



PLANNING COMMISSION MEETING

Tuesday, October 9, 2012

6:30 p.m.

Council Chambers

2nd Floor City Hall

1300 NE Village Street

MEETING AGENDA

1. CALL TO ORDER: 6:30 p.m.
2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS
3. REVIEW AND ADOPT MINUTES – July 24, 2012
4. PUBLIC HEARING
 - a) File 12-25-DR
5501 NE 223rd Avenue
Design Review application to construct 4 modular offices, a 5,600 square foot shop facility and fueling station, a paved access drive and 22 parking spaces
5. PRESENTATION
 - a) Senior Advisor Lonnie Dicus, USS Ranger Foundation
6. STAFF UPDATES
 - a) Economic Development Update
 - b) Parks Update
7. TENTATIVE AGENDA – *TBD*
8. ADJOURNMENT

NEXT PLANNING COMMISSION MEETING IS *TBD*.

Planning Commission hearings are broadcast live on Cable Channel 22. Replays of the hearing are shown on Cable Channel 22, Saturday at 12:00pm and Monday at 2:00pm, and Cable Channel 30 Wednesday at 7:00pm. Further information is available on our web page at www.fairvieworegon.gov or by calling Devree Leymaster, Administrative Program Coordinator, 503-674-6202.

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, 503-674-6202.



MINUTES
PLANNING COMMISSION MEETING
1300 NE Village Street
Fairview, OR 97024
Tuesday, July 24, 2012

PRESENT: Gary Stonewall, Chair
Steve Kaufman, Vice-Chair
Julius Arceo
Keith Kudrna
Jack McGiffin
Jan Shearer

ABSENT: Ed Jones

STAFF: Allan Berry, Public Works Director
Lindsey Nesbitt, Development Analyst
Devree Leymaster, Admin. Program Coordinator

1. CALL TO ORDER

Chair Stonewall called the meeting to order at 6:30pm.

2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS

Ms. Mitchell spoke regarding tree removal on her neighbor's private property at 205th Avenue and Wistful Vista. Ms. Mitchell did not state her address for the record and did not sign the public attendance record. Ms. Mitchell stated the current code provided tree preservation through the current natural resource overlay and was concerned changes to the natural resource code could remove the protection. Staff responded the current code and map did not identify the trees as a protected resource. Through the Title 13 process the lack of tree preservation within the code was clarified and the Commission had directed to staff to research and develop tree preservation code after completion of the Title 13 Natural Resource Code Amendments.

3. REVIEW AND ADOPT MINUTES

June 26, 2012 minutes approved as written by consensus.

4. PUBLIC HEARING

**a) File 12-17-ZC
Final Plat Filing Extension
Ordinance 5-2012**

Chair Stonewall cited the legislative hearing statement and as there were no objections Development Analyst Lindsey Nesbitt presented the staff report. The requested 1 year filing extension was for three outstanding final plat extensions, City Council supported the extension request during a work session, and the decision making criteria that had been omitted by error in 2009 was being reestablished in the code.

As there was no testimony and no Commissioner comments, Vice Chair Kaufman moved to close the hearing and Commissioner Kudrna seconded. The public hearing was closed by unanimous vote.

Commissioner Shearer moved to refer a recommendation of approval for ordinance 5-2012 to City Council and Commissioner Kudrna seconded. The motion passed unanimously.

Ayes: 6
Noes: 0
Abstained: 0

b) File 9-32-ZC
Natural Resource Code Amendments: Title 13
Ordinance 3-2012

Continued from June 12

Development Analyst Lindsey Nesbitt summarized proposed changes in response to Commission direction and questions at the June 26 Planning Commission meeting. Items included:

- Staff researched the Oregon Revised Statutes (ORS) concerning non-conforming rights and per the ORS restoration or replacement was to commence within one year. The city attorney supported the Commissions direction to be less for replacement within 5 years when structure was at a 75% or greater loss.
- Public Works Director was the authorized authority regarding mitigation banks. In the event the applicant and PW Director did not agree the applicant could appeal to the Planning Commission at no charge.
- Staff supported reducing the protection area of Osburn Creek to 35 feet from center line.
- Draft language for riverside development was provided in response to public comment. Metro does allow for water oriented uses to be exempted from resource protection standards. The current river front protection buffer was 50 feet. Staff recommended deferring code review for riverside protection until development occurs.
- Protection area for mapped wetlands was 50 feet. Development was allowed within the buffer but was subject to mitigation and development within the wetland was subject to state and federal requirements.
- City attorney advised to keep development standards within the code. If there were no development standards then discretion must be used and that would require all land use applications be a type III and would go to Planning Commission.
- City attorney advised maintaining language that when there were conflicts within the code the more restrictive code be adhered to. This protects the city and ensures the code is uniformly applied.

Chair Stonewall acknowledged for the record the letter received by the Fairview Business Association (FBA) and opened the public testimony portion of the hearing for those who wished to speak in favor, opposition, or neutrally of the proposed amendments.

Garth Everhart, 945 Clear Creek Way, Fairview, Oregon reviewed and commented on the items identified in the FBA letter and requested the water oriented uses exception be included in the amendments and not be deferred till time of development.

Lonnie Dicus, Senior Advisor USS Ranger Foundation requested the Commission not defer the river front development exemption until the time development occurs, but include it in the current amendments so as to not impede development when it occurs.

Dean Hurford, 335 NE Le Mesa Ct., Gresham, Oregon requested the river front development exemption be included and not deferred. Mr. Hurford stated he did not agree with the addition of 5 feet to the buffer when measuring from center line. He did not believe adding the 5 feet was a requirement of Metro. The loss of 5 feet was a loss of developable land and a cost to the land owner. Mr. Hurford requested the hearing be kept open and details fine-tuned prior to moving forward to Council.

Dawn Greenwell, 183 Crestwood St., Fairview, Oregon requested the mapped 55 foot buffer to Smith Memorial Church be extended to Devine Mocha. Staff responded the request had already been discussed and staff supported the 55 foot buffer extension to Divine Mocha. The map presented did not indicate the change. Staff would correct the map and code to reflect the change.

Roy Moore, SE Topler Drive, Vancouver, Washington requested the river front exemption be included in the amendments.

As there was no other testimony and no Commissioner comments, Commissioner Kudrna moved to close the hearing and Commissioner Shearer seconded. The public hearing was closed by unanimous vote.

Commissioner Kudrna and Vice Chair Kaufman agreed the river front exception should be included in the amendments. This would defer resource protection regulations to other organizations, exempt the city, and foster, not hinder, potential river front development. Staff requested the exception be for 3 specific parcels along the river front and the Commission agreed.

Commissioner Kudrna commented 5 years to allow for a rebuild of a non-conforming structure that was destroyed by 75% or more was more than lenient and anything beyond that should be subject to current code standards.

Commissioner Kudrna moved to refer a recommendation of approval to City Council for Ordinance 3-2012 with buffer measurement to be from center line of each water way, a 55 foot protection buffer extending beyond Smith Memorial Church to Divine Mocha, a 35 foot buffer for Osburn Creek, and a river front development exception for 3 river front parcels (1N3E2200504, 1N3E2200503, and 1N3E2100100) and Vice Chair Kaufman seconded. Chair Stonewall requested a roll call. The motion passed unanimously.

Ayes: 6

Noes: 0

Abstained: 0

5. STAFF UPDATES

a) Hannah's Tract Design Review – staff reviewed the conditions of approval and compliance with the conditions as outlined in a written format that was presented to the Commission and made available to the public.

b) Parks – PRAC was forwarding a recommendation to City Council to move forward with Salish Ponds Improvement Project and beginning July 1, 2012 PRAC meetings would be scheduled ad hoc.

6. TENTATIVE AGENDA

USS Ranger presentation at the second meeting in September.

7. ADJOURNMENT

Meeting adjourned by consensus at 8:15PM.

Gary Stonewall, Chair

Devree A. Leymaster
Administrative Program Coordinator
Public Works Department

Date: _____



PLANNING COMMISSION STAFF REPORT

TO: Fairview Planning Commission

FROM: Lindsey Nesbitt, Development Analyst

DATE: October 9, 2012 Planning Commission Meeting

PROJECT NUMBER: 2012-25-DR- Design Review

REQUEST: Design Review application to construct 4 modular offices, a 5,990 square foot shop facility and fueling station, a paved access drive, and 22 parking spaces.

LOCATION: Between the terminus of NE 223rd and the Columbia River

TAX MAP & LOT: 1N3E22 00503

SITE SIZE: 11.75 Acres

ZONING: General Industrial (GI)

PROPERTY OWNER: MEI Group
Landco LLC
17090 NE San Rafael Street
Portland, OR 97230

APPLICANT: Same as above

Action Requested

Approve application 2012-25-DR authorizing construction of 4 modular offices, a 5,900 square foot shop facility and fueling station, a paved access drive, and 22 parking spaces.

Decision Making Process

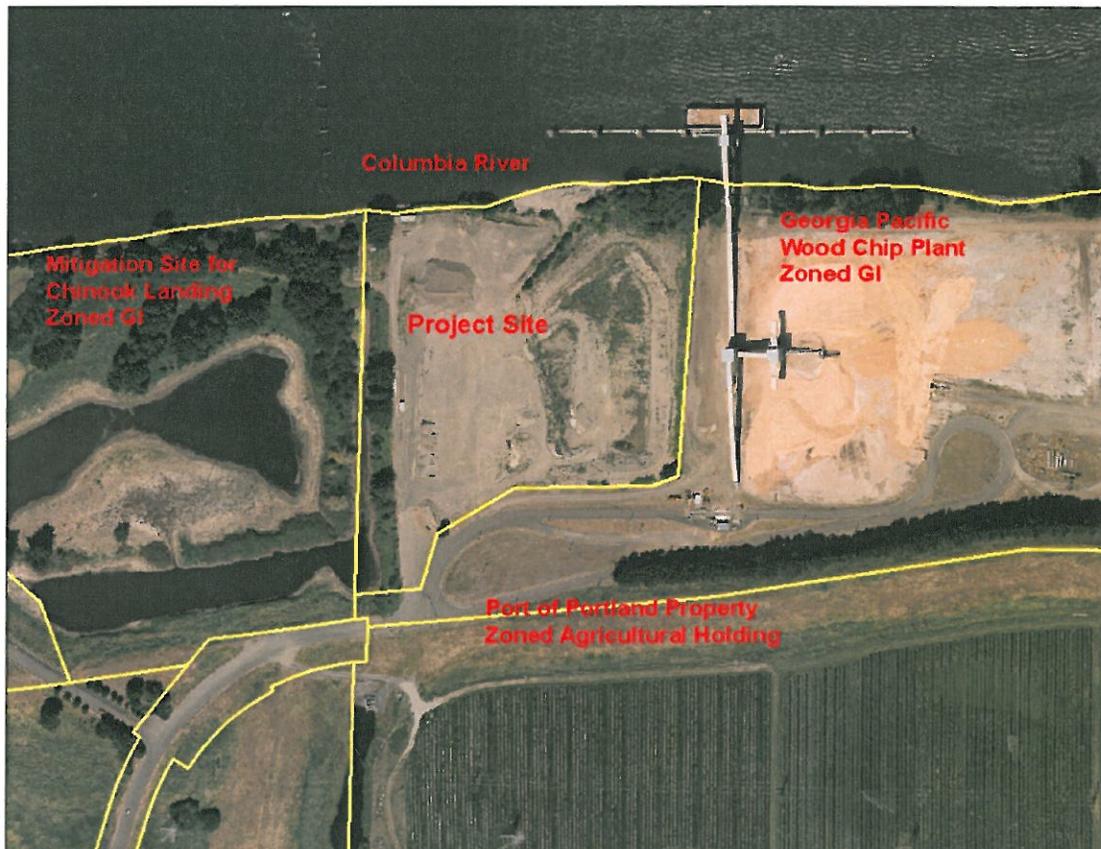
Design Review applications are reviewed through the Type III process, which requires a Planning Commission decision subject to requirements of Fairview Municipal Code Section 19.413.030 Type III Procedures. The application was deemed complete upon submission on August 31, 2012. The 120-day clock, the time limit in which the application must be decided, including any appeal, expires December 29, 2012. The application is subject to the following criteria:

Fairview Municipal Code Sections:

- 19.85 General Industrial
- 19.162 Access and Circulation
- 19.163 Landscaping, Street Trees, Fences, and Walls
- 19.164 Vehicle and Bicycle Parking
- 19.165 Public Facility Standards
- 19.420 Design Standards
- 19.426 Site Design Review Approval criteria

Background Information

Uses adjacent to the site include:



The site is currently located in the General Industrial (GI) zone and has historically been used to barge in, unload, and store aggregate construction materials (sand and gravel) that have been mined from the Columbia River. These materials were used in a variety of construction projects in the east metro area.

The site use for sand and gravel extraction for construction projects and for the storage of necessary equipment is classified in the GI zone as heavy manufacturing, assembly, and processing of raw materials, which require a Conditional Use Permit approval.

Previously, the site use received two Conditional Use Permit approvals. The original Conditional Use Permit was approved February 11, 1999 authorizing use of the site as a building materials sales yard for crushed rock and gravel. On February 7, 2001, a modification to the 1999 Conditional Use Permit was approved (File-00-24-CUP/MOD). The modification changed the truck trip limitation from 40 truck trips per day to 400 truck trips per day (200 entering and 200 exiting the site).

Project Description

The property owner, MEI is relocating its base of operations from its current location to the project site. The property owner will continue to use the site as it has been historically used and approved through the previous Conditional Use Permit approvals. The applicant is proposing installation and construction of new buildings, which required a Design Review permit.

The applicant is requesting approval for:

- The installation of four modular buildings to be used as offices for the business activities associated with MEI Group.
- Construction of a 5,900 square foot shop for storage and servicing of earth moving trucks and equipments.
- Installation of a fueling station.
- Construction of a paved access drive and 22 parking spaces.

Analysis of Key Issues

Design Review Criteria

As described above, the installation and construction of the new buildings and parking areas requires submission of a Design Review Application. The main components of the Design Review Application are :

- Vehicle and Bicycle Parking
- Street Tree/Landscaping
- Public Facilities
- Access and Circulation

As demonstrated in the Findings in Support of Approval, staff believes the applicant has demonstrated compliance with the applicable review criteria of the Fairview Municipal Code.

Summary

As conditioned, staff believes the applicant has demonstrated compliance with applicable criteria of the Fairview Municipal Code and recommends approving application 2012-25-DR, approval authorizing construction within the General Industrial Zone.

Comments

Notice was sent to neighboring properties within 250 feet of the site. At the time the staff report was written, comments were not received from neighboring parcels.

The design review application was routed to city departments and other agencies and the following comments were received:

Shawn Durham, Gresham Fire– See Advisory Notes

John Stelzenmueller, Building – See Recommended Conditions in Support of Approval and Advisory Notes

Linda Hulme, Public Works – See Recommended Conditions in Support of Approval

Multnomah County Transportation – See Recommended Conditions in Support of Approval and Attachment 3.

Attachments

1. Applicant's Narrative
2. Site Plan
3. Multnomah County Memorandum

Recommended Findings in Support of Approval

1. The applicant has submitted a Design Review application to construct 4 modular offices, a 5,900 square foot shop facility and fueling station, a paved access drive, and 22 parking spaces.
2. The application was deemed complete upon submission August 21, 2012. The 120-day clock, the time limit in which the application must be decided, including any appeal, expires December 29, 2012. The Planning Commission held a public hearing on October 9, 2012 for which notice was provided in accordance with applicable requirements.
3. FMC 19.85 General Industrial (GI) Zone

The development complies with development standards of Section 19.85 General Industrial as follows:

Section 19.85 General Industrial	Applicant's Proposal
Minimum Street Frontage 100 feet	The property has more than 100 feet of street frontage.
Setbacks: Front, Rear, & Side Yard – None, unless the property abuts a parcel of land in a more restrictive manufacturing district, or commercial district, in which case the requirements of abutting zone apply. If abutting a residential zone, 50-foot setback is required.	The development does not abut a residential zone.
Landscape buffer or visual barrier may be required to mitigate adverse impacts that cannot be avoided through building orientation standards alone.	The office trailers, shop, fueling station, and paved areas will be installed on existing paved and degraded areas. Landscaping will not be removed.
Maximum lot coverage 85%	Installation of the buildings and paved areas will be on an existing degraded area. Vegetation will not be removed.
Industrial developments must be oriented on the site to minimize adverse impacts (noise, glare, smoke, dust...) and protect privacy of adjacent uses. Mechanical equipment, light, emission, and other components shall be located away from residential areas, schools, parks, and other non-industrial	The use was previously approved through two Conditional Use applications, at which time conditions were adopted to address potential negative impacts. The MEI Group will continue to operate under the previously adopted conditional use conditions of approval.

areas.	
GI zone requires a minimum of 10% landscaping	Landscaping will not be removed.
Buildings shall be no more than three stories or 45 feet in height, which ever is greater and shall comply with the building setback requirements.	The tallest building on site will be the shop, which will not exceed 33 feet in height.

4. FMC 19.162 Access and Circulation

19.162.020 Vehicular access and circulation.

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

B. Access Permit Required. Access to a public street requires an access permit

C. Traffic Study Requirements. The city may require a traffic study

D. 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.

E. Access Options.

F. Access Spacing. Access spacing ensures safe connections to local and arterial streets. Driveway accesses shall be separated from other driveways and street intersections

G. Number of Access Points. Reducing the number of access points on a street provides pedestrians fewer obstructions

H. 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

I. Street Connectivity and Formation of Blocks Required.

J. Driveway Openings. All driveway openings must comply with the "Standard Specifications for Public Works Construction,"

K. Fire Access and Parking Area Turn-arounds. 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.

L. Vertical Clearances. Driveways, shall have a minimum vertical clearance of 13 feet 6 inches for their entire length and width.

M. Vision Clearance.

N. Construction

Applicant Response: The existing driveway is a share driveway and access to the site is permitted through an easement from the property provides an adequate connection to termination of NE 223rd. Site access is from an existing drive and new access points are not proposed. The existing driveway provides travel lanes that are wider than 10 feet in width. Obstructions are not proposed within any of the clear vision areas.

Staff Response: The site use was previously approved through two Conditional Use Permit applications in 1999 and 2001. On February 7, 2001, a modification to the 1999 Conditional Use Permit was approved (File-00-24-CUP/MOD). The modification changed the truck trip limitation from 40 truck trips per day to 400 truck trips per day (200 entering and 200 exiting the site). The modification also expanded the hours of operation to 24 hours per day 7 days a week.

The applicant has demonstrated that the MEI company will not increase the intensity of the site use above the previously approved Condition Use Permit allowances. Multnomah County reviewed the proposal and determined that:

- An additional traffic study was not required
- The use will not create a permanent “transportation impact”.
- The applicant will not be required to construct public improvements.

Multnomah County requested adoption of a condition of approval for the applicant to obtain a driveway permit prior to issuance of a building permit. The driveway permit application materials must demonstrate proof of an access easement.

5. 19.162.030 Pedestrian access and circulation

A. 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.

B. Safe, Direct, and Convenient Pathways.

- “Reasonably direct” route.
- “Safe and convenient” bicycle and pedestrian routes.
- For residential buildings the “primary entrance” is the front door (i.e., facing the street).

C. Connections within Development. Pathways shall connect all building entrances to one another, parking areas, storage areas, recreational facilities and common areas, and adjacent developments to the site, as applicable.

Applicant Response: The parking areas will be paved and provide safe and direct access to the modular offices.

Staff Response: Direct paved access from the parking area to the modular offices will be provided. The offices will be access and connected with an elevated decking system that is separated from the parking area and drive aisles.

6. FMC 19.163 Landscaping, Street Trees, Fences and Walls

- A 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. Construction. All areas of significant vegetation shall be protected prior to, during, and after construction
- C. 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.
- D. Landscape Area Standards. The minimum percentage of required landscaping in Residential districts: 20 percent of the site.
- E. 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.

Applicant Response: The shop and modular office building areas are barren and this section is not applicable. The code required 10% of the General Industrial site to be landscaped. In addition to the existing landscaping on site, the applicant will install 10 trees along the fence lines to the south of the offices for shading.

Staff Response: The site is approximately 548,856 square feet in area, requiring 54,886 square feet in landscaping. The development will not remove any existing landscaping, but will be placed on already degraded areas. The existing onsite landscaping is approximately 110,800 square feet in area, which is greater than the minimum 10% landscaping requirement. A condition has been adopted requiring the development to be in substantial compliance with plans submitted and approved through the Design Review land use permit. As conditioned, the application complies with the landscaping requirements.

7. 19.164 Vehicle and Bicycle Parking

Industrial uses required 1.6 parking spaces per 1,000 square feet of leasable floor area. One bicycle parking space must be provided for every 10 vehicular parking spaces.

Applicant Response: On street parking is not proposed. 22 on site vehicular parking spaces and 2 bicycle parking spaces will be provided as shown on the site plan.

Staff Response: The area of the modular offices and the shop will be approximately 11,720 square feet, requiring installation of 19 parking spaces. The applicant's site plan demonstrates 22 paved parking spaces. The site plan demonstrates that two bicycle parking spaces will be provided. As demonstrated on the site plan, the proposed development complies with off-street parking requirements.

8. 19.165 Public Facilities Standards

19.165.020 Transportation standards.

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

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

Streets within or adjacent to a development shall be improved in accordance with the transportation system plan and the provisions of this chapter;

Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this section, and public streets shall be dedicated to the applicable city, county or state jurisdiction;

New streets and drives connected to a collector or arterial street shall be paved; and

The city may accept a future improvement guarantee (e.g., owner agrees not to remonstrate (object) against the formation of a local improvement district in the future) in lieu of street improvements

Existing Rights-of-Way. Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, subject to the provision of FMC 19.165.025 (C).

Applicant Response: All roads that serve this property have already been constructed along with all improvements between 223rd and the property.

Staff Response: The site use was previously approved through two Conditional Use Permit applications in 1999 and 2001. On February 7, 2001, a modification to the 1999 Conditional Use Permit was approved (File-00-24-CUP/MOD). The modification changed the truck trip limitation from 40 truck trips per day to 400 truck trips per day (200 entering and 200 exiting the site). The modification also expanded the hours of operation to 24 hours per day 7 days a week.

The applicant has demonstrated that the MEI company will not increase the intensity of the site use above the previously approved Conditional Use Permit allowances. Multnomah County reviewed the proposal and determined that:

- An additional traffic study was not required.
- The use will not create a permanent “transportation impact”.
- The applicant will not be required to construct public improvements.

Multnomah County, as a condition of approval, requested the applicant provide proof of an access easement for access to the site.

9. Public Utilities

19.165.040 Sanitary sewer and water service improvements.

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

19.165.050 Storm drainage.

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

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.

19.165.070 Easements.

The easements section provisions reserves adequate space for utilities.

Applicant Response: A new lift station will connect to the existing force main as noted on the applicant's utility plan. Sewer connection permits will be secured prior to connection. A storm water permit will be submitted. Water, sewer, and storm water utilities will be underground. No easements will be granted for utilities.

Staff Response: As conditioned the application complies with utility requirements.

10. 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;

Staff Response: See Findings in Support of Approval #4 and 5.

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

Staff Response: See Findings in Support of Approval #6.

C. Chapter 19.164 FMC – Automobile and Bicycle Parking;

Staff Response: See Findings in Support of Approval #7.

D. Chapter 19.165 FMC – Public Facilities Standards;

Staff Response: See Findings in Support of Approval #8 and 9.

E. Other standards (telecommunications facilities, solid waste storage, environmental performance, signs), as applicable.

Staff Response: No Applicable.

19.426.050 Conditions.

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

Staff Response: As conditioned, the application complies with Fairview Municipal Code standards.

11. Fairview Municipal Code Section 19.106-Wetlands and Riparian Buffer Overlay.

Staff Response: The site is mapped with a 50-foot riparian buffer overlay for the Columbia River. The proposed temporary office trailers will not be located within the designated 50-foot buffer area. The City Council adopted new natural resource regulations on October 3, 2012. However, recently adopted regulations do not apply to the proposed development for the following reasons:

- The regulations do not go into effect until 30-days after the date of adoption.
- The Land Use application was submitted and deemed complete prior to the adoption of the revised regulations.

Conditions in Support of Approval

1. The final site and architectural plans shall be in substantial conformance with the plans and drawings submitted to the City of Fairview August 31, 2012, and with conditions of approval adopted by the Planning Commission at the October 9, 2012 public hearing.
2. Prior to issuance of a building permit, the applicant shall:
 - a. The building permit plans shall include a landscaping plan demonstrating landscaping materials.
 - b. Obtain a driveway permit from Multnomah County for the site access. Include demonstration of proof of access easement.
 - c. Demonstrate that all water and sewer connections comply with city codes requirements.
 - d. Sanitary sewer is currently provided to this property from a pressure force main. Plans including pump station, piping, cleanouts, and other items shall be submitted with the building permit application.
 - d. Demonstrate compliance with Fire Protection requirements.
 - e. Provide treatment of stormwater runoff through the use of Best Management Practices (BMPs) as specified in the "City of Portland Stormwater Management Manual". Submit a copy of the calculations and worksheets used to design the storm drainage system with the permit materials.
 - f. Demonstrate compliance with Wellhead Protection Requirements per the advisory notes provided below.
3. No buildings shall be placed over any utilities or the associated utility easement.
4. Prior to issuance of final occupancy the modular offices or the shop, the applicant shall:
 - a. A stormwater maintenance agreement must be submitted with City of Fairview and recorded prior to occupancy.
 - b. All wellhead protection requirements must be met.
 - c. Gold Seal Certification from the State of Oregon must be obtained for the modular buildings.

Advisory notes to be met at time of building permit review.

1. Well Head Protection
 - a. This property is located in the Columbia South Shore Well Field Wellhead Protection Area (WHPA). The Hazardous Material Inventory form indicates that the quantity of Hazardous Materials and Fuels exceeds the thresholds. The functional areas (defined in Section 3.2) of the facility that will include the storage, handling, use, or transportation of Hazardous Materials or Fuels shall meet the applicable requirements of Section 3- Requirements and Recommendations including but not limited to:
 - Operational Source Controls
 - Indoor and Outdoor Storage
 - Transportation Routes (Or Access Roads)
 - Fuel Dispensing Facility
 - Storage, Maintenance, and Repair of Vehicles and Equipment
 - Training
 - b. Submit a site map that includes the following information:
 - Location of indoor and outdoor storage areas, loading and unloading areas, transportation routes used for transporting hazardous materials, and fuel dispensing facilities;
 - On-site hazardous material transportation route(s);
 - Locations of storm drains, drainage area boundary lines;
 - Locations of dry wells or sumps used for subsurface disposal of stormwater or wastewater;
 - Location and description of any device(s) to stop or contain spills from leaving the site (e.g., control valves); and
 - Location of emergency spill containment and cleanup kit.
2. Water
 - a. Water is available to this site from an existing 3/4" meter.
 - b. An approved backflow assembly shall be installed at the service connection.
 - c. Onsite fire hydrants shall be private.
 - d. A double check detector assembly is required for fire service connections.
 - e. Plans shall be submitted to Public Works for review and approval.
3. This project may require a DEQ Industrial Stormwater Permit.

**MEI Group
LANDCO LLC**
17090 Northeast San Rafael Street
Portland, OR 97230



1. PROJECT SUMMARY

Applicant/Owner:

MEI Group
LANDCO LLC
17090 Northeast San Rafael Street
Portland, OR 97230
Contact: Roy Moore
Telephone: 503-849-5802

Site: Between terminus of NE 223rd & Columbia River

Tax Lot: 1N3E22 #503

Tax Parcel: R499776

Legal Description: Lot 1, Partition Plat 2000-98

Site Size: 11.75 Acres

Zoning: General Industrial (GI)

Project Description: Construct a 2,880 SF shop with truck breezeway and associated site improvements adjacent to next to pre-fab offices (LU # 2012-20).

Request: Type III Site Design Review

Date: August 29, 2012

Code Sections Addressed:

- 19.85 General Industrial District
- 19.426 Site Design Review Approval Criteria
- 19.162 – Access & Circulation
- 19.163 – Landscaping, Street Trees, Fences & Walls
- 19.164 – Automobile and Bicycle Parking
- 19.165 – Public Facilities Standards
- 19.170 – Signs

2. INTRODUCTION

MEI is relocating its base of operations from its location on San Rafael to its property located between the terminus of NE 223rd and the Columbia River in Fairview, OR. To date, the pre-fab offices have been placed and are being connected with all utilities. This locating of pre-fab offices was allowed per LU# 2012-20 and permits will be secured for all connections outside the buildings, i.e. water, sewer, etc.

In order to complete the move of its operations, MEI needs to erect a shop in which it can service its earth-moving equipment. The purpose of this application is to secure Site Design approval for the shops, existing offices and ancillary site improvements.

The site's current uses include sand mining from the Columbia, a scale house operations and aggregate storage. These uses will continue with the proposed shop and existing offices located towards the south side of the property which is unused.

The surrounding uses are:

- North – Columbia River with barge storage/moorage facilities
- West – 21 acre plus mitigation site
- East – 35 acre GP saw dust storage/transfer facility
- South – Drainage District Levy and berry fields

3. PROPOSED DEVELOPMENT

This application requests the approval of a Site Design Type III approval for the shop facility to be constructed under a subsequent building permit and approval of the pre-fab offices erected under LU # 2012-20. The proposed shop will be oriented north-south within the southern one-third of the property per the attached site plan.

ON-SITE DEVELOPMENT:

The proposed shop will be constructed through the use of recycle "Connex" shipping containers. The Connex boxes will be placed on a slab that will be re-enforced with tie-down straps per building code. A metal roof will be placed over the entire structure and a breezeway for protection from wind and rain. Each end of the shop will be enclosed and feature sliding doors adequate for trucks and other equipment to enter/exit for servicing as needed. The building will include at least two exits or more as required by the building and fire codes. The use of connex boxes allows the building to be relocated when the property is redeveloped.

UTILITIES & PARKING:

Sanitary Sewer: A lift station will be installed that will collect and pump sewage through the existing force main that serves this property, the GP property and the Chinook Landing project.

Water: An existing water meter serves the property and a branch line will be extended to the pre-fab offices and the shop building.

Fire Protection: An existing 12" line is stubbed through the property for hydrant service to the GP property. A tee will be installed for a 6" hydrant that will be located per the attached utility plan. Bollards will be placed as directed by the Fire Marshal to protect the hydrant

Power and Phone: Power and phone services will be stubbed from existing services within the property underground to the buildings as noted on the Utility Plan.

The attached Utility plan denotes existing utilities and proposed utilities.

Parking: Gravel drive aisles will link the existing paved sections shown on the Site Plan with parking areas which will be paved.

OFF-SITE IMPROVEMENTS:

No off-site improvements are contemplated for this project as all utilities are located within the property and the traffic to/from the project as a result of these improvements is comparable to the traffic during normal mining and aggregate storage operations.

4. DEVELOPMENT STANDARDS

19.850.020 Permitted Uses.

Response: Table 19.85.020.A lists 1 E. as Industrial Uses North of Marine Drive. This location is north of Marine Drive and the use is allowed. Offices related to the approved use (mining, aggregate storage, equipment storage) is allowed.

19.85.030 Development setbacks.

Response: There are no setbacks required unless the property abuts residential which is not the case.

19.85.040 Lot coverage.

Response: The lot coverage is less than 10% which is far less than the 90% allowed.

19.85.050 Development orientation.

Response: The offices are oriented to the west which is consistent with the goal of minimizing impact on adjoining uses (GP facility lies to the east) and the property to the west of the site is 15' lower and vacant.

19.85.060 Building height.

Response: The Building is less than the 45' height limit and is one story which is less than the three story allowance.

19.85.070 Special standards for certain uses.

Response: The site via LUR #0024-CUP/MOD is approved for aggregate operations that might cause Significant Noise, Light/Glare, Dust or Vibration (A 1). The prior CUP/MOD was approved based on 400 truck trips per day (200 inbound and 200 outbound). The Type III application for the shop and office areas will not result in an increase in truck operations above what has been approved (A2). As noted, LUR #0024-CUP/MOD allows Resource Extraction. These criterion do not apply.

Subsections B & C not applicable.

Subsection D allows a 60' height limit for facilities located north of Marine Drive. As noted above, the building heights will be less than the 45' limit allowed within the GI standards.

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

Response: This section is not applicable

5. SITE DESIGN REVIEW

19.426.001 Site design review approval criteria.

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

19.426.010 Complete application.

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

Response: The enclosed site plan, utility and building plans together with this narrative complete the land use application as set for by the Code. This criterion is met.

19.426.020 Compliance with land use district provisions.

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

Response: The proposed development meets all applicable provisions of the General Industrial land use district as noted herein. This condition is met.

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. (Ord. 6-2001 § 1)

Response: All existing development complies with applicable provisions of the General Industrial land use district at the time they were developed. This condition is met.

19.426.040 Compliance with design standards.

Response: The application complies with the design standards contained in Article III of this title. All of the following standards (19.160, 19.162, 19.163, 19.164, 19.164) shall be met as outlined below.

19.426.050 Conditions

Response: While the proposed development complies with the FMC zoning standards, any conditions of approval will be satisfied through the course of building permit review and issuance prior to final occupancy.

19.426.060 Exceptions

Response: No exceptions are being proposed.

19.160 Design Standard Administration

A. 19.162 – Access and Circulation

19.162.020 (F)(2) – Access Options

Response: The existing easement from the Property provides an adequate connection to termination of NE 223rd. The criterion is met.

19.162.020 (G) – Access Spacing

Response: This is not applicable as access is over an easement that runs from the end of NE 223rd to the Property. See attached Plat that notes access easement. The next closest access point onto NE 223rd lies to the west of the site and is a gravel driveway servicing the drainage district. The next closest driveway is to Chinook Landing which is over 300' away. The criterion is met.

19.162.020 (H) – Number of Access

Response: This is the only one access point so the number of access points has been minimized. The criterion is met.

19.162.020 (I) - Shared Driveways

Response: The driveway from the end of NE 223rd is shared with GP so this criterion is met.

19.162.020 (J & K)

Response: These criterion are not applicable

19.162.020 (L) – Driveway Openings

Response: The existing driveway provides travel lanes wider than 10' so this condition is met. The criterion is met.

19.162.020 (M) - Fire Access and Parking Area Turn-arounds.

Response: The existing access to the Property and roadways within the Project provide adequate access for fire equipment. In addition, the parking depicted on the Site plan are removed from the driveway areas so all vehicles may enter NE 22^{er}d in a forward manner. The criterion is met.

19.162.020 (N) - Vertical Clearances

Response: There are no vertical limits over Driveways, private streets, aisles, turn-around areas and ramps. The criterion is met.

19.162.020 (O) - Vision Clearance

Response: The entry sign does not impact the vision clearance area at the gated entrance to the site. The criterion is met.

19.162.020 (P) – Construction

Response: The site access is already completed. The criteria is not applicable

B. 19.163 – Landscaping, Street Trees, Fences and Walls

19.163.020 - Landscape conservation

Response: The shop and pre-fab building areas are barren so the criterion is not applicable.

19.163.025 Existing landscaping

Response: The shop and pre-fab building areas are barren so the criterion is not applicable.

19.163.030 (C) New landscaping

Response: The code requires 10% of a General Industrial Site to be landscaped. Since the property is over 10% landscaped now, this criterion is not applicable.

19.163.030 (D) Landscape Materials

Response: No landscape improvements are required although the storm water drainage system will include planting. This criteria is met.

19.163.030 (E) Landscape Design Standards

Response: No improvements are required but the storm water drainage system will be vegetated per Public Works requirements. This criteria is met.

19.163.030 (E) (2) – Parking Areas

Response: Trees in gravel parking lot is not practicable.

19.163.030 (E) (3) – Buffering and Screening

Response: This is an industrial south north of Marine Drive. A fence runs between the property and the GP property. The property is far removed from other neighbors so additional buffering and screening is not warranted. This criterion is met.

19.163.040 - Street trees

Response: There are no street trees required for the project as the property has no public street frontage. This criterion is not applicable

19.163.050 - Fences and walls

Response: The existing fence between the property and GP property will remain. The criterion is not applicable.

C. 19.164 – Vehicle and Bicycle Parking

19.164.030 (A) - Vehicle parking standards

Response: Per Table 19.164.303 A, two criteria apply. General offices shall provide parking at the rate of 2.7 stall per 1,000 SF. Based on the gross area of the pre-fab offices of 6,120 SF, 16 stalls will be marked per the Site Plan.

Industrial use requires 1.6 stalls per 1,000 SF. Based on the gross area of the shop area of 2,880, 3 stalls will be marked as noted on the Site Plan.

A total of 19 stalls is required and will be provided.

The criterion is met.

19.164.030 (B) - On Street Credit

Response: This option is not applicable as the property has no on-street frontage.

19.164.030 (C) - Parking Location and Shared Parking

Response: Vehicle Parking is proposed on-site as shown on the Site Plan. This criterion is met.

19.164.030 (D) - Maximum Number of Parking Spaces

Response: This criterion is not applicable.

19.164.030 (E) - Parking Management

Response: The criterion is not applicable.

19.164.030 (F) - Parking Stall Standard Dimensions

Response: All stalls will be standard stalls and will be 8' wide x 18' long. Any drive aisles will be at least 12' wide. The criterion is met.

19.164.030 (G) – Variances

Response: Applicant is not seeking any variances.

19.164.030 (H) -Disabled Person Parking Spaces

Response: One (1) Van accessible ADA stall will provided as noted on the Site Plan.

19.164.040 Bicycle parking standards.

19.164.040 (A) - Number of Bicycle Parking Spaces

Response: Two bike parking spaces are noted on the Site Plan. The criterion is met.

D. 19.165.020 Transportation standards

19.165.020 Transportation standards.

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

Response: The prior land use approval for this property allowed up to 400 truck trips per day. The applicant's business on the site is split between several uses that combined will result in less traffic than allowed under prior approvals (LU #0024- CUP/MOD).

a-The office and shop combined will require 19 parking stalls. Based on one inbound and one outbound trip, the resulting traffic is 38 stalls. An allowance of 5 clients per day ($5 \times 2 = 10$) ($10 + 38 = 48$) raises the total to less than 50 trips per day.

b-The trucking company has approximately 20 trucks that would be housed and maintained on the site. Several of these trucks are site specific and will not leave the site. Assuming 15 trucks outbound and inbound each day this generates another 30 trips per day.

c-The aggregate mining and storage operations will continue but at a lower level than approved when this was a major distribution operation by CEMEX who served many customers, including MEI. In this case, the operations will primarily serve MEI so fewer truck trips will occur since the MEI scale is less than the CEMEX operation.

d-The traffic combined from these operations will be less than approved for this site.

This criterion is met.

19.165.025 (A-X) Transportation improvements

Response: All roads that serve this property have already been constructed along with all improvements between NE 223rd and the property. No discernible increase in traffic as a result of the office/shop operation is expected. These criterion are not applicable.

19.165.030 Public use areas

Response: These criterion are not applicable

19.165.040 Sanitary sewer and water service improvements

19.164.040 (A-D)

Response: A new lift station will connect to the existing force main as noted on the attached Utility Plan. Sewer connection permits will be secured prior to connection.

19.165.050 Storm drainage

19.165.050 (A) - General Provisions

Response: A storm water permit shall be secured as required by Public Works.

19.165.050 (B-D)

Response: These criteria are not applicable.

19.165.060 Utilities

19.165.060 (A-B)

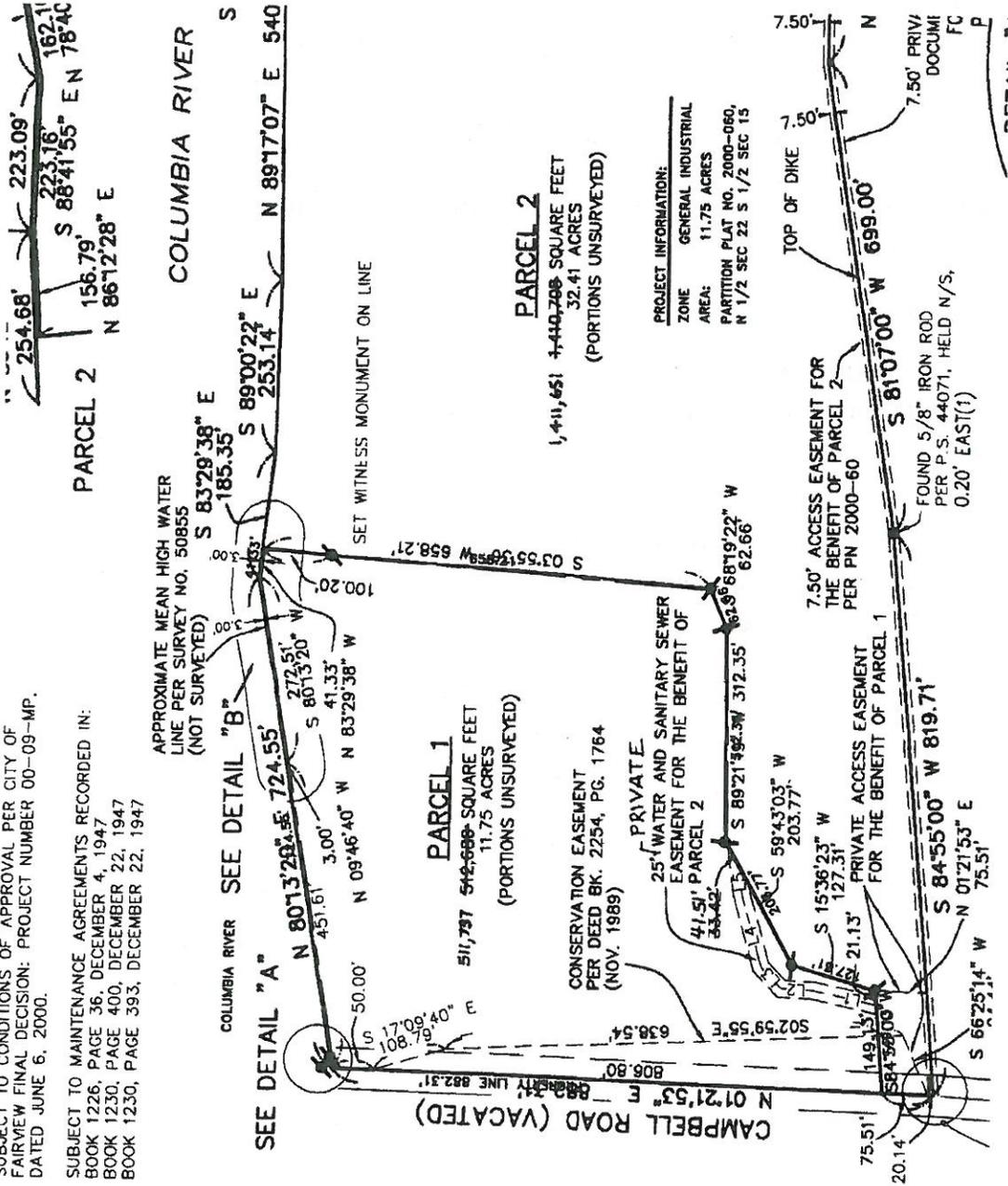
Response: Water, Sewer and Storm water utilities will be underground. Electrical and phone services will be above ground from existing poles. This criterion is met.

3. SUBJECT TO CONDITIONS OF APPROVAL PER CITY OF FAIRVIEW FINAL DECISION: PROJECT NUMBER 00-09-MP. DATED JUNE 6, 2000.
4. SUBJECT TO MAINTENANCE AGREEMENTS RECORDED IN: BOOK 1226, PAGE 36, DECEMBER 4, 1947
BOOK 1230, PAGE 400, DECEMBER 22, 1947
BOOK 1230, PAGE 393, DECEMBER 22, 1947

RECORDED

AUG 31 2012

CITY OF FAIRVIEW



N

SITE PLAN
1/100" = 1'-0"
ALL INFORMATION PROVIDED FINAL SURVEY

TERRORMA
architecture + planning
AUGUST 27, 2012

RANGER COMMERCIAL / FAIRVIEW OREGON

SURVEY / PLAT

1 OF 5

19.165.070 Easements

Response: No easements will be granted for utilities. This criteria is not applicable.

19.165.080 Construction plan approval and assurances.

Response: The work will be done under separate permits issued by the City of Fairview by a licensed contractor. This criteria will be met.

19.165.090 (A-F) Installation

Response: Installation guidelines are incorporated into the specific permits to be issued by the City of Fairview. These criteria will be met.

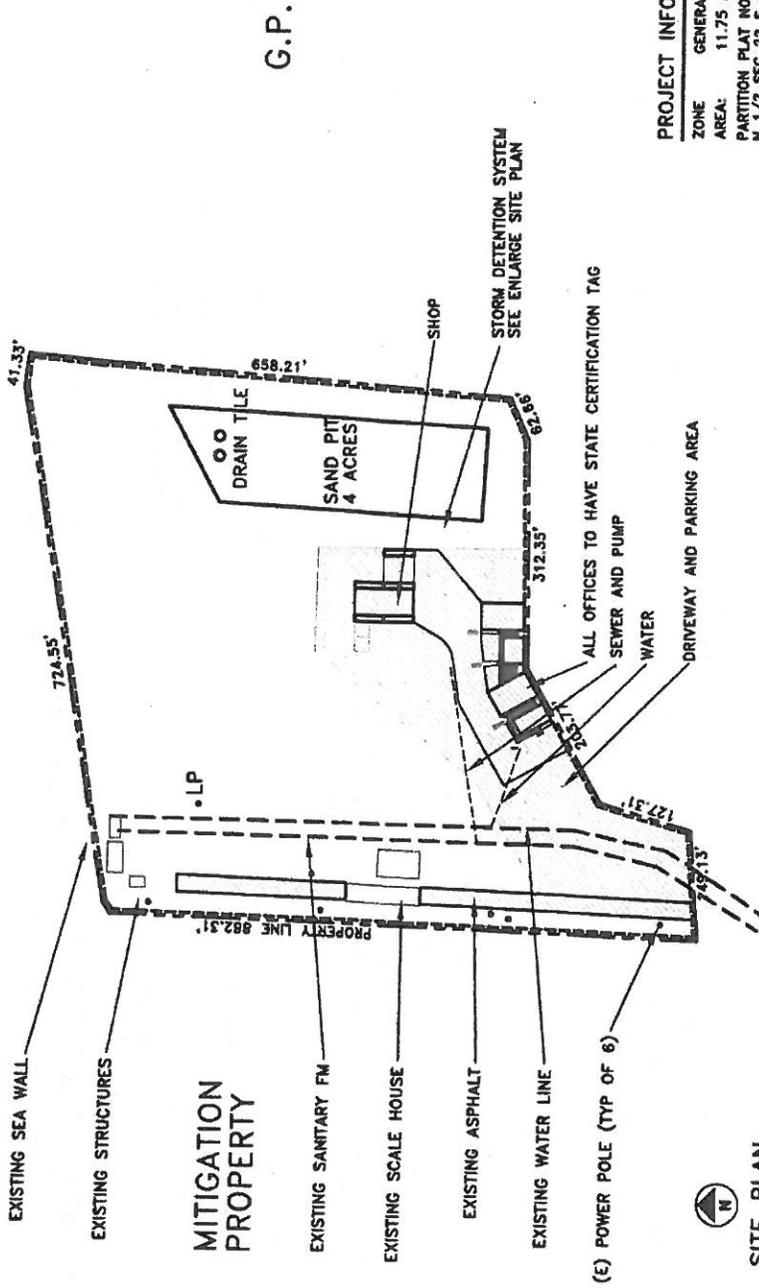
E. Sign Standards

19.170.150 Permitted signs within industrial zones (GI).

All signs shall comply with permitting requirements in FMC 19.170.030 and design standards in FMC 19.170.040.

A minimum 40 SF free-standing sign is allowed. This criterion is met.

COLUMBIA RIVER



G.P.

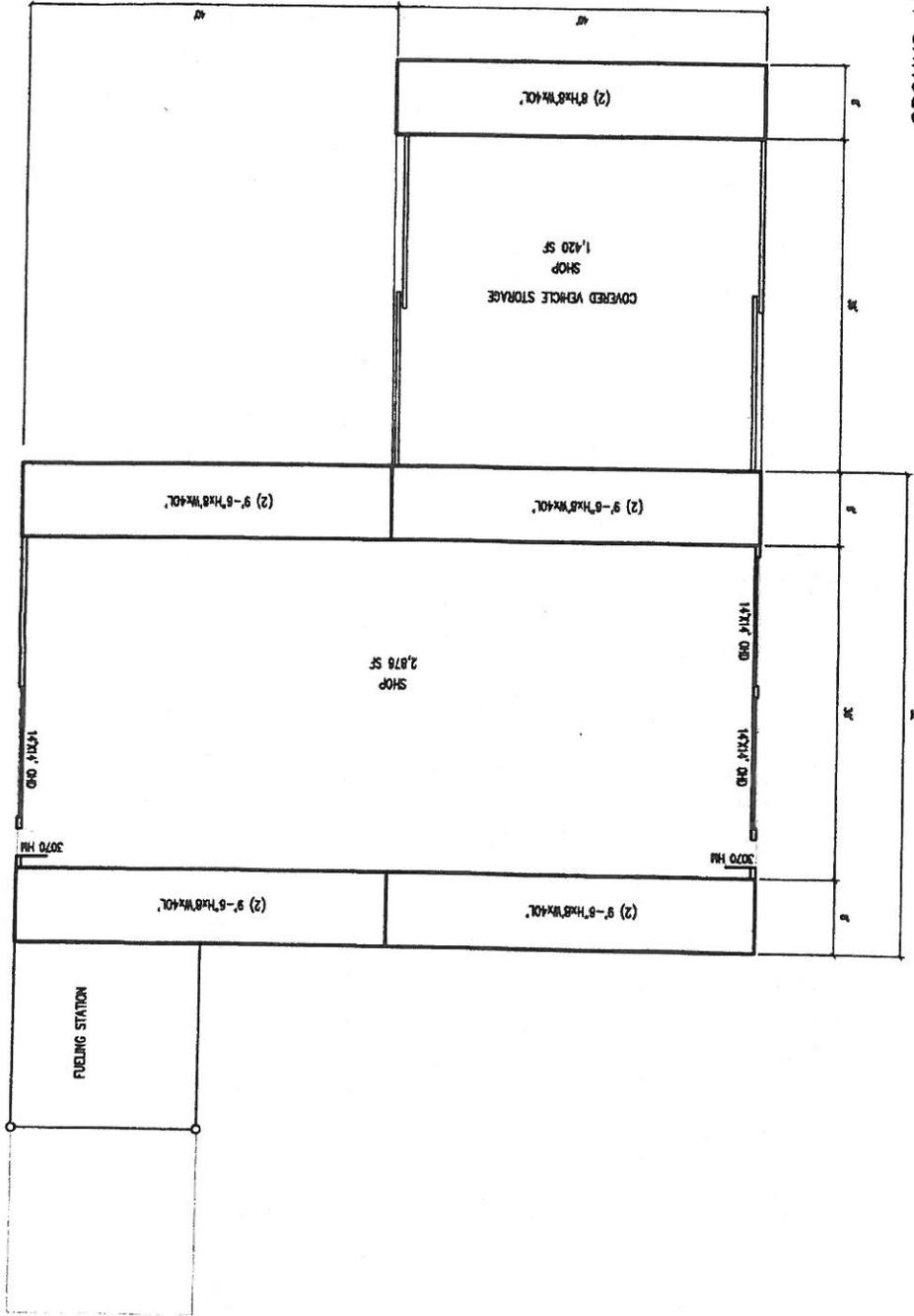
PROJECT INFORMATION:
 ZONE GENERAL INDUSTRIAL
 AREA 11.75 ACRES
 PARTITION PLAT NO. 2000-060,
 N 1/2 SEC 22 S 1/2 SEC 15

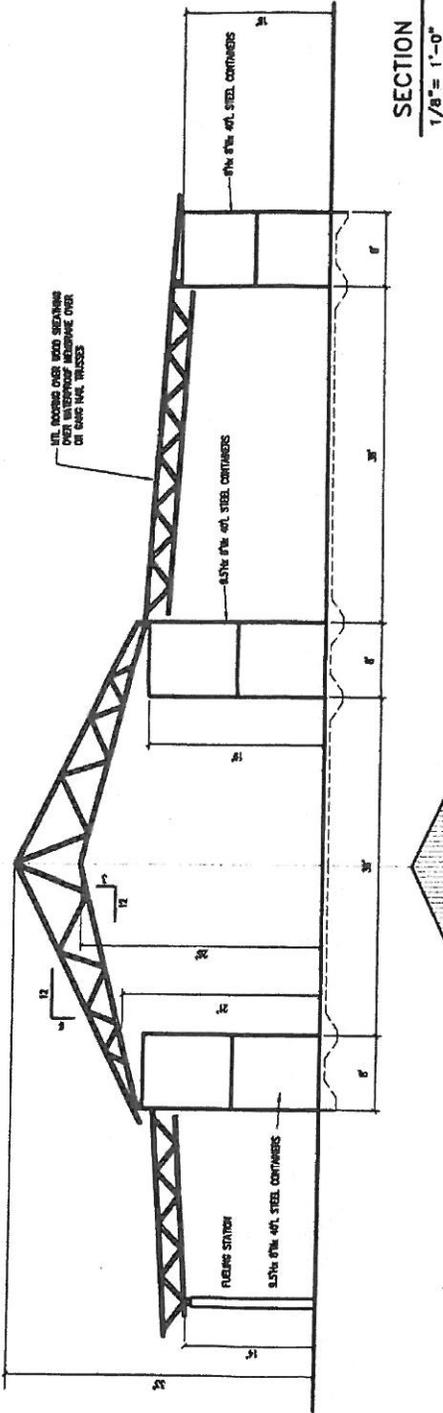
SITE PLAN
 1/100' = 1'-0"
 ALL INFORMATION PENDING FINAL SURVEY

LEVY

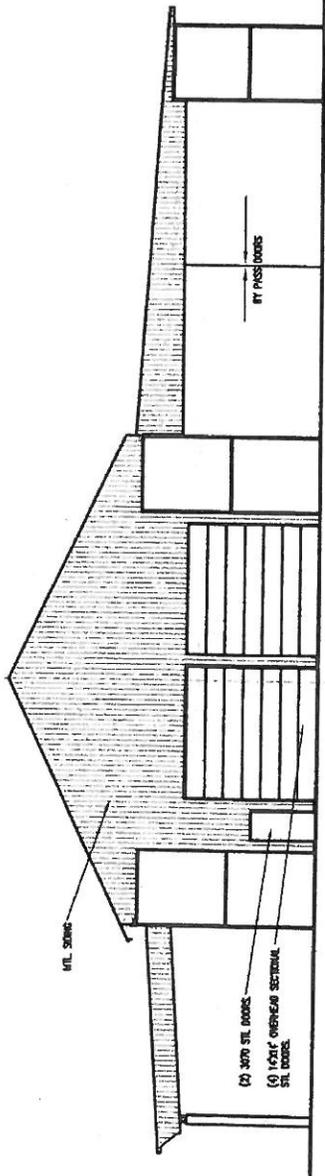
TERRORMA
 architecture + planning
 AUGUST 27, 2012

RANGER COMMERCIAL / FAIRVIEW OREGON
 MOORE SITE PLAN
 PAGE 2 OF 5

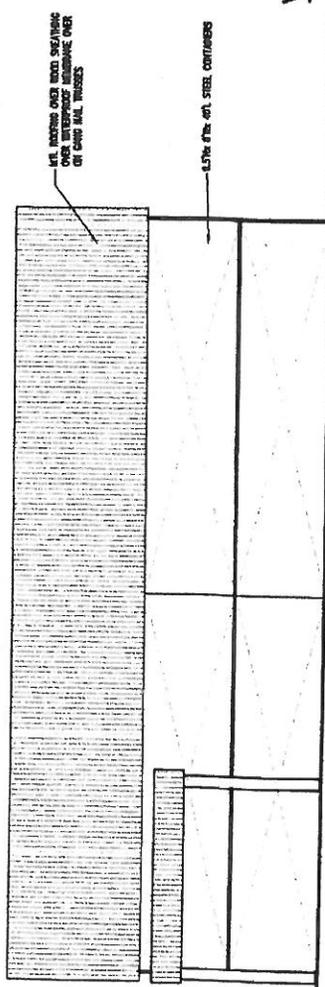




SECTION
1/8" = 1'-0"



SOUTH (north opp) ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"



Department of Community Services
MULTNOMAH COUNTY OREGON

Land Use and Transportation Program
1600 SE 190th Avenue
Portland, Oregon 97233-5910
(503) 988-5050

MEMORANDUM

TO: Lindsey Nesbitt, Senior Planner, City of Fairview

CC: Brian Vincent, County Engineer
Pat Hinds, Program Manager
Greg Kirby, Engineer
Alan Young, ROW Permit Specialist
Joanna Valencia, Transportation Planner

FROM: Joanna Valencia, Transportation Planner *JV*

DATE: October 1, 2012

SUBJECT: File No. 12-25-DR, Construct a 2,880 square foot shop with truck breezeway and associated site improvements adjacent to pre-fab office at 5501 NE 223rd Ave. 1N3E22-00503. R649803890. County Case No. EP-2011-2050b

The Multnomah County Transportation Program has reviewed the submitted narrative, and site plans to construct a 2880 square foot shop with truck breezeway and associated site improvements adjacent to pre-fab offices. Also, this is a request to allow modular buildings to be permanently placed on site. The modular buildings were previously approved through the Temporary Use process. The property is accessed off of NE 223rd which is a county road with Urban Local and Major Collector functional classifications. From County Staff's understanding of the proposal, MEI is relocating its base operations from its location on San Rafeal to this property. In order to complete the move of its operations, the applicant indicates that MEI needs to erect a shop in which it can service its earth moving equipment, with the purpose of this application being to secure Site Design approval for the shops, existing offices and ancillary improvements. The site's current uses include mining from the Columbia River, a scale house and aggregate storage will continue on the site in addition to the new use proposed by MEI. County Transportation does not object to this proposal provided that the measures outlined are addressed as part of the land use permit process.

It is the understanding of county staff from the submitted narrative and trip generation information, that the proposal does not involve reconfiguration of existing access points to a county ROW, nor would it create a permanent "transportation impact" as defined by the Multnomah County Road Rules. Therefore, the property owners will not be required to comply with Section 6.000 (Improvement Requirements).

The applicant will need to acquire a driveway permit for the site's access onto NE 223rd Ave as follows.

Access

1. Acquire a driveway permit for the site's access onto NE 223rd.

From the information provided during the pre-application meeting held on December 29, 2011 and from County tax lot maps, it is the understanding of staff that the applicant's property does not have direct access to NE 223rd Avenue but rather crosses the neighboring property. Multnomah County does not have an access permit for the applicant's property, and given the tax lot map staff assumes an access easement is in place. As part of the driveway permit process, Multnomah County may request proof of the access easement.

The comments provided in this memorandum are based on the documents and site plans received from the site plan and narrative packet from the City of Fairview. While every effort has been made to identify all related standards and issues, additional issues may arise and other standards not listed may become applicable as more information becomes available.

