEW COMPANY SIGN.
13	NEW SHORT TERM BICYCLE PARKING.
14	(3) 20' LONG CONSTRUCTION DEBRIS DUMPSTERS.
15	NEW 40 LF OF (1) ROW OF ULTRA BLOCK WALL.

ESTIMATED EARTHWORK QUANTITIES	
CUT	= 5,800 C.Y.
GRAVEL FILL	= 4,800 C.Y.

1 / C2.0 **PRELIMINARY GRADING PLAN**

SCALE: 1" = 30'-0"

GRAPHIC SCAL

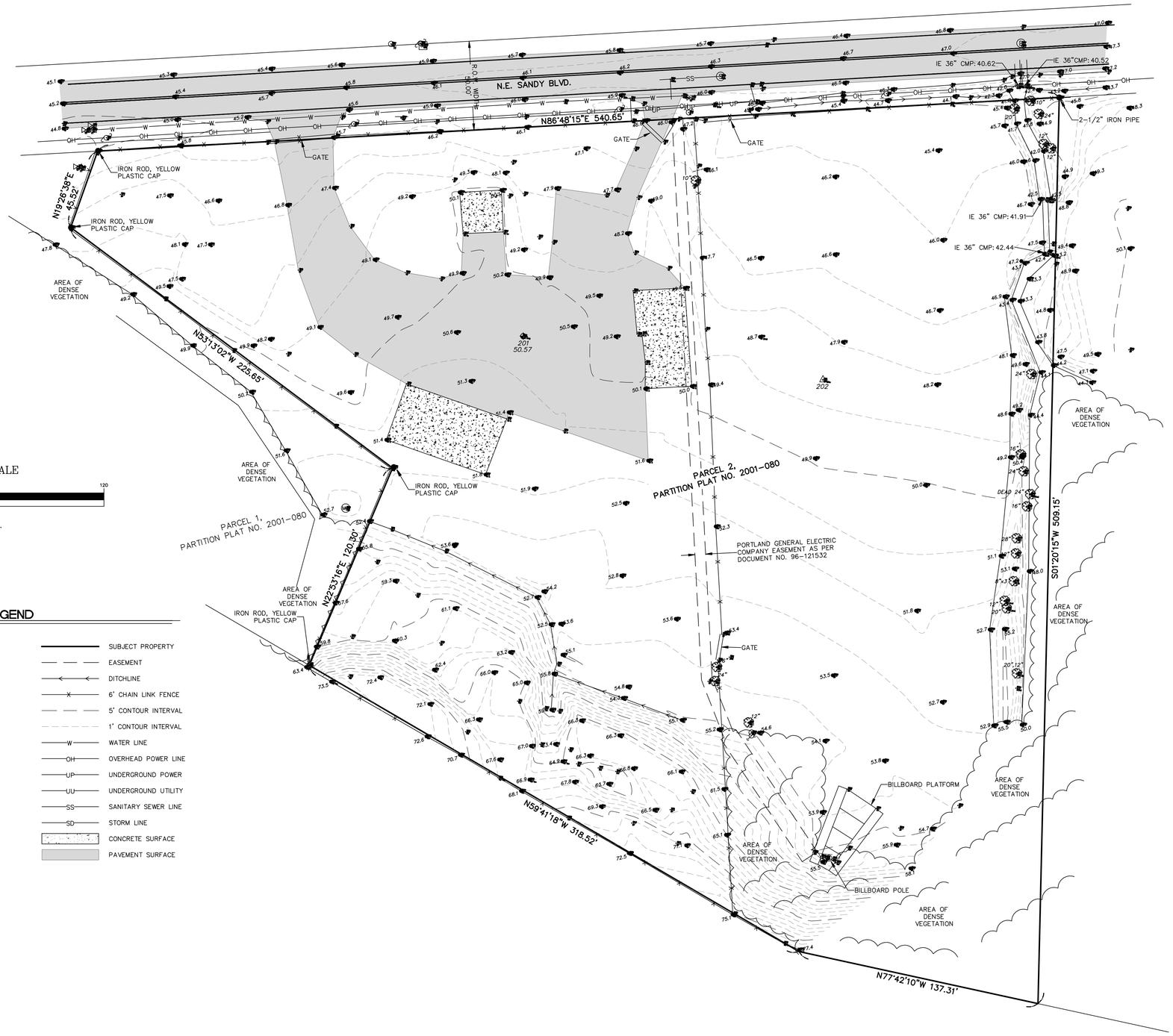
30 0 15 30 60

(IN FEET)
1 inch = 30 feet

Exhibit B5

EXISTING CONDITIONS

SITUATED IN THE N.W. 1/4 OF SECTION 27,
T.1N, R.3E, W.M. CITY OF FAIRVIEW,
MULTNOMAH COUNTY, OREGON



GRAPHIC SCALE

30 0 15 30 60 120

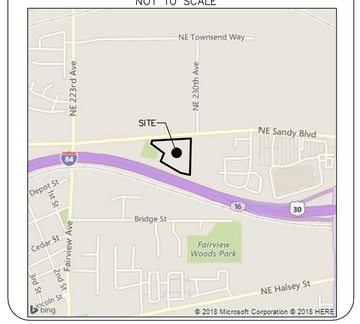
(IN FEET)
1 inch = 30 ft.

LEGEND

- FOUND MONUMENT
- CABLE TV RISER
- GUY WIRE
- POWER POLE
- POWER METER
- POWER RISER
- POWER JUNCTION BOX
- POWER VAULT
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- TELEPHONE RISER
- GAS METER
- GAS RISER
- GAS STRIKE
- GAS VALVE
- SANITARY SEWER MANHOLE
- SIGN POST
- STORMWATER MANHOLE
- UTILITY POLE
- UTILITY MANHOLE
- DECIDUOUS TREE WITH SIZE
- SPOTGRADE MARKER
- SITE BENCHMARK
- SURVEY CONTROL POINT
- SUBJECT PROPERTY
- EASEMENT
- DITCHLINE
- 6' CHAIN LINK FENCE
- 5' CONTOUR INTERVAL
- 1' CONTOUR INTERVAL
- WATER LINE
- OVERHEAD POWER LINE
- UNDERGROUND POWER
- UNDERGROUND UTILITY
- SANITARY SEWER LINE
- STORM LINE
- CONCRETE SURFACE
- PAVEMENT SURFACE

VICINITY MAP

NOT TO SCALE



GENERAL NOTES

1. THE BASIS OF BEARING FOR THIS SURVEY IS THE SOUTH LINE OF N.E. SANDY BLVD. AS SHOWN ON PARTITION PLAT NO. 2001-080, PLAT RECORDS OF MULTNOMAH COUNTY, OREGON. SAID SOUTH LINE OF N.E. SANDY BLVD. BEARS NORTH 86°48'15" EAST.
2. VERTICAL ELEVATIONS ARE BASED ON AN OPUS SOLUTION OF A GPS OBSERVATION CONDUCTED MARCH 16, 2018. AN ELEVATION OF 50.57' (NAVD 88) WAS ESTABLISHED ON CONTROL POINT 201 AS SHOWN HEREON PER THAT SOLUTION.
3. THE PROPERTY IS DESIGNATED BY MULTNOMAH COUNTY, OREGON AS TAX MAP NO. 1N3E27B-01004.
4. TOM NELSON & ASSOCIATES, L.L.C., RECOVERED A SUFFICIENT NUMBER OF POINTS SET OR FOUND BY PARTITION PLAT NO. 2001-080, MULTNOMAH COUNTY PLAT RECORDS, TO RECONSTRUCT THE LOCATION OF THE BOUNDARY AS SHOWN. THE BEARING, DISTANCE AND IMPROVEMENT LOCATIONS SHOWN ON THIS SURVEY ARE BASED ENTIRELY ON THE PROPERTY LINES AS DETERMINED BY THESE SURVEYS. EVEN THOUGH WE HAVE NO REASON TO QUESTION THESE SURVEYS, WE LIMIT OUR GUARANTEE TO THE EXTENT THAT OUR SURVEY IS CORRECT ONLY IF THE PROPERTY SURVEYED AND PLATTED IS, IN FACT, A TRUE AND ACCURATE SURVEY OF THE PROPERTY.
5. THE UTILITIES SHOWN ON THIS MAP ARE LOCATED FROM APPARENT SURFACE FEATURES AND PAINT MARKS ON THE GROUND AS LOCATED BY OTHERS. PIPE LOCATIONS ARE THE RESULT OF OUR DRAWING A STRAIGHT LINE BETWEEN SURFACE FEATURES OR SAID PAINT MARKS. SURFACE FEATURES MAY ALSO INCLUDE WATER VALVES, MANHOLES, ETS. THE PAINT MARKS ON THE GROUND ARE COLOR CODED AND TYPICALLY RESULT FROM A CALL TO THE "ONE CALL" UTILITY LOCATION CENTER.

   WE MAKE NO GUARANTEE TO THE ACCURACY OR COMPLETENESS OF ANY UTILITY INFORMATION SHOWN ON OUR MAP. WE HAVE NO INFORMATION TO GUARANTEE THAT THE PIPES ARE IN FACT A STRAIGHT LINE BETWEEN SURFACE FEATURES OR THAT THE PAINT MARKS ARE ACCURATELY LOCATED.
6. THIS MAP IS BASED ON A FIELD SURVEY CONDUCTED ON MARCH 16 AND 19, 2018, ANY CHANGES TO THE AREA AFTER THIS DATE IS NOT REFLECTED HEREON.

REGISTERED
PROFESSIONAL
LAND SURVEYOR
PRELIMINARY
OREGON
JULY 26, 1988
THOMAS G. NELSON
#2351

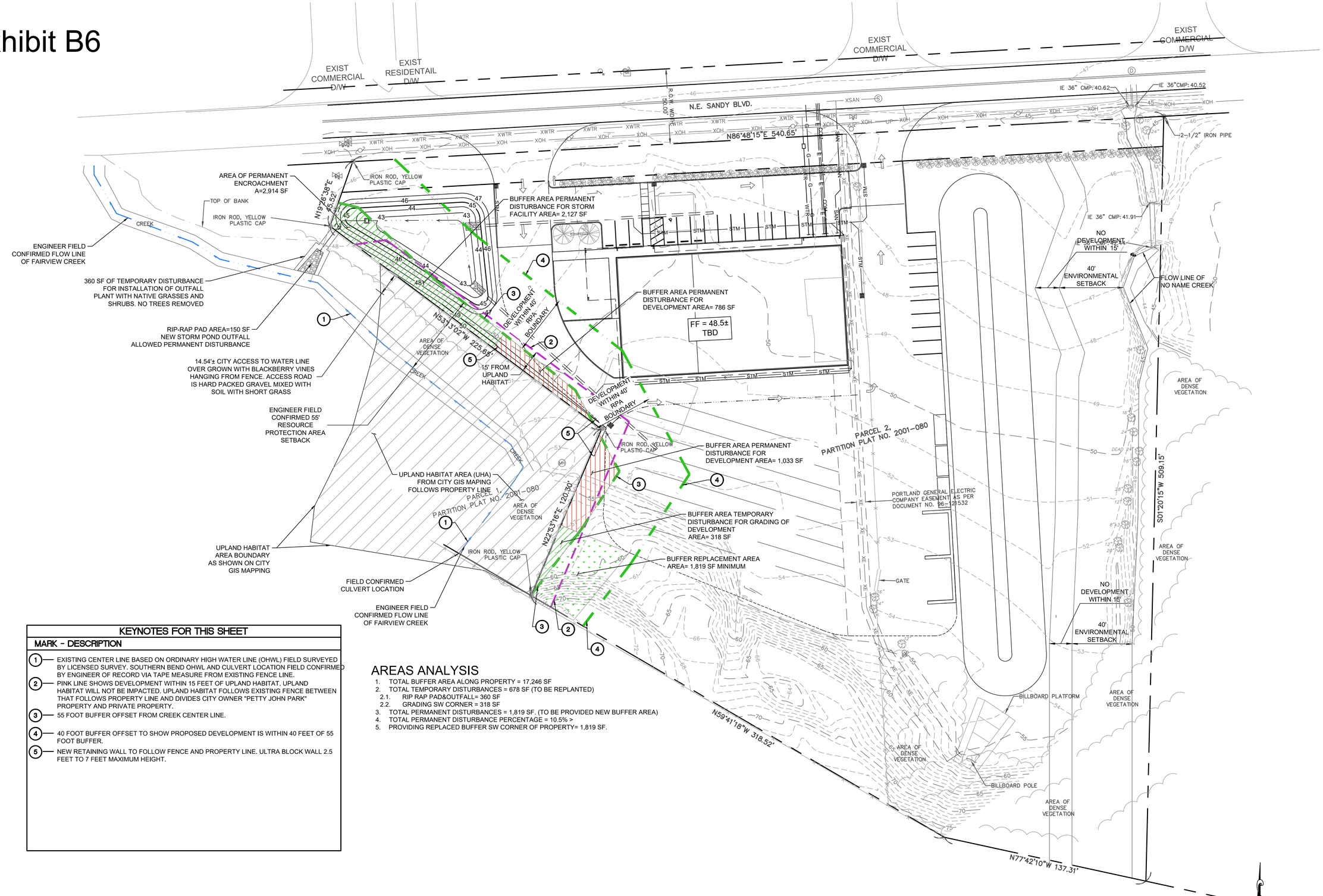
RENEWAL 12/31/18

REVISION DATES	
DRAWING DATA	
SCALE: 1"=30'	
CITY: FAIRVIEW	
COUNTY: MULTNOMAH	

Tom Nelson & Associates, L.L.C.
4838 NE SANDY BLVD, SUITE 200
PORTLAND, OREGON 97213
PHONE: (503) 230-1932
FAX: (503) 230-1962

FILE: 18004	DATE: MARCH 26, 2018
DRAWN BY: SRZ	SHEET: 1 OF 1

Exhibit B6



KEYNOTES FOR THIS SHEET

MARK	DESCRIPTION
1	EXISTING CENTER LINE BASED ON ORDINARY HIGH WATER LINE (OHWL) FIELD SURVEYED BY LICENSED SURVEY. SOUTHERN BEND OHWL AND CULVERT LOCATION FIELD CONFIRMED BY ENGINEER OF RECORD VIA TAPE MEASURE FROM EXISTING FENCE LINE.
2	PINK LINE SHOWS DEVELOPMENT WITHIN 15 FEET OF UPLAND HABITAT. UPLAND HABITAT WILL NOT BE IMPACTED. UPLAND HABITAT FOLLOWS EXISTING FENCE BETWEEN THAT FOLLOWS PROPERTY LINE AND DIVIDES CITY OWNER "PETTY JOHN PARK" PROPERTY AND PRIVATE PROPERTY.
3	55 FOOT BUFFER OFFSET FROM CREEK CENTER LINE.
4	40 FOOT BUFFER OFFSET TO SHOW PROPOSED DEVELOPMENT IS WITHIN 40 FEET OF 55 FOOT BUFFER.
5	NEW RETAINING WALL TO FOLLOW FENCE AND PROPERTY LINE. ULTRA BLOCK WALL 2.5 FEET TO 7 FEET MAXIMUM HEIGHT.

AREAS ANALYSIS

1. TOTAL BUFFER AREA ALONG PROPERTY = 17,246 SF
2. TOTAL TEMPORARY DISTURBANCES = 678 SF (TO BE REPLANTED)
   - 2.1. RIP RAP PAD&OUTFALL= 360 SF
   - 2.2. GRADING SW CORNER = 318 SF
3. TOTAL PERMANENT DISTURBANCES = 1,819 SF. (TO BE PROVIDED NEW BUFFER AREA)
4. TOTAL PERMANENT DISTURBANCE PERCENTAGE = 10.5% >
5. PROVIDING REPLACED BUFFER SW CORNER OF PROPERTY= 1,819 SF.

1 / C2.2 **PRELIMINARY RPA BUFFER MITIGATION PLAN**

SCALE: 1" = 30'-0"

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 feet

/kōblə/CREATIVE

Koble Creative Architecture LLC
Portland, Oregon / koblecreative.com

PRELIMINARY NOT FOR CONSTRUCTION
08/06/18

WDY
Structural • Civil Engineers
6443 SW Beaverton-Hillsdale Hwy, suite 210
Portland, Oregon 97225
ph:503.203.8111 fax:503.203.8122
www.wdyi.com

Environmental Works

22820 NE Sandy Blvd.
Fairview, OR 97024

DATE:
DRAWN BY: JAM
JOB NO: 18005
REV NO:

PRELIMINARY RPA BUFFER MITIGATION PLAN

C2.2

DESIGN REVIEW

©2018 WDY, INC.
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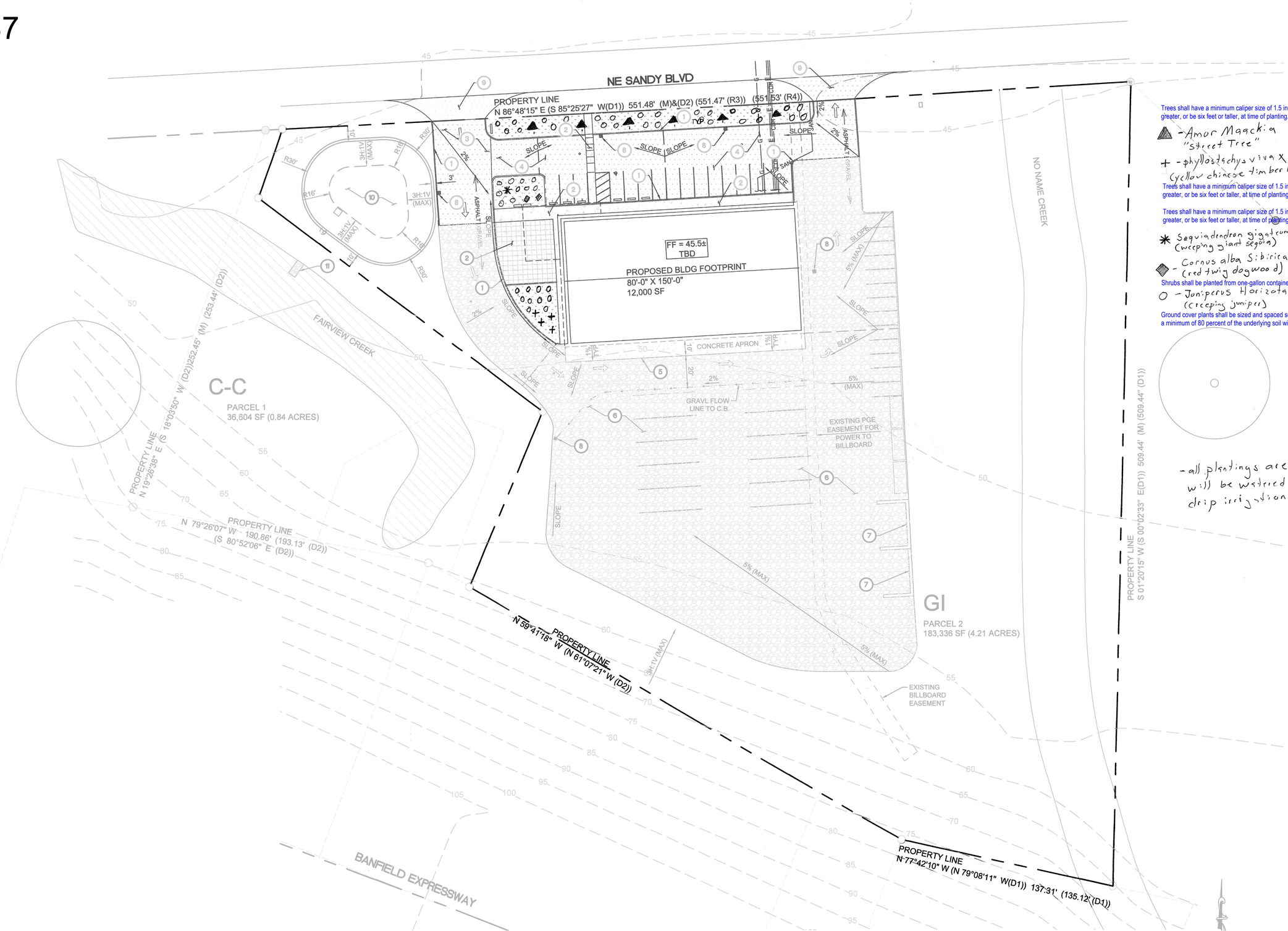
Exhibit B7



1 / L1.0 **LANDSCAPING PLAN**

SCALE: 1" = 30'-0"

GRAPHIC SCALE

(IN FEET)
1 inch = 30 feet

Trees shall have a minimum caliper size of 1.5 inches or greater, or be six feet or taller, at time of planting.

- Amor Maackia "Street Tree"

+ - phyllostachya viva x (yellow chinese timber bamboo)

Trees shall have a minimum caliper size of 1.5 inches or greater, or be six feet or taller, at time of planting.

Trees shall have a minimum caliper size of 1.5 inches or greater, or be six feet or taller, at time of planting.

✱ Sequiadendron gigatcum (weeping giant sequoia)

- Cornus alba Sibirica (red twig dogwood)

Shrubs shall be planted from one-gallon containers or larger

○ - Juniperus Horizatalis (creeping juniper)

Ground cover plants shall be sized and spaced so that they grow together to cover a minimum of 80 percent of the underlying soil within three years.

- all plantings are drought tolerant and will be watered by hand or with drip irrigation until established

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PRELIMINARY
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CONSTRUCTION

Environmental Works

22820 NE Sandy Blvd.
Fairview, OR 97024

DATE:
DRAWN BY:
JOB NO:
REV NO:

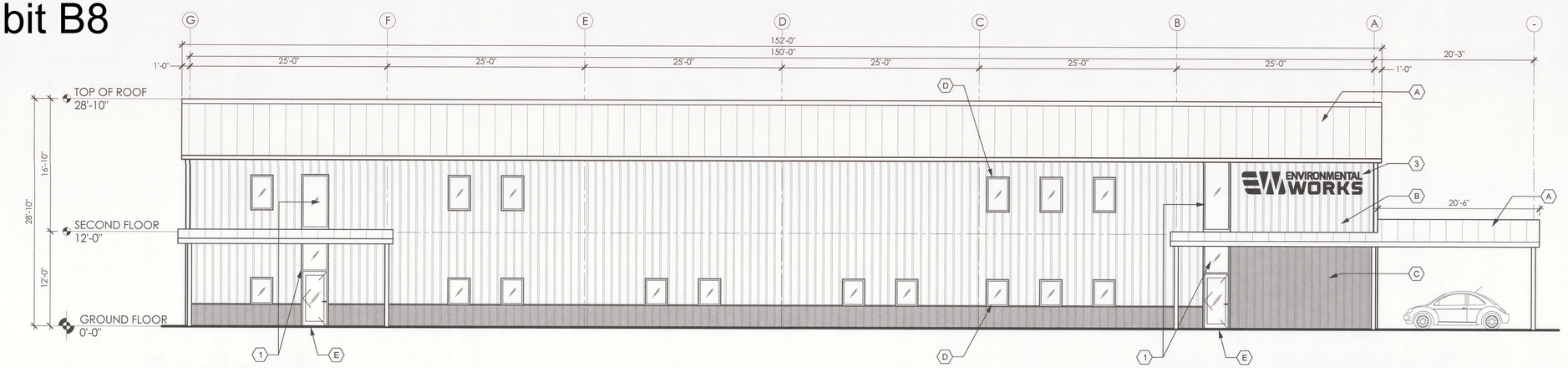
LANDSCAPING PLAN

L1.0

DESIGN REVIEW

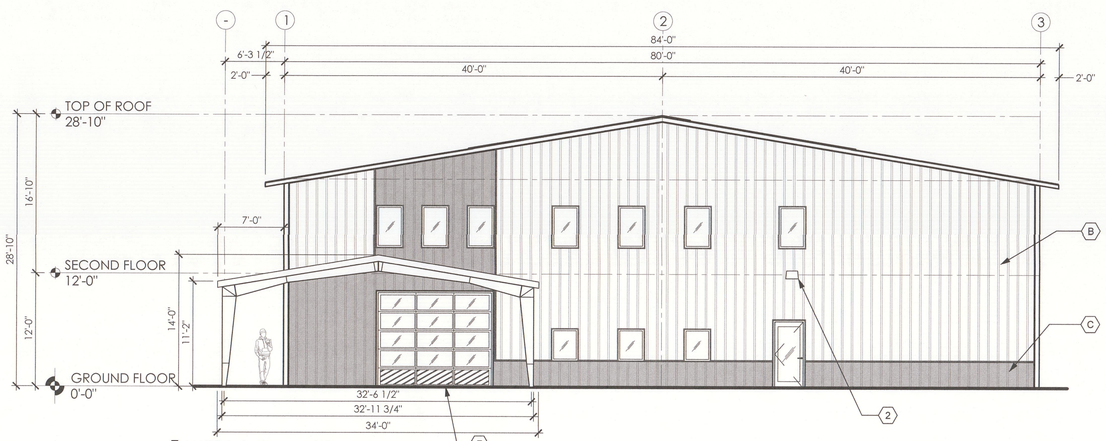
© 2018

Exhibit B8



1/ NORTH ELEVATION

Scale: 1/8 = 1'-0"



2/ WEST ELEVATION

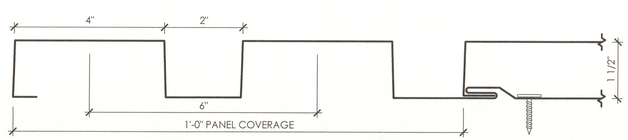
Scale: 1/8 = 1'-0"

ELEVATION KEYNOTES

1. STOREFRONT SYSTEM
2. EXTERIOR WALL PACK LIGHTING
3. SIGNAGE **A5.1/4**

MATERIAL KEYNOTES

- A METAL ROOFING
- B METAL SIDING - COLOR A **A5.1/3**
- C METAL SIDING - COLOR B **A5.1/3**
- D WINDOW - ALUMINUM FRAME TYP.
- E GLASS DOOR - ALUMINUM FRAME. TYP.
- F 12' x 10' OVERHEAD DOOR - ALUMINUM FRAME.



COLOR A

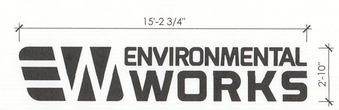
GLACIER WHITE
SR-85

COLOR B

HEMLOCK GREEN
SRI-36

3/ METAL SIDING DETAIL

Scale: HALF



4/ SIGNAGE DIMENSIONS

Scale: 1/4 = 1'-0"

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Koble Creative Architecture LLC Portland, Oregon
koblecreative.com

preliminary
not for
construction

ENVIRONMENTAL WORKS

22820 NE Sandy Blvd.
Fairview, OR 97024

DATE: 2/21/2018
DRAWN BY: JT
JOB NO:
REV NO:

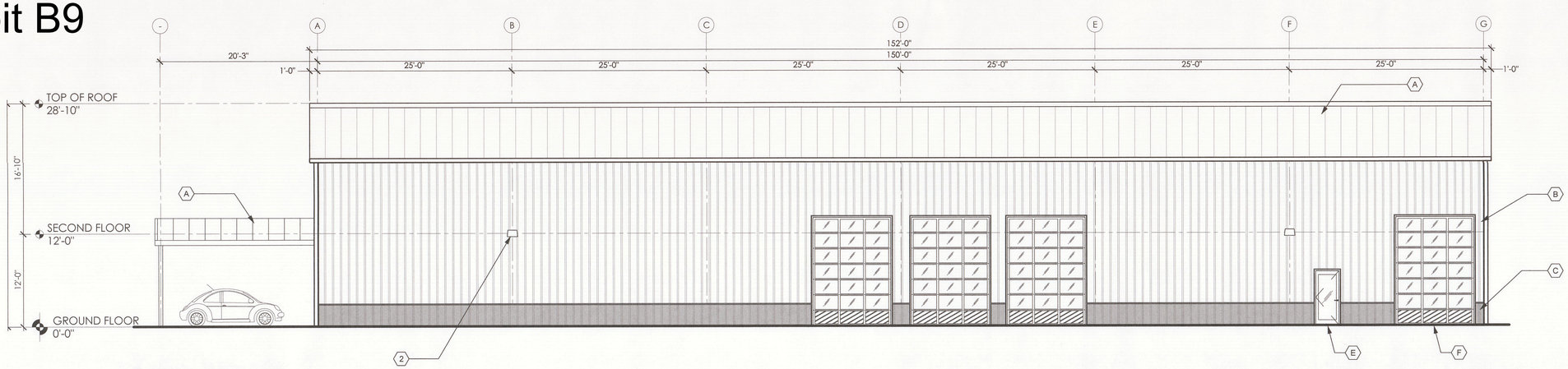
ELEVATIONS

A5.1

SITE DESIGN REVIEW

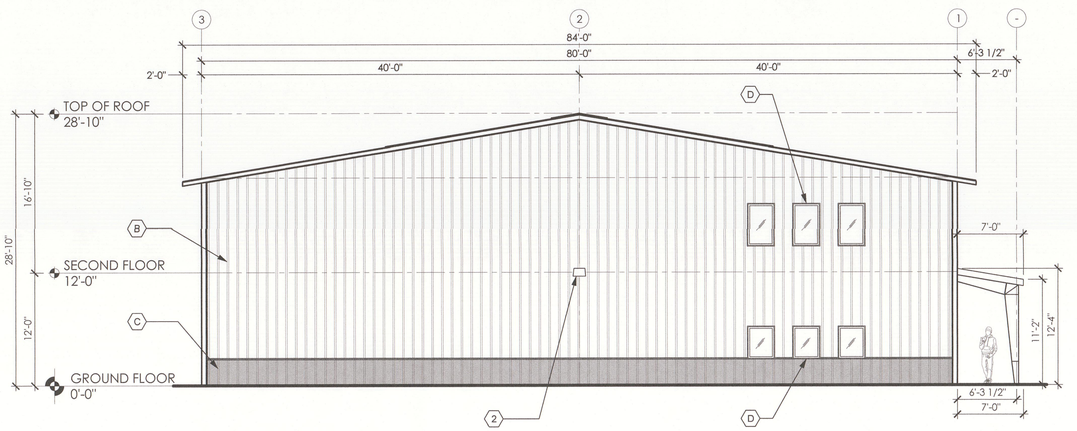
© 2018

Exhibit B9



1/ SOUTH ELEVATION

Scale: 1/8 = 1'-0"



2/ EAST ELEVATION

Scale: 1/8 = 1'-0"

ELEVATION KEYNOTES

1. STOREFRONT SYSTEM
2. EXTERIOR WALL PACK LIGHTING. TYP.

MATERIAL KEYNOTES

- A METAL ROOFING
- B METAL SIDING - COLOR A — A5.1/3
- C METAL SIDING - COLOR B — A5.1/3
- D WINDOW - ALUMINUM FRAME TYP.
- E GLASS DOOR - ALUMINUM FRAME. TYP.
- F 10' x 14' OVERHEAD DOOR - ALUMINUM FRAME. TYP.

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koblecreative.com

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construction

ENVIRONMENTAL WORKS

22820 NE Sandy Blvd.
Fairview, OR 97024

DATE: 2/21/2018
DRAWN BY: JT
JOB NO:
REV NO:

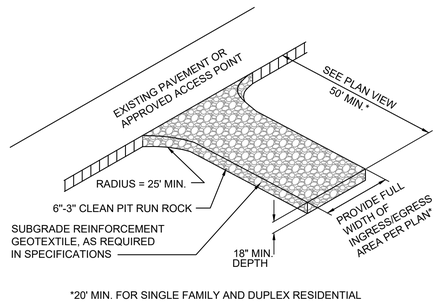
ELEVATIONS

A5.2

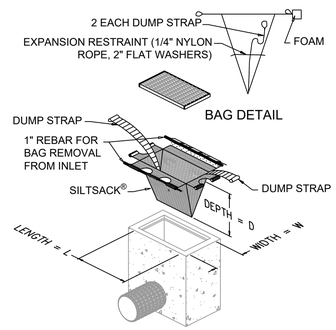
SITE DESIGN REVIEW

© 2018

Exhibit B10

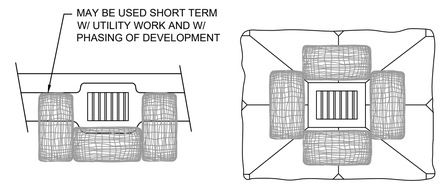


1 C3.0 GRAVEL CONSTRUCTION ENTRANCE (SEE EROSION CONTROL NOTES)
N.T.S.

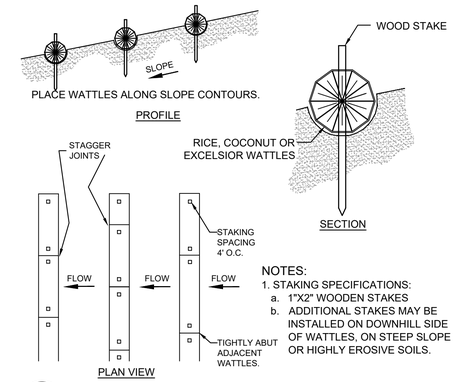


Regular Flow Only
Do not use High Flow Insert Bags.

2 C3.0 FILTER BAG INLET
N.T.S.

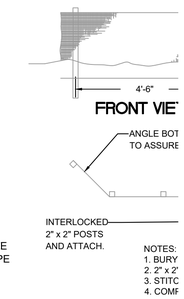


3 C3.0 BIOFILTER BAGS - TEMPORARY
N.T.S.

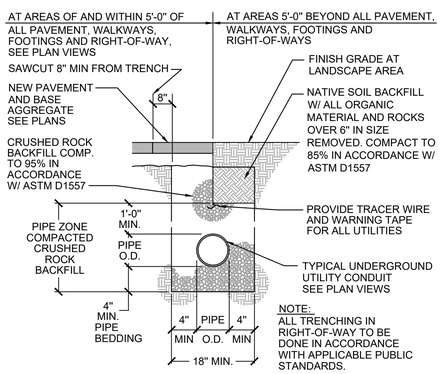


NOTES:
1. STAKING SPECIFICATIONS:
a. 1"X2" WOODEN STAKES
b. ADDITIONAL STAKES MAY BE INSTALLED ON DOWNHILL SIDE OF WATTLES, ON STEEP SLOPE OR HIGHLY EROSIVE SOILS.

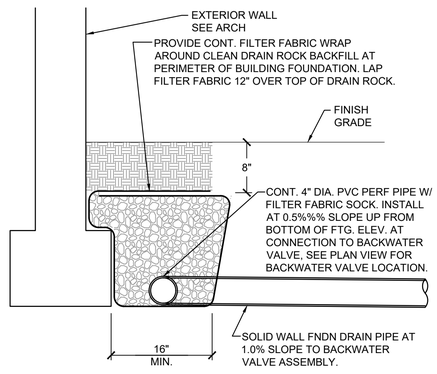
4 C3.0 SEDIMENT CONTROL WATTLES
N.T.S.



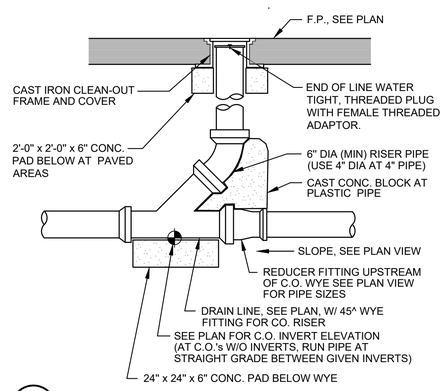
5 C3.0 SEDIMENT FE
N.T.S.



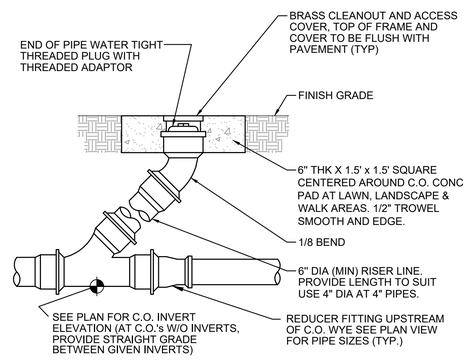
6 C3.0 TYPICAL UTILITY TRENCH SECTION
1" = 1'-0"



7 C3.0 TYPICAL EXTERIOR FOUNDATION DRAIN
1" = 1'-0"



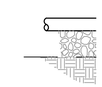
8 C3.0 TYP. CLEAN OUT AT VEHICLE PAVEMENT AREAS
N.T.S.



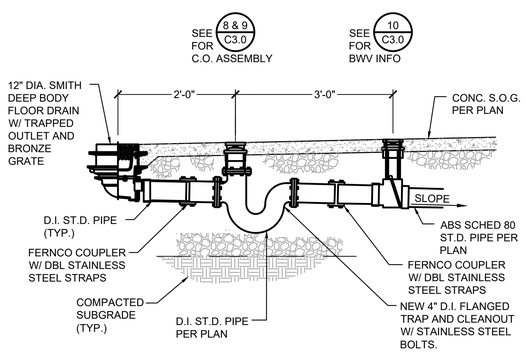
9 C3.0 CLEANOUT AT WALKS, SLABS AND PLANTERS
1" = 1'-0"

PROVIDE SUBMITTAL.
INSTALL VALVE ASSEMBLY
PER MANUFACTURER'S
WRITTEN RECOMMENDATI

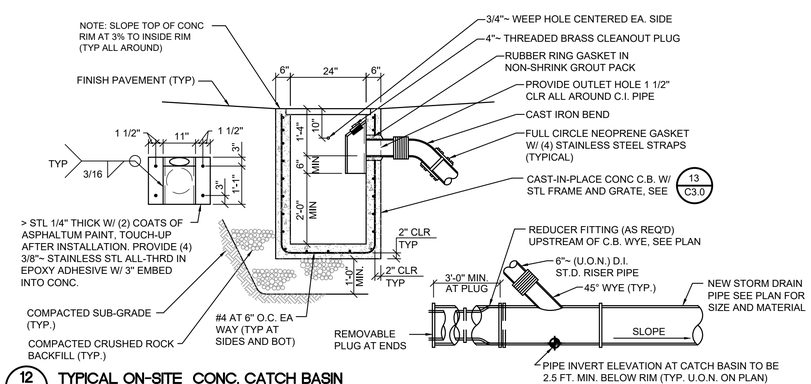
SEE (8 & 9 / C3.0) FOR C.O. ASSEMBLY



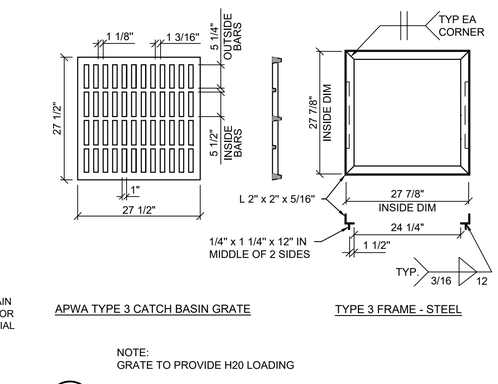
10 C3.0 RECTORSEAL
ASSEMBLY F-
1/2" = 1'-0"



11 C3.0 BACKWATER VALVE AND S.S. TRAP ASSEMBLY
1/2" = 1'-0"

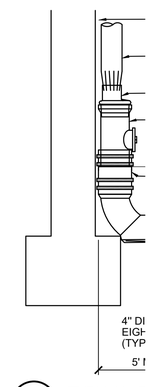


12 C3.0 TYPICAL ON-SITE CONC. CATCH BASIN
N.T.S.



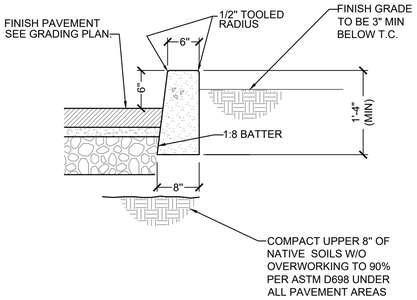
NOTE:
GRATE TO PROVIDE H20 LOADING

13 C3.0 CAST IRON GRATE-CAST CONCRETE CATCH BASIN
REF: AWPA STD DETAIL #305B

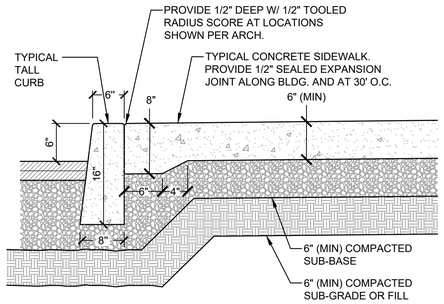


14 C3.0 TYPICAL E
N.T.S.

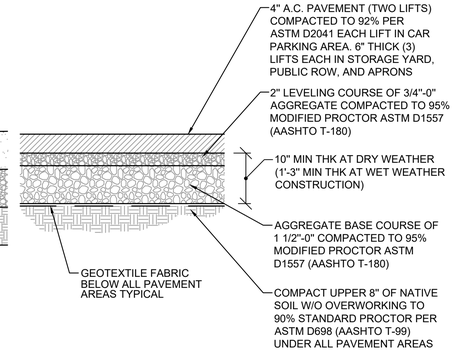
Exhibit B11



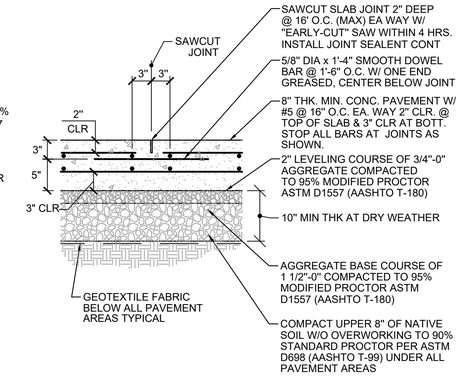
1 C3.1 TYPICAL FULL DEPTH CONCRETE CURB
N.T.S.



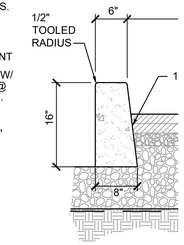
2 C3.1 TYPICAL CONCRETE WALK
N.T.S.



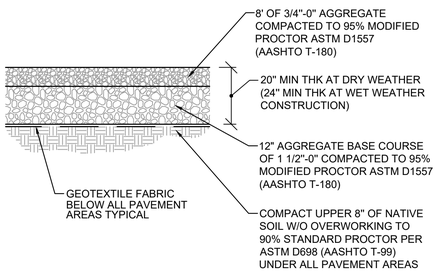
3 C3.1 TYPICAL ASPHALTIC PAVEMENT SECTION
1" = 1'-0"



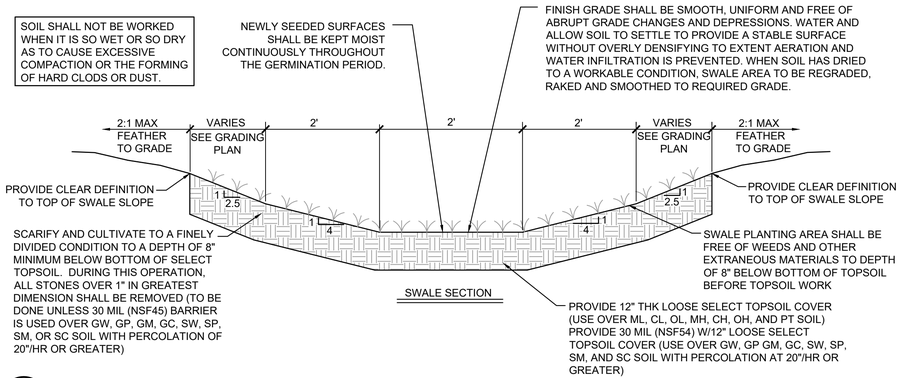
4 C3.1 TYP CONCRETE APRON PAVEMENT SECTION
1" = 1'-0"



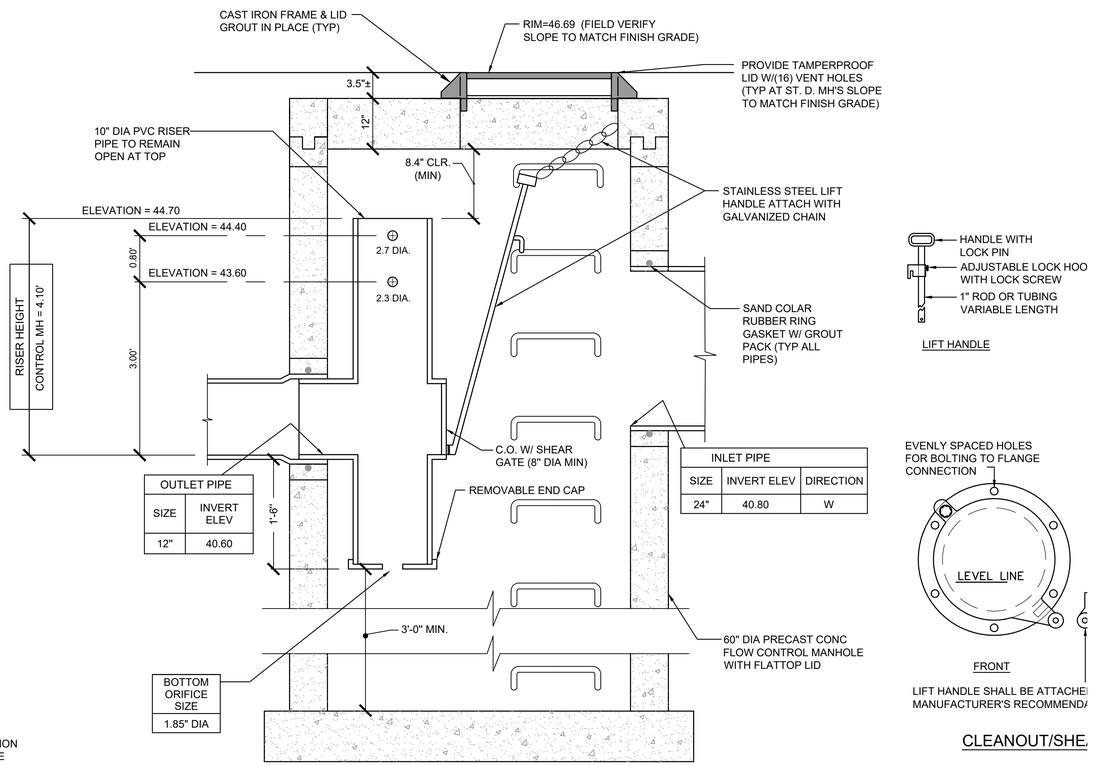
5 C3.1 CONCRETE
1" = 1'-0"



6 C3.1 TYPICAL GRAVEL VEHICLE SECTION
NTS

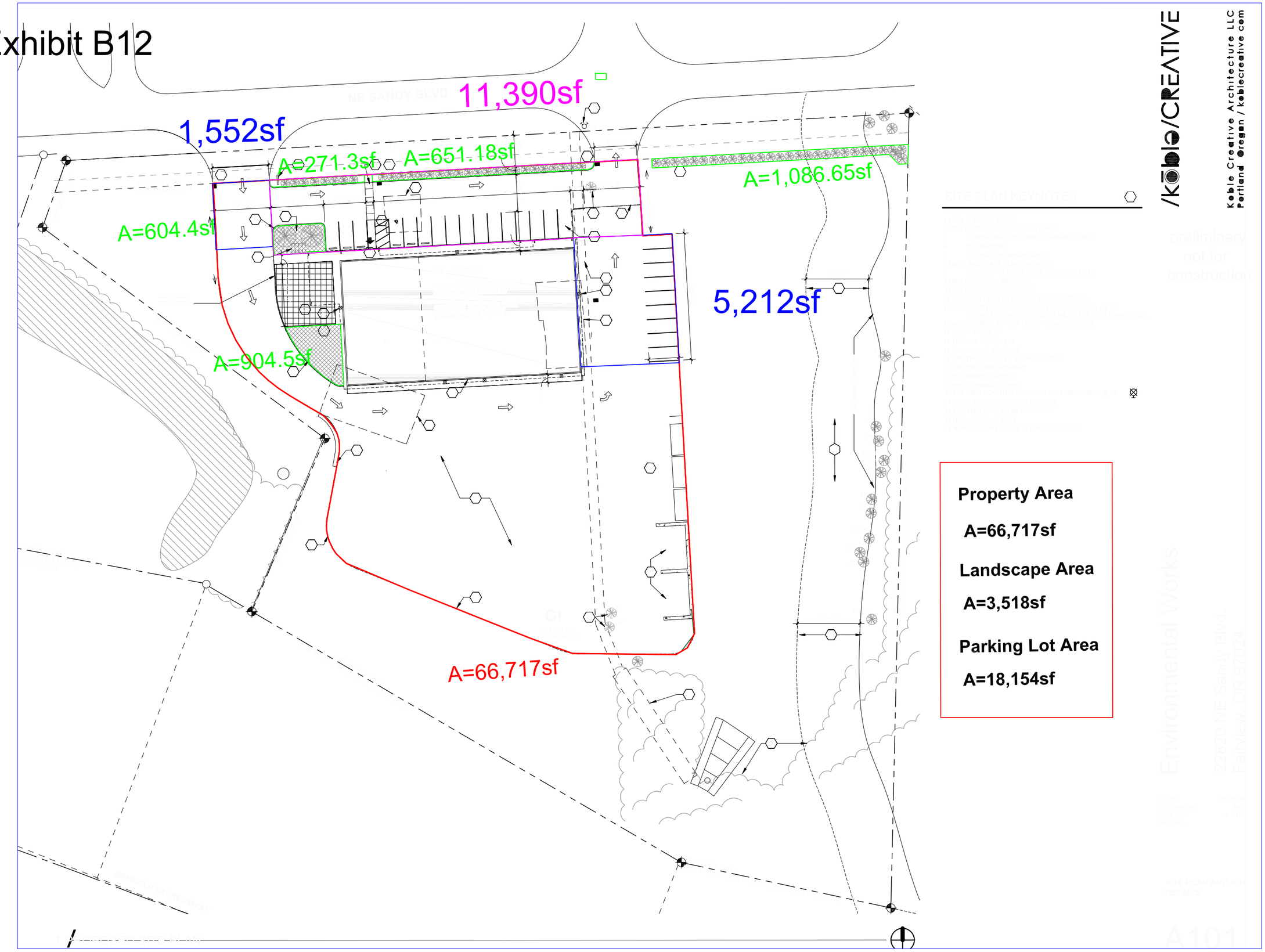


7 C3.1 WATER QUALITY SWALE CROSS SECTION
N.T.S.



8 C3.1 60'' DIA. PRIVATE STORM DRAIN DETENTION OUTLET CONTROL MANHOLE
N.T.S.

Exhibit B12


NE SANDY BLVD
11,390sf
1,552sf
A=271.3sf
A=651.18sf
A=1,086.65sf
A=604.4sf
5,212sf
A=904.5sf
A=66,717sf
BANFIELD EXPRESSWAY
Property Area
A=66,717sf
Landscape Area
A=3,518sf
Parking Lot Area
A=18,154sf
/kōble/CREATIVE
Koble Creative Architecture LLC
Portland Oregon / kobleclcreative.com

BEFORE THE PLANNING COMMISSION OF THE CITY OF FAIRVIEW
TYPE IV PLANNING COMMISSION ORDER

A REQUEST FOR AMENDMENTS TO CHAPTER 19 OF THE FAIRVIEW MUNICIPAL CODE TO COMPLY WITH OREGON SB 1051 AND TO MAKE ADDITIONAL AMENDMENTS RELATED TO ACCESSORY DWELLING UNITS	)	2018-45-ZC CITY OF FAIRVIEW FINDINGS, CONCLUSIONS & ORDER

A public hearing was opened on July 24, 2018, upon a Type IV application from the City of Fairview for legislative text amendments to Fairview Municipal Code Chapter 19, Development Code. The Planning Commission closed the public hearing at the July 24, 2018 meeting.

Russell Williams, Vice Chairperson, presided at the hearing.

A permanent record of this proceeding is to be kept on file in the Fairview City Hall, along with the original of this Type IV Planning Commission Order.

The Planning Commission orders that proposed Ordinance 07-2018 with code amendments in Attachment A is **recommended by the Planning Commission to be approved by the City Council**.

The Planning Commission adopts the findings and exhibits, contained in the staff report and findings of fact dated July 17, 2018, along with revised Attachment A to Ordinance 07-2018, dated August 6, 2018, as support for its decision.

_____ _____

Russell Williams, Planning Commission Vice Chair — Date
Signed Original in File

ATTACHMENT A
TO ORDINANCE 07-2018

NOTE:

<u>Added text is underlined</u> and bolded. ~~Deleted text is stricken~~. *** marks intervening text that is not being amended.

Additional discussion of each code amendment is provided in the staff commentary boxes following each amendment; this is for information only, to be removed with adoption of the final ordinance.

FMC 19.13 DEFINITIONS

19.13.010 "A" definitions.

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Accessory Dwelling. ~~An "accessory dwelling" is a small, secondary housing unit on a single-family lot, usually the size of a studio apartment.~~ **<u>An interior, attached, or detached dwelling unit that is used in connection with, or that is accessory to, a single-family dwelling.</u>**

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Discussion: The new definition implements the recommended state definition and clarifies that an ADU is associated with a single-family *dwelling* rather than a single-family *lot*. In the Planning Commission's work sessions, the draft language considered was "An interior, attached, or detached residential structure…" This has been modified to replace "residential structure" with "dwelling unit." This change was recommended by the Metro ADU project consultant for clarification.

This change also provides better consistency with the option for ADUs to be internal to the primary structure, and provides reference to the Development Code definition of "dwelling unit", which outlines the interior living components needed to qualify as an independent dwelling

> *"Dwelling Unit. A "dwelling unit" is a living facility that includes provisions for sleeping, eating, cooking and sanitation, as required by the Uniform Building Code, for not more than one family, or a congregate residence for 10 or less persons."*

FMC 19.30 RESIDENTIAL (R) DISTRICT

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19.30.110 Special standards for certain uses.

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B. Accessory Dwelling ~~(Attached, Separate Cottage, or Above Detached Garage)~~. ~~An accessory dwelling is a small, secondary housing unit on a single-family lot, usually the size of a studio~~

~~apartment~~. ~~The additional unit can be a detached cottage, a unit attached to a garage, or in a portion of an existing house~~. **An accessory dwelling is an interior, attached, or detached dwelling unit that is used in connection with, or that is accessory to, a single-family dwelling.** The housing density standard of the residential district does not apply to accessory dwellings, due to the small size and low occupancy level of the use. The following standards are intended to control the size and number of accessory dwellings on individual lots, to promote compatibility with adjacent land uses. Accessory dwellings shall comply with all of the following standards:

Discussion: The text is updated to match the amended definition proposed for FMC 19.13.010.

1. Oregon Structural Specialty Code. The structure complies with the Oregon Structural Specialty Code;

2. Owner-Occupied. The primary residence or accessory dwelling shall be owner-occupied. Alternatively, the owner may appoint a family member as a resident caretaker of the principal house or of the accessory dwelling;

Discussion: No proposed change. The commission discussed the owner occupancy requirement at its two work sessions, and did not request that staff prepare any amendments to the standard.

The DLCD guidance document on ADUs recommends removing the owner occupancy standard in order to remove barriers to ADU construction. This comment was reiterated in the DLCD comments submitted for these code amendments. They note that this requirement can create issues for owners looking to sell their property (owner may reside in either the ADU or primary house) or when children inherit a home, and that the requirement may pose compliance challenges.

Under the current code, property owners who rent their home could not build an ADU on the property without moving into the primary residence or accessory dwelling. By removing the owner occupancy standard, property owners who do not currently live on-site may be encouraged to build an ADU for additional investment income. There are no owner occupancy requirements for any other residential uses in the Fairview code. Currently, about half of the cities and counties in the region have owner-occupancy requirements.

3. ~~One Unit~~ **Two Units**. A maximum of ~~one~~ **two** accessory dwelling units is allowed per ~~lot~~ **single-family detached dwelling. To maintain the single-family residential character, where two ADUs accompany a primary residence, only one may be detached.**

Discussion: The DLCD guidance document on ADUs encourages cities to go beyond the minimum requirement and allow more than one ADU on a property. The Commission considered this concept at their May 22 work session, and refined the policy direction at the June 12 work session to suggest that two should be allowed but only one could be detached.

Allowing two ADUs could provide flexibility, for example, for an aging parent to live in one ADU and a caretaker in another. Limiting the ADUs to only one detached structure is intended to limit the visual impact and physical presence on the property. The second internal or attached ADU could be conversion of an attached garage, lower level/basement conversion, or other portion of the existing building. The detached ADU could be a new backyard cottage, detached garage conversion, or unit built above a garage.

Draft code language considered by the Commission at the June 12 work session stated that "…one ADU must be attached to the primary residence and one must be detached." Metro consultant feedback supported the allowance for two ADUs. They also suggested that instead of *requiring* one of the two to be detached, that the code *limit* ADUs to one detached, but allow both to be attached or interior. Staff agrees with this recommendation, and has reflected it in the proposed amendment above.

4. Floor Area. The total square footage of ~~the~~ **an** accessory dwelling shall not exceed 800 square feet, **except where the entire floor of a dwelling existing as of [effective date of Ord. 07-2018] is converted to an accessory dwelling there is no maximum square footage for the converted floor.** ~~On a lot less than one acre, an accessory dwelling unit may be constructed above a detached garage. However, the floor area of the accessory dwelling unit cannot exceed 800 square feet and the floor area of the detached garage, excluding the accessory dwelling unit, cannot exceed 1,000 square feet;~~

Discussion: DLCD guidance recommends creating flexibility in size requirements to remove barriers to ADU production. In particular, homeowners wishing to convert an existing portion of their home to an ADU may be prohibited due to size limits. For example, a homeowner may wish to convert an entire upper floor or basement that is over 800 square feet. The creation of this ADU would not result in an increase in building height, lot coverage, etc. Based on feedback from the commission at the work sessions, allowing flexibility for existing structures while maintaining the 800 SF limit for detached ADUs and additions is desirable.

Metro's consultant provided two suggestions on this code provision. First, it was suggested that the exemption also apply to existing detached accessory structures, such as garage conversions, in addition to existing space within the primary dwelling. Other detached accessory structures are limited to 1,000 square feet, which would be the maximum size of an accessory structure converted to an ADU, should that exception be added. Staff has not added this change to the proposed amendments, and the Commission may wish to consider it at the public hearing. Second, it was suggested that a provision be added that limits the exception to already constructed homes, to avoid people "flipping" large areas of new homes. Staff concurred with his recommendation and integrated new language into the proposed amendment.

5. Building Height. The building height of detached accessory dwellings (i.e., separate cottages) shall not exceed 20 feet, as measured in accordance with FMC 19.30.080, **<u>except ADUs located above a detached garage shall comply with the building height standards for Accessory Uses and Structures in FMC 19.30.110.G.6.d.ii-iii.</u>**

Discussion: In the Residential zones, *primary* building height is limited to 35 feet or two and one-half stories in height, whichever is less, and height is measured to the mid-point of a pitched roof.

Both DLCD and the Metro consultant recommended modifying the height limit. DLCD recommended allowing up to 25 ft. in height to accommodate an ADU above a garage, and Metro's consultant recommended that the standard match the height requirements for other accessory structures (allowing the ADU's setback more than the minimum requirement to be as tall as the principal structure or 25 ft., whichever is less).

Under the proposed amendments, ADUs above a detached garage would be subject to the following standards in FMC 19.30.110.G.6.d.ii-iii, which apply to other types of accessory structures (such as detached garages) and could provide up to 5 additional feet in height if the building setbacks exceeded those required for the primary dwelling:

d. Accessory structures larger than 200 square feet must meet the following standards:

ii. If located at five feet or more, but less than the setback required for the principal structure, the building may be as tall as the main building or 20 feet in height, whichever is less.

iii. If located at a greater distance from the property line than the setback required for the principal building, the accessory structure may be as tall as the principal structure or 25 feet, whichever is less.

~~6. Buffering. A minimum four-foot hedge or sight-obscuring fence may be required to buffer a detached accessory dwelling from dwellings on adjacent lots, when buffering is necessary for the privacy and enjoyment of yard areas by either the occupants or adjacent residents;~~

Discussion: This standard is removed because it not clear and objective. Buffering or screening requirements for ADU's are also very uncommon in the development code of local jurisdictions. The City of Milwaukie is the only city in the region with a buffering standard, which requires ADUs with a wall within 20' and at 45 degree angle or less to the property line to provide a vegetation or wall screen. The Fairview Development code does not require buffering for single-family detached homes. The need for a fence, wall, or hedge is determined by the property owner.

~~7. Units per Block. The number of accessory dwelling units is not to exceed 50 percent of the lots within any block;~~

Discussion: SB 1051 requires local jurisdictions to allow one ADU per single-family dwelling. The "units per block" standard does not comply with SB 1051 and must be removed.

8. Parking. **One additional parking space shall be provided for each ADU** ~~The development of the accessory dwelling shall provide an additional on-site parking space if the primary dwelling has less than four on-site spaces available before construction of the accessory unit~~; and

Discussion: Single-family detached housing requires one off-street parking space per dwelling. The code states that *"Off-street parking spaces may include spaces in garages, carports, parking lots, and/or driveways so long as vehicles are not parked in a vehicle travel lane (including emergency or fire access lanes), public right-of-way, pathway or landscape area. Credit shall be allowed for "on-street parking," as provided in FMC 19.164.030(B)."* And *"The credit for on-street parking allows a reduction of one off-street parking space for every one on-street parking space adjacent to the development if deemed appropriate by the city."*

Fairview's existing requirement of at least 4 on-site spaces is very high compared to other local jurisdictions. About half of the local jurisdictions in the region require one parking space for the primary dwelling and one space for the ADU. Other jurisdictions base parking requirements on considerations such as the presence of on-street spaces, street width, proximity to transit, and ADU size.

DLCD guidance recommends removing parking requirements altogether to maximize ADU development, and both DLCD and Metro's consultant raised concerns about the parking requirement. Metro's consultant questioned whether requiring at least 4 spaces for a lot with an ADU met the "reasonable" regulations criterion of SB 1051, given that detached single-family homes only require one space; they recommended a maximum of one additional parking space required for the ADU. DLCD also noted the four space requirement was difficult to justify in comparison to the one space required for detached single-family homes. They also recommended a maximum of one additional space per ADU, and applying the same parking location standards that apply citywide.

Staff concurs with these recommendations that parking standards for ADUs should not be more restrictive than for single family homes. Unintended consequences from such a requirement include not being able to provide parking while meeting the 65% maximum impervious area.

9. Lot Coverage. The accessory dwelling and all other buildings and impermeable surfaces shall not exceed the ~~70 percent~~ lot coverage requirement**s** in FMC **19.30.070**.

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Discussion: No substantial changes are proposed to the lot coverage standard. The reference to the 70% lot coverage requirement is removed because single-family developments only allow up to 65% lot coverage. The new language eliminates any specific percentage references and ties the lot coverage allowance to the underlying zone. If lot coverage standards are changed in the future, this section will not need to be updated.

FMC 19.115 VILLAGE SINGLE-FAMILY (VSF)

FMC 19.115.020 Permitted uses

The following uses and their accessory uses are permitted in the VSF zone:

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H. A maximum of one accessory dwelling unit is allowed per ~~lot~~ **single-family residence**. Accessory dwelling units shall be constructed only over the garage **or internal to the primary dwelling.** ~~– see FMC 19.30.110(B).~~ **Accessory dwellings are subject to the special standards for certain uses in FMC 19.30.110.B unless where otherwise regulated by the Village Single-Family standards in FMC 19.110.**

Discussion: The existing village single-family code restricts ADUs to one per lot and to properties with garages. To reach compliance with SB 1051, this language must be removed to allow one ADU per single-family dwelling. Additional proposed amendments include allowing an ADU to be located as a conversion of existing space within the primary dwelling, instead of over a garage, and clarifying how the special standards for ADUs apply in the Village Single Family zone.

The standards in FMC 19.30.110.B, cited above to apply to the VSF zone, are the Accessory Dwelling standards that apply to all other residential zones in the city.

FMC 19.422 APPLICABILITY

19.422.001 Applicability.
Development review or site design review shall be required for all new developments and modifications of existing developments, except that regular maintenance, repair and replacement of materials (e.g., roof, siding, awnings, etc.), parking resurfacing, and similar maintenance and repair shall be exempt. The criteria for each type of review are as follows in this chapter.

19.422.010 Site design review.
Site design review is a discretionary review conducted by the planning commission with a public hearing. It applies to all developments in the city, except those specifically listed under FMC 19.422.020, Development review. Site design review ensures compliance with the basic development standards of the land use district (e.g., building setbacks, lot coverage, maximum building height), as well as other more detailed design standards and public improvement requirements in Articles II and III of this title.

19.422.020 Development review.
Development review is a nondiscretionary or "ministerial" review conducted by the city administrator's designee without a public hearing. It is for less complex developments and land uses that do not require site design review approval. Development review is based on clear and objective standards and ensures compliance with the basic development standards of the land use district, such as building setbacks, lot coverage, maximum building height, and similar provisions. Development review is required for all of the types of development listed below, except that all developments in sensitive land areas and historic districts shall also use the development review procedures for those districts:

A. Single-family detached dwelling (including manufactured homes), when required by a condition of land division approval;

B. A single duplex, up to two single-family attached (townhome) units, or a single triplex which is not being reviewed as part of any other development, and accessory parking on the same lot;

C. Building additions of not more than 500 square feet, and minor modifications to development approvals;

D. Any proposed development which has a valid conditional use permit. Major modifications to a development with a conditional use permit shall require review and approval in accordance with Chapter 19.440 FMC, Conditional Use Permits;

E. Home occupation, subject to review under Chapter 19.490 FMC;

F. Temporary use, except that temporary uses shall comply with the procedures and standards for temporary uses as contained in Chapter 19.490 FMC;

G. Accessory structures with less than 600 square feet of floor area~~, including accessory dwellings~~;

H. Other developments, when required by a condition of approval.

Discussion: This section requires ADUs over 600 square feet to go through a Type II Site Design Review procedure (Type II applies to Site Design Review procedures for residential buildings with three or fewer dwelling units). Type II decisions are made by staff, with public notice and an opportunity for the public to appeal the staff decision to the Planning Commission. Site Design Review applications are also subject to additional submittal requirements and fees.

Detached single family homes are not subject to Site Design Review, regardless of their size.

While non-ADU accessory structures over 450 square feet are subject to discretionary design standards, the ADU standards (with proposed amendments) are clear and objective. The building plans would either comply and be approved, or not comply and not be approved. A discretionary review process may give a false impression of the opportunity to require changes to the proposal.

Under the proposed amendment, ADUs would be subject to the Type I Development Review Procedure consistent with new single family homes. Planning staff reviews all single-family building plans for compliance with the development standards, and would similarly process all ADU permits.

Planning Commission 2018 Meeting Schedule

Meetings are held the 2nd & 4th Tuesday of the month at 6:30 p.m.

Note: This schedule is subject to change. The Commission will receive updated schedules with meeting packets, and will be notified separately about any meeting cancelation due to lack of agenda items.

AUGUST 14	
Hearings	**2018-21-DR-CUP** – ***Continued From 7/10*** Fairview Villa Apartments 20922 NE Sandy Blvd. **2018-14-DR** Environmental Works – Maintenance & Storage Warehouse and Corporate Office 22820 NE Sandy Blvd.
AUGUST 28 – ***MEETING CANCELED***	

SEPTEMBER 11	
Hearings	
SEPTEMBER 25	
Work Session (5/5:30 p.m.)	Code Amendment Discussion
Hearings	

OCTOBER 9	
Hearings	
Work Sessions	Briefing on Draft Urban Renewal Plan
OCTOBER 23	
Hearings	
Work Sessions	Review and Vote on Urban Renewal Plan's conformance with Comprehensive Plan

Additional Meeting dates through end of 2018:

November 13

November 27

December 11

~~December 25~~ *No meeting due to holiday *

UPDATED August 7, 2018

Future 2018 items to be scheduled:

Development Review – Type III + Type IV Land Use Hearings

Site Design Review Applications (Pending Completeness):

2018-37-DR	22800 NE Marine Drive – Allwood Recycling Facility
2018-48-MOD	1601 NE Market Drive – The Ceeley Building Major Modification
2018-49-DR	22929 NE Halsey Street – Halsey Commons: Mixed-use Apartment (9 units) and Commercial
2018-50-DR-S	20939 & 20925 NE Halsey Street – Fairview Pkwy Residential/Commercial Mixed-Use Development & Subdivision
2018-51-DR	22001 NE Halsey Street (NW corner of 223rd) – Halsey Lofts: Mixed-Use Apartment and Commercial
2018-52-DR	East side of NE 223rd between Sandy & Townsend Way – Mini Storage

Conditional Use Applications (Pending Completeness):

2018-40-CU	202nd and Oregon/Esther Estates subdivision – Two duplexes on individual lots in the Residential (R) zone

Pre-Application Conferences Held/Expected to Submit Land Use Applications:

2018-19-PreApp	Meadow Outdoor Advertising – Sign Code Amendment
2018-20-Pre-App	North side of Sandy Blvd., E and W side of 230th – Light industrial development on two parcels
2018-42-Pre-App	New Fairview Public Works Shop
2018-53-Pre-App	Dean Hurford - Comp Plan Map Amendment, Zoning Map Amendment, and Development Code Text Amendments to re-zone 2 parcels on east side of NE 223rd between Sandy & Townsend Way from General Industrial (GI) to Light Industrial (LI), to allow mini-storage.

Future Legislative Amendments (Code, Comp Plan, Map) & Planning Projects

- Code improvement amendments (corrections, clarifications, organization)
- Halsey Corridor code amendment concepts (from DLCD grant work)

UPDATED August 7, 2018