

**TYPE III DRE DESIGN REVIEW
FINDINGS AND RECOMMENDATION**

REPORT DATE: March 31, 2021

FROM: John Heili, Associate Development Planner

FILE NUMBER: DRE/TR 20-26000355

APPLICANT: Sunny Ghai, Quikserve Northwest, Inc.

REPRESENTATIVE: Katrina Riddle, MJC Design, Inc.

LOCATION: Immediately north of 2301 NE 181st Ave., Portland OR 97230, west of NE 181st Avenue, and south of Interstate 84

PARCEL DESCRIPTION: 1N3E30D 00200

PROPOSAL: Type III Design Review E (DRE) and Type II Tree Removal (TR) for construction of a single-story 2,049 square-foot fast-food restaurant building with drive-through vehicular circulation area, 25 surface parking stalls, and associated site improvements with vehicular access from NE 181st Avenue along a private driveway across abutting parcels 1N3E30D 00302 and 1N3E30D 00300 and pedestrian access from NE 181st Avenue along a new accessible walkway. The proposal includes the removal of 25 regulated trees.

RECOMMENDATION: **APPROVAL WITH CONDITIONS of the Type III Design Review E and Type II Tree Removal.**

EXHIBITS: A. Vicinity Map
B. Application Package

I. FINDINGS OF FACT

- A. LOCATION:** The subject property is located near the corner of the intersection of NE 181st Avenue just south of the Interstate 84 freeway exit ramp.
- B. ZONING:** The subject property is designated Moderate Commercial (MC) and is in the Corridor Design District.
- C. PROPOSAL:** The applicant proposes to build a single-story 2,049 square-foot fast-food restaurant building with drive-through vehicular circulation area, 25 surface parking stalls, and associated site improvements with vehicular access from NE 181st Avenue along a private driveway across abutting parcels 1N3E30D 00302 and 1N3E30D 00300 and pedestrian access from NE 181st Avenue along a new accessible walkway. The proposal includes the removal of 25 regulated trees.
- D. SITE DESCRIPTION:** The project narratives and plans provide the following description:
- The project site is located near the corner of the intersection of NE 181st Avenue just south of the Interstate 84 freeway exit ramp. The total site area is 0.77 acres and is currently undeveloped. There are several mature trees on the property, but none of the trees are designated as significant. There are no environmental or historic overlays on the site, but it is within the Gresham Cascade Well Field. The site is zoned Moderate Commercial (MC), is within the Corridor Design District, and is within the Wilkes East Neighborhood.
- E. SURROUNDING LAND USES:** This finding is based on the application submitted and the City zoning maps.
- The two abutting properties to the south are zoned MC and are developed with a hotel and a fast-food restaurant.
 - The property abutting the west property line is zoned MC and is being developed with a hotel use building and associated site improvements.
 - The property to the east across NE 181st Avenue is zoned General Industrial (GI) and is developed with an industrial use building and associated surface parking.
 - To the north the subject property abuts the ODOT pedestrian and bike path and the Interstate 84 freeway exit ramp.
- F. PUBLIC NOTICE AND COMMENTS:** The City of Gresham Urban Design & Planning Department sent notices of the proposal to surrounding owners of record of property (as shown on the most recent property tax assessment roll) and residents within 300 feet of the subject property. No written response to the public notice was submitted as of the date of this staff report.

Various agencies were sent notices; their comments and recommendations are attached to and made a part of this decision.

Public and neighborhood association comments can be submitted up until 24 hours before the hearing on April 7, 2021.

G. APPLICATION ACCEPTANCE DATE: The application for design review was submitted on December 22, 2020. The application was accepted and deemed complete on February 11, 2021. The determination of completeness occurred within 180 days of the initial submittal.

II. APPLICATION PROCESS FINDINGS

7.0003 - Design Review Applications. This section lists the types of design review levels as well as the applicability of each. In this particular case, the applicable Design Review is a Type E (DRE) as the subject property includes a commercial building with more than 2,000 square feet of new building area and because the proposal is within the Corridor Design District, making it subject to the Corridor Design Standards. The development permit application is being processed as a Type III Design Review.

The applicant has chosen to follow the discretionary process. For all criteria, the application must:

- Meet the guideline, intent statement, and relevant principles; or
- Meet the guideline by complying with the relevant clear and objective design standard; or
- Receive approval from the Design Commission for a waiver of the guideline.

Compliance with Section 7.0103 Corridor Design District Commercial Design Guidelines and Standards is proposed by meeting the relevant clear and objective standards for all guidelines except for the following discretionary items, which will meet the guideline, relevant principles, and intent or are seeking a waiver:

7.0103(A) - Site Design

7.0103(A)(2)(G)(1) - Building Frontage.

7.0103(A)(2)(G)(4) - Building Frontage - Auto Dependent Uses.

7.0103(A)(4)(G)(1) - Location of Parking and Vehicular Circulation.

7.0103(A)(5)(G)(1) and (2) - Publicly Accessible Open Spaces.

7.0103(A)(6)(G)(5) - Parking Area Perimeter Landscape Screening.

7.0103(A)(6)(G)(6) and (7) - Energy Conservation and Sustainability in Site Development and Drought Resistant Plantings.

7.0103(A)(6)(G)(10) - Hardscape Shading.

7.0103(A)(7)(G)(1) - Site Illumination.

7.0103(B) - Building Design

7.0103(B)(4)(G)(6) - Façade Depth.

7.0103(B)(4)(G)(7) - Building Articulation.

7.0103(B)(5)(G)(4) - Street Facing Façade Transparency.

7.0103(B)(5)(G)(5) - Non-Street Facing Facade Transparency.

This report will describe how the proposal will meet the Code sections as a summary overview with reference to the applicant’s narrative. The report will also address how the proposal is meeting the guidelines and/or where a condition of approval can be required to bring the proposal into compliance.

This standard is met.

11.0101 - Development Permit Required. A development permit is being pursued in accordance with the Gresham Development Code standards and requirements. This staff report and the April 7, 2021 Design Commission public hearing represent the review of the proposed development as it relates to the Gresham Development Code standards and requirements for development.

This standard is met.

11.0203 - 11.0204 - Classification of Applications by Procedure and Review Authorities, Table 11.0204. Table 11.0204 shows proposal types and process information. The Design Review E is a Type III review. This application requires both a pre-application conference and an early neighborhood meeting.

This standard is met.

11.0500 and 11.0900 - Type III Quasi-Judicial Procedures. This proposal is subject to the Type III procedure because it includes a request for a Type E Design Review. Under this Type III procedure, a pre-application conference (per 11.0700) was held (April 29, 2020), a neighborhood meeting (per 11.0800) was held (August 12, 2020), and verification of the neighborhood meeting and its mailed notice is provided as part of the development permit application.

The application was formally submitted on December 22, 2020 and was deemed complete on February 11, 2021. The determination of completeness occurred within 180 days of the initial submittal.

Copies of the complete application were transmitted to each affected agency and City department for review and comment on February 11, 2021. Per 11.0502(E), a public notice of this proposal was mailed to owners of property and residents within 300 feet of the site as well as to representatives of the Wilkes East and North Central Neighborhood Associations on March 17, 2021. The notice was also posted onsite on March 17, 2021. No written responses to the public notice were received prior to the preparation of this staff report. Comments received in the interim, if any, will be submitted at the public hearing.

This standard is met.

III. FINDINGS

The Manager adopts the findings in the applicant's application submittal material as found in Exhibit B and supporting evidence relied on therein except to the extent inconsistent with the following agency findings.

GENERAL

3.0232(B) - Business and Retail Service and Trade. The proposal to construct a fast-food restaurant use building falls into the Business and Retail Service and Trade Commercial land use classification.

This standard is met.

4.0400 - Corridor Districts.

Table 4.0420 - Permitted Uses in the Corridor Land Use Districts. The business and retail service and trade uses are a permitted Limited Use in the MC district where the maximum building footprint size permitted shall be 40,000 square feet; and the maximum total building size (floor area) for commercial uses shall be 80,000 square feet.

This standard is met.

Table 4.0430 - Development Requirements for Corridor District. The applicant's drawings and Section 4.0430 narrative provides the findings that address the development standards. Staff accepts the findings that the standards are met with the following clarifications and conditions of approval.

4.0430(H) and 4.0433 - Setbacks. The maximum front and street-side setback standard per Table 4.0130 is 10 feet; however, per 4.0433(B)(2), this standard is applied per Section 7.0100, which indicates building frontage is calculated between the minimum and maximum setbacks. Additionally, the table footnotes indicate the maximum front or street-side setback may be exceeded when enhanced pedestrian spaces and amenities are provided per Section 7.0103(A)(5)(S1) and (S2). See the comments in Section 7.0103(A)(2) and 7.0103(A)(5) of this report regarding how these standards have been addressed.

These standards are addressed under Section 7.0103(A)(2) and 7.0103(A)(5) in this staff report.

4.0430(J) and 4.0435 - Transit Design Criteria. As described in this section and Section 7.0101(D)(5)(b) these standards are exempt from this proposed commercial development.

These standards do not apply.

4.0430(K) and (L) - Minimum and Maximum Off-street Parking. The standards of Section 9.0851 are required.

These standards are met.

4.0430(M) - Screening and Buffering. The standards of Section 9.0100 are required.

These standards are addressed under Section 9.0100 in this staff report.

4.0430(N) and 4.0439 - Clear Vision Area. The standards of Section 9.0200 are required.

These standards are addressed under Section 9.0200 in this staff report.

7.0000 - Design Review - Common Requirements.

7.0212 - Standards for New Solid Waste and Recycling Collection Areas. These standards apply and are also addressed by the agency comments (Recycling & Solid Waste) provided later in this staff report.

The applicant's narrative and drawings state the standards have been met; however, there are discrepancies between the drawing sheet 005-ST-1.1 ARCHITECTURAL SITE PLAN and the detail E - TRASH ENCLOSURE WITH ROOF STRUCTURE on sheet 005-ST-1.2.1 SITE PLAN DETAILS that make it difficult to determine if the standards have been met including gate configuration, bumper curb, clearances at containers, and enclosure details.

Waste containers shall have a minimum clear dimension of 2 feet along the sides and rear, and 3 feet along the front side. Additionally, a "no parking" sign, gate restrainers in the open and closed position, and bumper rail or curb at ground level inside the enclosure, at least 8 inches thick and 4 inches high, are required. The enclosure shall be located on a 4-inch-thick cement concrete pad. These elements are not clearly indicated on the applicant's trash enclosure drawings. A condition of approval is necessary to ensure installation of the trash enclosure complies with these standards.

These standards are met by Condition of Approval #16(a)-(g).

7.0220(B)-(F) - Grading and Drainage, Street Dedications, Arterial Streets, Frontage Roads or Signalized Access as Necessary. These standards apply and are addressed by the agency comments (Development Engineering) provided herein.

These standards are met with Conditions of Approval #2, #3, and #5 - #7.

7.0220(A), 7.0221 and 7.0222 - Landscaping, Installation, and Irrigation. Landscaping must be installed prior to occupancy, or a funding mechanism (such as bonding) must be provided. A condition of approval will be necessary to ensure installation occurs by occupancy or an appropriate funding mechanism is provided at 110 percent of the value.

Landscape irrigation is required throughout the site. Provide drawings with the building permit that provide for the design and installation of a site landscaping irrigation system.

These standards are met with Conditions of Approval #10 and #20.

7.0223 - Maintenance Responsibility. Site improvements including landscaping, paving, striping, and signage must be properly maintained, and landscaping must be replaced if it becomes dead or damaged.

For landscaping, the City has developed a maintenance agreement that the applicant shall be required to sign and record as a condition of approval (also see the comment in Section 7.0103(A)(6)(S11) in this staff report).

These standards are met with Condition of Approval #18.

9.0000 - Common Requirements.

9.0100 - Buffering and Screening Requirements. Per Table 4.0435, screening and buffering is required in the MC district, but no buffers are required to separate the proposed commercial use from the abutting properties commercial uses per Table 9.0110(B).

These standards are met.

9.0200 - Clear Vision Area. These standards are not applicable to this proposal because there are no driveways proposed to abut a public right-of-way.

These standards are not applicable.

9.0400 - Fencing. These standards are not applicable to this proposal because fencing is not proposed.

These standards are not applicable.

9.0500 - Grading and Drainage and Stormwater Quality Control Requirements. See the Development Engineering agency comments in this staff report.

These standards are met with Conditions of Approval #2, #3, #5, #6 and #16(e).

9.0700 - Neighborhood Circulation and Future Street Plans. See the Transportation Planning comments in the Agency Comments section of this staff report.

These standards are met.

9.0800 - Parking Standards.

9.0823 - Landscaping of Parking Lots. These standards are met except as follows.

9.0823(C)(5)(c) and (e) - Minimum Planter Strip Width. Interior landscape strips provided between rows of parking shall be a minimum of 5 feet in width and perpendicular parking spaces shall provide extruded curbs (bumper stops) or widened curbs to prevent bumper overhang into interior landscaped strips or walkways.

A condition of approval requires the building permit submittal include site and landscape drawings revised to demonstrate the center planter strip is widened to 11 feet (5-foot minimum plus 3-foot vehicle overhang for both rows of parking) and shorten stall depths to 15.5 feet on both sides of the planter strip or provide extruded curbs at each parking stall on both sides of the center planter strip.

These standards are met by Condition of Approval #9(a).

9.0824 - Pedestrian Circulation/Walkways. Staff accepts the findings that these standards are met.

These standards are met.

9.0831 - Bicycle Parking. Long-term bicycle parking must be provided in racks, lockers, or another manager approved type of parking that meet the standards of 9.0832, and all long-term bicycle parking must be covered per Section 9.0832(D) which states: Where required bicycle parking is provided in lockers, the lockers must be securely anchored. The applicant's narrative and product submittal indicate bike lockers are proposed for the two long-term bike parking spaces; however, the drawings do not show bike lockers where notations indicate these are to occur nor are there details demonstrating how these lockers are anchored.

A condition of approval requires the building permit submittal include drawings clearly demonstrating the bike locker location on the site plans in compliance with 9.0831(A)(4) and 9.0832 and details for the anchoring of the lockers.

These standards are met by Condition of Approval #12.

9.1000 - Tree Standards. Staff accepts the findings that the standards are met with the following clarifications and conditions of approval.

9.1031(F) - Tree Protection During Development. The applicant's drawings indicate tree protection fencing will be installed around the perimeter of the tree protection zone of the trees proposed to be preserved on or adjacent to the site; however, based on the Code requirements for placement of the tree protection fencing it appears the fencing will extend into areas of proposed site improvement work for trees with notation tags #10 and #13. Specific arborist instructions for this work are not provided. As prescribed by this Code section, no soil compaction or removal of vegetation or tree branches within the Tree Protection Zone shall be allowed during construction, except as outlined by a Certified Arborist in a submitted Tree Protection Plan. The City may require that a Certified Arborist be present during any construction or grading activities that may affect trees within the tree protection zone. Also, the fencing detail on submittal

drawing Sheet 016 Landscape L101 indicates protection fence posts are located at a 10-foot spacing where this Code section prescribes metal posts staked at no more than 4 feet on center.

A condition of approval requires the building permit submittal shall include drawing notations with arborist's instructions for excavation and construction of the site improvements within the tree protection zone. Additionally, building permit drawing notations shall include language requiring the project arborist be present onsite while work occurs within the tree protection zone and the tree protection fencing detail shall be revised to indicate fencing posts staked at no more than 4 feet on center.

These standards are met by Condition of Approval #8(a) - (c).

9.1033 - Street Tree Planting During Development. Street trees are required along frontages at a rate of one tree per 30 feet of frontage and shall be 1.75-inch caliper minimum at the time of planting. The submittal documents indicate right-of-way improvements will not be provided; however, Transportation Planning comments included in this staff report indicate accessibility and street tree improvements are required. A condition of approval requires the building permit submittal include frontage improvement drawings demonstrating street trees of 1.75-inch caliper minimum at the time of planting are provided at a rate of one tree per 30 feet of frontage and include dimension strings that demonstrate street trees are spaced 20 to 40 feet on center and are located at least 15 feet from streetlights, 15 feet from stormwater catch basins, and 5 feet from driveway cuts or underground public utilities.

These standards are met by Condition of Approval #7(c).

9.1032 - Tree Removal During Development. The applicant's narrative and drawing Sheet 15-Landscape L100 indicates more than six regulated trees are proposed for removal on the 0.77-acre site; therefore, a Type II Tree Removal permit is being reviewed with this application.

Staff finds that the 25 regulated trees proposed for removal could be removed under this Type II review as allowed by the Code for the proposed development.

These standards are met.

A5.000 - Public Facilities. The majority of the public facilities standards apply and are specifically addressed by the agency comments (Development Engineering) provided in this staff report.

These standards are met by Conditions of Approval #2, #3, #5 - #7, and #16(e).

DESIGN REVIEW

7.0100 - Corridor Design District Commercial Design Guidelines and Standards. Applicants can choose to meet the design criteria of Section 7.0100 by either meeting the design guidelines through the discretionary process or by meeting the standards through the

clear and objective process. The applicant in this case has chosen to follow the discretionary process. For all criteria, the applicant must show compliance with the design guideline or the corresponding design standard. Alternatively, the Design Commission can choose to waive a guideline to achieve the flexibility necessary to support a particularly creative proposal.

The findings which follow will describe how the proposal has either:

- Met the design guideline by meeting the corresponding design standard as described in the applicant's narrative;
- Met the design guideline by meeting the corresponding design standard with a condition of approval;
- Met the guideline, the intent, and the principles in a specified fashion;
- Not met the guideline but is requesting a waiver of the guideline for a particularly creative proposal; or
- Not met the guideline and cannot do so through a condition of approval.

Staff adopts the findings in the application submittal material as found in Exhibits A and B and the supporting evidence relied on therein except to the extent inconsistent with the findings below, with the exception that this staff report will also describe how the proposal will meet the standards that are proposed to be met through the discretionary review process. Staff makes the following findings regarding this application file.

7.0103(A)(1) - Integrated Site Design. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section except as follows.

7.0103(A)(1)(S1)(b) - Connections to Surrounding Properties. This section requires cross access easements shall be provided for vehicular and pedestrian connections to surrounding properties in support of this standard. The applicant's narrative and drawings indicate vehicular and pedestrian access is being provided to the adjoining commercial-zoned parcel to the west via a drive aisle and sidewalk.

A condition of approval requires the building permit submittal include a recorded easement with the adjoining property to the west that documents these shared accesses between properties.

Staff recommends that the Design Commission find these standards are met with Condition of Approval #19.

7.0103(A)(2) - Building Frontage and Placement. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section except as follows.

7.0103(A)(2)(G1) - Building Frontage. This section requires the following frontage coverage standards for developments:

ISSUE: The applicant must either:

- Meet the 7.0103(A)(2)(S1) standard; or
- Meet the 7.0103(A)(2)(G1) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

The standards say: *At least 50 percent of the site's frontage on any street shall be occupied by buildings oriented to the abutting street. Building frontage shall be measured by the length of the building present between the minimum and maximum setback.*

PROPOSAL: The applicant is proposing a building located beyond the maximum front yard setback with an outdoor dining area and vehicular drive-thru lane between the building and the front lot line and a low masonry screen wall along the front lot line.

GUIDELINE: *Buildings shall be placed close to the street and shall occupy sufficient street frontage to define the street edge and create a pedestrian friendly environment. Buildings shall be located with the primary facade or a street-facing open space, such as a courtyard, oriented to the street.*

RECOMMENDATION: During the applicant's ODCC meeting on June 3, 2020 the Design Commission generally felt that the applicant's site plan was acceptable and specifically felt the proposed setbacks, vehicular circulation layout, reduced building frontage, and proposed dining patio design were acceptable.

Staff recommends that the Design Commission find this guideline is met.

7.0103(A)(2)(G4) - Building Frontage - Auto Dependent Uses. This section allows the following frontage coverage standards for auto dependent use developments:

ISSUE: The applicant must either:

- Meet the 7.0103(A)(2)(S4) standard; or
- Meet the 7.0103(A)(2)(G4) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

The standards say: *Auto-Dependent Uses may utilize alternative features in conjunction with the primary structure to count toward the building frontage requirement. Canopies located within the setback zone, that are associated with these uses, may count toward the frontage requirement if used with a decorative masonry wall a minimum of 36 inches in height.*

PROPOSAL: The applicant is proposing a building located beyond the maximum front yard setback with a covered outdoor dining area and vehicular drive-thru lane

between the building and the front lot line and a 3-foot-high masonry screen wall along the front lot line.

GUIDELINE: For Auto-Dependent uses, when the building is outside the setback zone, the pedestrian environment shall be defined and enhanced through the use of pedestrian scaled elements that establish a physical edge adjacent to the street.

RECOMMENDATION: During the applicant's ODCC meeting on June 3, 2020 the Design Commission generally felt that the applicant's site plan was acceptable and specifically felt the proposed setbacks, vehicular circulation layout, reduced building frontage, and proposed dining patio design and separate screen wall located along the front lot line were acceptable.

Staff recommends that the Design Commission find this guideline is met.

7.0103(A)(3) - Pedestrian Circulation. Contrary to the applicant's narrative the applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section except as follows.

7.0103(A)(3)(S4) - Building Addressing. This section prescribes developments shall meet the requirements of the Oregon Fire Code (OFC), Gresham Revised Code (GRC), and the Gresham Fire and Emergency Services (GFES) Building Identification and Addressing Guide. The applicant's narrative states these requirements are met but the drawings do not demonstrate compliance. A condition of approval requires the building permit submittal include drawings demonstrating compliance with the addressing regulations prescribed by this standard 7.0103(A)(3)(S4).

This standard is met with Condition of Approval #13.

7.0103(A)(4) - Parking, Loading, and Service Areas. Contrary to the applicant's narrative the applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section except as follows.

7.0103(A)(4)(G1) - Location of Parking and Vehicular Circulation. This section requires that parking and vehicular circulation areas shall be located on the side, interior, or rear of the site and shall not be located between the building and abutting street right-of-way.

ISSUE: The applicant must either:

- Meet the 7.0103(A)(4)(S1) standard; or
- Meet the 7.0103(A)(4)(G1) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

The standards say: *On-site auto surface parking areas, garages, and auto circulation areas shall not be located between a building and an abutting street right-of-*

way. Auto parking and circulation areas shall be located to the side, interior, rear, on top of, or beneath buildings.

PROPOSAL: The applicant is proposing a building located beyond the maximum front yard setback with a vehicular drive-thru lane between the building and the front lot line and parking area extending in front of the street facing facade.

GUIDELINE: *Auto parking, loading, service, and circulation areas shall be located and configured to minimize their visual impact from abutting street frontages.*

RECOMMENDATION: During the applicant's ODCC meeting on June 3, 2020 the Design Commission generally felt that the applicant's site plan was acceptable and specifically felt the proposed setbacks, vehicular circulation, and parking layout were acceptable.

Staff recommends that the Design Commission waive this guideline.

7.0103(A)(5) - Open Space. A publicly accessible open space is proposed for this project as a means to meet the building frontage requirements of Section 7.0103(A)(2). The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section except as follows.

7.0103(A)(5)(G1) and (G2) - Publicly Accessible Open Spaces. These sections provide design criteria for publicly accessible open space being provided to satisfy the frontage requirements of Section 7.0103(A)(2).

ISSUE: The applicant must either:

- Meet the 7.0103(A)(5)(S1) and (S2) standard; or
- Meet the 7.0103(A)(5)(G1) and (G2) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

The standards say: *Publicly accessible open spaces may be utilized to create an increased setback and may count toward the required building frontage, up to 20 percent of the required building frontage length, as specified in 7.0103(A)(2). When incorporated into a development, publicly accessible open spaces shall incorporate the following: (a.) At least 30 percent of the area shall be planted with trees, shrubs, groundcover, and perennial landscape plantings. (b.) At least 30 percent of the area shall be hardscaped with decorative paving that meets accessibility standards. (c.) At least one bench or seating unit for each 200 square feet of area (seating may be grouped into benches or ledges). (d.) Pedestrian-scaled lighting fixtures no taller than 18 feet. (e.) At least one element with sustainability attributes, such as, but not limited to: rain gardens; a green wall; solar powered lights or equipment; pervious paving; or benches made from recycled materials. (f.) Artistic design elements such as decorative paving*

patterns, ornamental art features, creative lighting elements, etc., and publicly accessible open spaces shall have minimum dimensions of 30 feet by 20 feet.

PROPOSAL: The applicant is proposing a covered outdoor dining patio located approximately 28 feet behind the front lot line and to the side of the building to satisfy the frontage guidelines of Section 7.0103(A)(2). The patio dimensions are approximately 16 feet by 15 feet and the patio design includes concrete paving, chair and bench type seating at three tables, and fencing and plantings to screen adjacent parking and drive-thru aisle.

GUIDELINE: *Publicly accessible open space may include a variety of public space typologies, both hardscaped and landscaped, such as on-site plazas, interior courtyards, patios, terraces, and gardens. Public spaces shall incorporate features that advance sustainable principles and shall include focal points such as an art sculpture, water feature, pavilion, seating area, specimen plants, unique paving, or unusual lighting. When possible, these spaces shall take advantage of and preserve any natural features on the site and shall be designed to accentuate view corridors. The dimensions of outdoor spaces shall be sufficient to encourage and support usage and activity. They shall be proportioned and designed to be comfortable for human activity and social interaction - standing, sitting, and talking.*

RECOMMENDATION: During the applicant's ODCC meeting on June 3, 2020 the Design Commission generally felt that the applicant's site plan was acceptable and specifically felt the proposed setbacks, reduced building frontage, and proposed dining patio design were acceptable.

Staff recommends that the Design Commission find these guidelines are met.

7.0103(A)(6) - Landscaping. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section except as follows.

7.0103(A)(6)(S2) - Site Trees. Contrary to the applicant's narrative response the drawing sheet 16 LANDSCAPE L1.01 demonstrates compliance with this standard.

The standard is met.

7.0103(A)(6)(S3) - Plant Sizes. Contrary to the applicant's narrative response the drawing sheet 16 LANDSCAPE L1.01 demonstrates compliance with this standard.

The standard is met.

7.0103(A)(6)(S4) - Parking Area Landscaping. Contrary to the applicant's narrative response the drawing sheet 16 LANDSCAPE L1.01 demonstrates compliance with this standard.

The standard is met.

7.0103(A)(6)(G5) - Parking Area Perimeter Landscape Screening. This section requires perimeter parking areas be screened from adjacent rights-of-way.

ISSUE: The applicant must either:

- Meet the 7.0103(A)(6)(S5) standard; or
- Meet the 7.0103(A)(6)(G5) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

The standards say: *When located adjacent to a public street, the auto parking area shall be buffered by a landscaped edge no less than 8 feet in width consisting of trees, shrubs, decorative fencing or walls, and ground level plantings in a layered configuration. This buffer screening shall be located adjacent to the sidewalk of the public street. Decorative fencing or walls may be included in place of required shrubs in the landscape buffer.*

PROPOSAL: The proposal includes an approximate 5-foot-wide landscaped buffer between the drive-thru aisle and front lot line to include mulch, grasses, and a 3-foot-high masonry wall. The drawing sheet 27-COLOR RENDERING FROM ACROSS THE STREET includes a row of 3-foot-tall shrubs on the street facing side of the wall in support of the guideline, but these are not shown on drawing sheet 16 LANDSCAPE L1.01.

GUIDELINE: *Parking areas shall be buffered from streets with landscaping that provides definition to pedestrian areas and screens parking. The dimension of the parking lot landscape buffer shall be adequate to screen the parking and mitigate its visual impact from the street. Perimeter screening shall be layered to provide visual interest, definition of pedestrian areas, and screening at various heights.*

RECOMMENDATION: During the applicant's ODCC meeting on June 3, 2020 the Design Commission generally felt that the applicant's site plan was acceptable and specifically felt the proposed setbacks, vehicular circulation layout, and separate screen wall located along the front lot line were acceptable. Staff recommends a condition of approval requiring the building permit submittal include drawing sheet 16 LANDSCAPE L1.01 revised to demonstrate a row of shrubs along the street facing side of the masonry screen wall as shown on the drawing sheet 27-COLOR RENDERING FROM ACROSS THE STREET in support of the guideline.

Staff recommends that the Design Commission find this guideline is met with Condition of Approval #9(b).

7.0103(A)(6)(G6) and (G7) - Energy Conservation and Sustainability in Site Development and Drought Resistant Plantings. These sections require developments to utilize strategies

that reduce water and energy usages attributed to site development and use.

ISSUE: The applicant must either:

- Meet the 7.0103(A)(6)(S6) and (S7) standard; or
- Meet the 7.0103(A)(6)(G6) and (G7) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

The standards say: *Energy conservation and sustainability in site development shall be promoted through a minimum of two of the following: (a.) Preserve a minimum of 50 percent of existing regulated (greater than or equal to 8 inch diameter at breast height (DBH)) trees on site., (b.) At least 20 percent of trees, 20 percent of shrubs, and 20 percent of groundcover plants shall be food-producing perennial species, such as named varieties of cherries, apples, hazelnuts, blueberries, strawberries, etc., (c.) Site furnishings such as, fences, gazebos, trash receptacles, benches, and tables shall be constructed with 20 percent sustainably harvested materials, such as Forestry Stewardship Council (FSC)-certified wood and/or recycled content materials, excluding plastics. The intent of this standard can also be achieved through the use of locally sourced materials, originating within 500 miles of the site., (d.) Provide a minimum of 20 percent recycled content pavement or pavement base, such as concrete grindings for base materials or blast furnace slag additives, or asphalt with glass for hardscape elements such as streets, sidewalks, paths, parking areas, and courtyards. A minimum of 20 percent of landscape plantings shall be a drought-resistance species.*

PROPOSAL: The applicant’s narrative states these guidelines are met but does not offer any specific information on what strategies are proposed that reduce water and energy usages attributed to site development and use and neither do the drawings provide information addressing these criteria or the criteria for drought resistant plantings, except for specifying a water-reducing irrigation system.

GUIDELINE: *Developments shall utilize strategies that reduce water and energy usage attributed to site development and use, and the transportation of site users, while not detracting from good site and building design. Healthy and sustainable communities shall be created that incorporate “best practices” such as LEED™ for Neighborhood Development to conserve natural resources, reduce carbon emissions, and promote interaction between site users. Drought resistant landscaping shall be incorporated into the landscape design in a manner that contributes to a reduction in the irrigation water needed.*

RECOMMENDATION: Staff recommends a condition of approval requiring the building permit submittal include drawings revised to specify 20 percent drought resistant plantings in support of the guidelines in addition to the water conserving irrigation system.

Staff recommends that the Design Commission find these guidelines are met with Condition of Approval #9(c).

7.0103(A)(6)(S8) - Irrigation. Contrary to the applicant’s narrative response the drawing sheet 19 LANDSCAPE L200 demonstrates compliance with this standard.

The standard is met.

7.0103(A)(6)(S9) - Water Conservation. Contrary to the applicant’s narrative response the drawing sheet 009-C3-UTILITY PLAN and 19 LANDSCAPE L200 demonstrates compliance with the standard criteria (a), (b), and (c).

The standard is met.

7.0103(A)(6)(G10) - Hardscape Shading. This section requires hardscape areas be shaded to reduce heat island effect.

ISSUE: The applicant must either:

- Meet the 7.0103(A)(6)(S10) standard; or
- Meet the 7.0103(A)(6)(G10) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

The standards say: *After five years from occupancy, a minimum of 30 percent of on-site hardscape area shall be shaded. Determination shall be based upon expected growth of the selected trees and shall be calculated at noon on the summer solstice. Hardscape shading from buildings and structures such as carports or pergolas may be counted toward the total shading requirement.*

PROPOSAL: The applicant’s narrative states the guideline is met, and the proposal includes site landscaping in compliance with the coverage standards of this Section 7.0103(A)(6) including quantity of trees in excess of the standards.

GUIDELINE: *Hardscapes shall be shaded as a means of reducing energy costs (heat island effect), improving stormwater management, and improving the overall aesthetic quality of the built environment.*

RECOMMENDATION: Staff finds the proposal includes site landscaping in compliance with the coverage standards of this Section 7.0103(A)(6) including quantity of trees in excess of the standards in support of the guideline.

Staff recommends that the Design Commission find this guideline is met.

7.0103(A)(6)(S11) - Landscaping Maintenance. This standard requires that the owner enter into and record a landscape maintenance agreement, and that landscaping and irrigation systems be installed prior to occupancy, or a funding mechanism (such as bonding) must be provided at 110 percent of the value of this work.

See discussion in Section 7.0220(A), 7.0221 and 7.0222 and 7.0223 of this staff report.

This standard is met with Conditions of Approval #10, #18, and #20.

7.0103(A)(6)(S12) - Site Landscaping Coverage. Contrary to the applicant's narrative response the drawing sheet 16 LANDSCAPE L1.01 demonstrates compliance with this standard.

The standard is met.

7.0103(A)(7) - Site Lighting. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section except as follows.

7.0103(A)(7)(G1) - Site Illumination. This section requires the site lighting to be designed to achieve uniform illumination levels with a minimum of glare to create safe environments.

ISSUE: The applicant must either:

- Meet the 7.0103(A)(7)(S1) standard; or
- Meet the 7.0103(A)(7)(G1) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

The standards say: *The following areas shall be illuminated during the hours of darkness: primary internal drives, parking areas, loading and unloading areas, open spaces, pedestrian walkways, and building entries. (a.) The illumination levels listed in Table 7.0103(A)(7)(1) shall act as minimum standards for all exterior lighting. (b.) Maximum average lighting will be governed by the six-to-one ratio (6:1) of maximum average to minimum illumination (per Table 7.0103(A)(7)(1)) of the surface being lit. (c.) Maximum illumination at a property line adjacent to a residential use shall not exceed 0.5 foot-candles. Maximum illumination at a property line adjacent to a non-residential use shall not exceed 1.0 foot-candle. (d.) Average foot-candles shall be the average amount of light at 3-foot height above a surface as determined using a photometric plan with 1-foot grid spot foot-candle readings. The Manager or Design Commission may modify these levels if such modifications are deemed necessary and appropriate for the use and surrounding area. (e.) No direct light source shall be visible at the property line.*

PROPOSAL: The applicant's narrative states the guideline is met, and the proposal includes drawing sheet 29-LL-V1.02 SITE PHOTOMETRIC demonstrating compliance with the standards of this Section and Table 7.0103(A)(7)(1) except at the area of the walkway connecting the site to NE 181st Avenue.

GUIDELINE: *The site shall be designed to achieve uniform illumination levels with a minimum glare to adjacent properties in order to create a comfortable and safe environment.*

RECOMMENDATION: Staff finds the proposal meets the intent of the guideline through compliance with the lighting standards of this Section 7.0103(A)(7) and Table

7.0103(A)(7)(1) except at the area of the walkway connecting the site to NE 181st Avenue. Therefore, staff recommends a condition of approval that requires the building permit submittal include an updated lighting plan and drawing sheet 29-LL-V1.02 SITE PHOTOMETRIC demonstrating 0.5 foot-candle minimum light levels on the walkway connecting the site to the sidewalk on NE 181st Avenue.

Staff recommends that the Design Commission find this standard is met with Condition of Approval #11.

7.0103(A)(7)(S2) and (S3) - Site Lighting Specifications. Contrary to the applicant's narrative response the drawing sheet 29-LL-V1.02 SITE PHOTOMETRIC demonstrates compliance with these standards.

These standards are met.

7.0103(B) - Building Design.

7.0103(B)(1) - Building Massing and Articulation. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section except as follows.

7.0103(B)(1)(S1) - Important Façade Sections. Contrary to the applicant's narrative response this standard is met as the corner tower element extends vertically above the adjacent wall greater than 10 percent of the adjacent wall height.

The standard is met.

7.0103(B)(1)(S2) - Arcades. Contrary to the applicant's narrative response this standard is not applicable to the proposed building design.

The standard is not applicable.

7.0103(B)(1)(S3) - Length of Commercial Structures. Contrary to the applicant's narrative response this standard is met.

The standard is met.

7.0103(B2) - Roofs and Parapets. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section except as follows.

7.0103(B)(2)(S1) - Heat Island Reduction. The applicant's narrative states the standard is met but the drawings do not provide notations specifying the Solar Reflectance Index (SRI) of the roofing material is in compliance with the standard; therefore, a condition of approval requires the building permit submittal include drawing notations or product data sheets specifying the roof membrane has an SRI of 78 or greater.

Staff recommends that the Design Commission find this standard is met with Condition of Approval #14.

7.0103(B)(2)(S2) - Parapet Depth. The applicant's narrative indicates this guideline is met; however, the building elevation drawings and renderings provided with the submittal indicate the lower parapet wall is continuous and the walls of the forms that extend above the parapet are continuous and finished with wall finishes on all four sides. Consequently, this standard does not apply to the building as proposed.

The standard is not applicable.

7.0103(B)(3) - Entries. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section except as follows.

7.0103(B)(3)(S1) - Weather Protection. Contrary to the applicant's narrative response this standard is met because the FRONT ELEVATION 2 on drawing sheet 24-A4-1 EXTERIOR ELEVATIONS includes notations indicating the canopy projections are 4-foot typical.

The standard is met.

7.0103(B)(3)(S2) - Entry Orientation. Contrary to the applicant's narrative response this standard is met.

The standard is met.

7.0103(B)(3)(S3) - Prominent Entry Elements. Contrary to the applicant's narrative response this standard is met.

The standard is met.

7.0103(B)(4) - Facade Composition and Ground-Level Details. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section except as follows.

7.0103(B)(4)(S1) - Through-wall Heating/Cooling/Mechanical Equipment. Contrary to the applicant's narrative response the exterior elevation drawings demonstrate the standard is met as no mechanical systems are proposed to penetrate exterior walls.

The standard is met.

7.0103(B)(4)(S2) - Vents, Downspouts, and Similar Functional Features. Contrary to the applicant's narrative response the exterior elevation drawings demonstrate the standard is met as no vents, downspouts, or similar functional features are proposed to be exposed.

The standard is met.

7.0103(B)(4)(S3) - Screening of Mechanical, Electrical, and Communication Equipment.

Contrary to the applicant's narrative response the exterior elevation drawings demonstrate the standard is met because rooftop mechanical units will be screened from view or equipment is located within the building as shown on the floor plan drawing.

The standard is met.

7.0103(B)(4)(S4) - Energy Conservation and Sustainability in Building Design. Contrary to the applicant's narrative response the submittal drawings demonstrate the standard is met because the long axis of the building is oriented in the east to west direction and windows have been located on the east and south elevations and protected with canopy overhangs.

The standard is met.

7.0103(B)(4)(S5) - Building Base. Contrary to the applicant's narrative response this standard is not applicable to the proposed single-story building design.

The standard is not applicable.

7.0103(B)(4)(G6) - Façade Depth. This section requires that facades visible from streets, parking areas, or those with customers' entries shall incorporate design strategies and features which create depth in wall planes.

ISSUE: The applicant must either:

- Meet the 7.0103(B)(4)(S6) standard; or
- Meet the 7.0103(B)(4)(G6) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

The standards say: *Facades visible from streets or those with customer entries shall incorporate design strategies and features which create depth in wall planes. Depth shall be established in facades by utilizing one of the prescribed strategies: A repeating pattern of wall recesses and/or projections that has a relief of at least 16 inches (such as recessed structural bays or recessed window openings between columns). Wall recessions and projections shall be at intervals not greater than 30 feet; or changes in wall plane with an offset of at least 24 inches at intervals which respond to the building module. These changes in wall plane shall occur at intervals of not less than 25 feet and not more than 100 feet. Features used to establish depth in the facade shall be no less than 75 percent of the height of the wall area attributed to the ground floor use (including the parapet on a single-story building).*

PROPOSAL: The applicant is proposing façade depth in compliance with the standard along the south-facing customer entry façade where the 12-foot wide enhanced

entry portal element projects at least 24 inches in front of the approximate 69-foot-long main façade. However, the 28-foot-long east street-facing façade incorporates a 6-foot-wide corner tower element that only projects approximately 6 inches from the face of the adjoining façade.

GUIDELINE: The building shall utilize design strategies which effectively add depth to the building and wall planes. Articulating elements shall provide surface relief, depth, and shadows to the facade by being recessed or projected. Changes in building depth shall reinforce and create a consistent street wall.

RECOMMENDATION: Staff finds the proposed combination of materials and projecting canopy and wall elements along this shorter street facing façade meets the Code intent to provide surface relief, depth, and shadows in support of the intent and guidelines.

Staff recommends that the Design Commission find that this guideline is met.

7.0103(B)(4)(G7) - Building Articulation. This section requires that all facades shall be articulated, and a rhythm shall be established by repeating design elements at regular spacing.

ISSUE: The applicant must either:

- Meet the 7.0103(B)(4)(S7) standard; or
- Meet the 7.0103(B)(4)(G7) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

The standards say: *All facades shall be articulated, and a rhythm shall be established by repeating design elements at regular spacing which does not exceed 30 feet along the length and/or height of the facade. These design elements shall be present for a minimum of 80 percent of the facade length.*

(a.) *Buildings shall utilize a minimum of two of the following options, each at the spacing specified above, to articulate the facade and establish rhythm:*

(i.) Columns, pilasters or reveals at least 16 inches in width which follow the building module. (ii.) Belt courses or other horizontal banding. (iii.) Major vertical mullions of at least 6 inches in width on an all-glass facade which follow the building module. (iv.) A repeating fenestration pattern including windows, window openings, and doors. (v.) Integrated planters or landscape beds with a minimum width of 10 feet featuring trees and ground-level plantings at the required spacing. (vi.) Pergolas, arcades, or colonnades. (vii.) Awnings, canopies, or solar shades/reflectors placed over windows, doors, or outdoor spaces with a minimum depth of 4 feet. (viii.) Other features approved by the Manager or Design Commission.

(b.) The use of Option (S7)(a)(i) and Option (S7)(a)(ii) shall be counted as only one articulating element on facades facing a street and facades with customer entries. In this case, the use of an additional feature is required.

(c.) Design elements used to articulate the facade and establish rhythm shall include a small change in depth no less than 4 inches from the adjacent wall plane. This dimension may be reduced to 2 inches on belt courses and horizontal banding.

PROPOSAL: The applicant's narrative states the proposal includes articulating features used as a combination of changes of materials, plane, fenestration, detailing, and the establishment of vertical and horizontal datums.

GUIDELINE: *Design elements shall occur at regular spacing which responds to the building module, establishing a rhythm on the facade. Building articulation shall establish a vertical-orientation in the facade with complimentary horizontal details, visually reducing the scale of the wall into several smaller lengths. Building articulation shall create a human scale within the building and shall place emphasis on enhancing the pedestrian levels of facades adjacent to streets or parking areas. Articulating features shall use a combination of changes of materials, plane, fenestration, detailing, and the establishment of vertical and horizontal datums.*

RECOMMENDATION: Staff finds the proposed combination of finish materials and colors and repeating articulated bay-like elements along the two longer facades meets the Code intent to enhance and enliven wall planes with design features which add detail and interest to facades, reducing the visual scale of building facades to the human scale in support of the intent and guideline.

Staff recommends that the Design Commission find that this guideline is met.

7.0103(B)(5) - Transparency. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section with the following clarifications.

7.0103(B)(5)(S1) - Window Visible Transmittance Value. Neither the applicant's narrative, materials document information, or drawings indicate the specified visible light transmittance value for the proposed glazing. To meet the standard, glazing shall have a visible transmittance value (VT) of no less than 60 percent.

A condition of approval is necessary requiring the building permit submittal shall include drawing notations or other documentation that clearly indicates the clear vision glazing shall have a visible transmittance value (VT) of no less than 60 percent.

Staff recommends that the Design Commission find that this standard is met with Condition of Approval #15.

7.0103(B)(5)(S2) - Window Depth. This section requires that windows shall be recessed a minimum of 4 inches from the building plane. Contrary to the applicant's narrative this standard is met as demonstrated on the Detail C - Typical Window Sill on drawing sheet 23-A4-0 EXTERIOR ELEVATIONS of the applicant's submittal.

This standard is met.

7.0103(B)(5)(G4) - Street Facing Facade Transparency. This section requires that street-facing facades have high levels of transparency.

ISSUE: The applicant must either:

- Meet the 7.0103(B)(5)(S4) standard; or
- Meet the 7.0103(B)(5)(G4) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

The standards say: *Buildings shall have a pedestrian level transparency zone utilizing clear glass between the heights of zero and 12 feet for no less than 60 percent of facades facing public streets.*

PROPOSAL: A calculation of the glazing area between the heights of zero and 12 feet on the applicant's drawing FRONT ELEVATION 2 on drawing sheet 24-A4-1 EXTERIOR ELEVATIONS demonstrates 49 percent of the wall area is proposed as clear glazing.

GUIDELINE: *Buildings shall have high levels of transparency at the pedestrian level on facades which face the street.*

RECOMMENDATION: During the applicant's ODCC meeting on June 3, 2020 the Design Commission generally felt additional transparency was warranted at the south facing entry facade and the west facing facade and encouraged the applicant to focus on increasing transparency at those areas of the building only which are not covered by this standard and guideline.

Staff recommends that the Design Commission find that this guideline is met.

7.0103(B)(5)(G5) - Non-Street Facing Facade Transparency. This section requires that non-street-facing facades with customer entries have high levels of transparency.

ISSUE: The applicant must either:

- Meet the 7.0103(B)(5)(S5) standard; or
- Meet the 7.0103(B)(5)(G5) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

The standards say: *Non-street facing facades with customer entries shall have a pedestrian level transparency zone utilizing clear glass between the heights of zero and 12 feet for 40 percent of the wall area within 30 feet of the entry (as measured from the center of the doorway). Outside the enhanced transparency zone, the building shall have a pedestrian level transparency zone utilizing clear glass between the heights of zero and 12 feet for no less than 20 percent of facades with customer entries.*

PROPOSAL: A calculation of the glazing area between the heights of zero and 12 feet on the applicant's drawing MAIN ENTRY ELEVATION 1 on drawing sheet 23-A4-0 EXTERIOR ELEVATIONS demonstrates 34 percent of the enhanced entry wall area is proposed as clear glazing and 7 percent of the remainder of this customer entry façade wall area between the heights of zero and 12 feet is proposed as clear glazing.

GUIDELINE: *Non-street facing facades that have customer entries shall have sufficient levels of transparency to improve the appearance of the facade and allow for natural surveillance of the parking area.*

RECOMMENDATION: During the applicant's ODCC meeting on June 3, 2020 the Design Commission generally felt additional transparency was warranted at the south facing entry facade and encouraged the applicant to focus on increasing transparency at that area of the building. A comparison of the south elevation from the ODCC submittal and the current south elevation drawing indicates 25 square feet of glazing area has been added to the proposed south elevation and that interior programmatic uses do not allow for additional glazing on this facade.

Staff recommends that the Design Commission find that this guideline is met.

7.0103(B)(5)(S6) - Display Windows. Contrary to the applicant's narrative response this standard is not applicable because display windows are not proposed.

The standard is not applicable.

7.0103(B)(6) - Materials. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section.

These standards are met.

IV. AGENCY COMMENTS

FROM: Jesse Davies, Engineering Tech III

DEVELOPMENT ENGINEERING COMMENTS

The project area is located just south of the eastbound off ramp of Interstate 84 at NE 181st Avenue and is in a Moderate Commercial (MC) land use district (State ID is 1N3E30D 00200).

The applicant proposes the construction of a new Taco Bell fast food restaurant with a drive through, parking lot, and supporting site improvements. The site is currently vacant.

The following comments are from Development Engineering and refer to the plans submitted by Mark Miller & Associates received December 16, 2020.

A5.000: GENERAL

Design and construction of all public facility improvements shall be in conformance with all applicable regulatory documents, including but not limited to the [Gresham Community Development Code \(GCDC\)](#), [Gresham Public Works Standards \(PWS\)](#), [Gresham Revised Code \(GRC\)](#) and [Stormwater Management Manual \(SWMM\)](#).

Prior to construction plan submittal, the applicant shall schedule a pre-design meeting with Jesse Davies, Development Engineering, at 503-618-2395 to discuss technical requirements, design, and construction schedules, and to review processes. With construction plan submittal, the applicant will provide an engineer's estimate of the cost of public improvements (including private on-site stormwater detention and water quality systems), enter into an agreement with changes to the City of Gresham for plan review and inspection services, and pay deposits based on the estimate. The applicant will provide a performance bond based on 110 percent of the engineer's estimate.

Approvable public facilities construction plans and performance bond are required prior to building permit approval. Approved plans are valid for one year, and all public improvements must be completed within two years of the Notice to Proceed unless otherwise approved by the Manager.

A right-of-way permit will be required before beginning work in the public right-of-way.

Any project that includes construction of public facilities must comply with City of Gresham survey standards. Plans must reference City of Gresham datum, NGVD 1929, 1947 adjustment. Coordinates must be based on the Lambert State Plane Coordinate System, Oregon North Zone. Basis of bearing for all measurements should be from the City Control Network. Control Points can be found at <http://GreshamOregon.gov/Maps/>.

Public facilities construction plans will require the submittal of as-builts prior to prior close out. As-builts are submitted electronically and must comply with the City of Gresham CAD manual. The manual and CAD template can be found on the Public Facilities tab at: <https://GreshamOregon.gov/Building-and-Permits/>.

A5.100: SANITARY SEWER FACILITIES

Existing Sanitary Sewer Facilities and Approved Point of Connection

City records show an existing 15-inch diameter concrete sanitary main north of the site in the ODOT right-of-way and a 15-inch diameter concrete sanitary main in NE 181st Avenue. Connection to either of these lines is approvable. Any work within the ODOT right-of-way will need an ODOT permit issued prior to construction.

Food Service Establishments

Because the site is being developed as a food establishment, the trash enclosures shall be covered and shall have floor drains connected to the sanitary sewer system on the private side.

Please contact Paul Kramer, Water Resources Division, 503-618-2648 for more information regarding pretreatment requirements for food service establishments.

A5.200 & 9.0500: SURFACE WATER MANAGEMENT SYSTEMS

Approved Point of Discharge

The site lies in the Columbia Slough drainage basin. There is an existing 54-inch diameter concrete main north of the project property in the ODOT right-of-way. This main is the approved point of discharge for the site. Any work within the ODOT right-of-way will need an ODOT permit issued prior to construction.

Water Quality & Quantity Control Requirements

Projects that add or replace over 1,000 square feet of impervious surface are required to comply with the City's stormwater management requirements in the Stormwater Management Manual (SWMM) for the impervious surface added or replaced.

Stormwater facilities associated with development should be designed to infiltrate runoff to the maximum extent feasible. Filtration, versus infiltration, facilities should be used for sites where infiltration may be infeasible per SWMM Section 1.2.2.

For sites that cannot retain the 10-year storm event onsite, flow control (detention) is required. The minimum requirements for detention are described in SWMM Section 1.2.5. These requirements include sizing stormwater facilities to retain the 25-year event, to control the post-development peak flow for the 2-year, 24-hour event to half the pre-development level, and to control the post-development peak flow for the 5-year through 25-year, 24-hour events to the pre-development levels. Sites where the 10-year event can be stored in an onsite stormwater facility but would not fully infiltrate within 48 hours will need to ensure that an overflow structure is provided to safely convey larger storm events. Sites that can retain the 25-year storm event onsite may be eligible for a reduction in the onsite portion of the monthly stormwater fee.

The use of low impact/green development practices (such as rain gardens, planter boxes, pervious pavement, etc.) as described in the City's SWMM must be prioritized to satisfy water quality requirements. Please use this Manual for guidance in the final low impact/green development design. Sizing calculations provided in the SWMM must be adjusted for this site's conditions. The proposed swales and stormwater pond are approvable.

Infiltration Testing Requirements

Projects following the Simple Method (see SWMM Section 2.3.1) for designing stormwater management facilities will utilize assumed soil infiltration rates based on soil type. Projects following the Simple Method that will be adding more than 10,000 square feet of impervious

surface may want to perform an infiltration test to ensure that the assumptions used in developing the sizing factors on the Simple Sizing Form are appropriate for site conditions.

All projects following the Engineered Method (see SWMM Section 2.3.2) for stormwater management facility design or projects trying to demonstrate that onsite infiltration is infeasible per SWMM Section 1.2.2 will require site-specific infiltration testing to be performed in accordance with SWMM Appendix E.

Maintenance Requirements for Stormwater Facilities

Private stormwater facilities are subject to periodic inspection by the City to ensure proper maintenance and performance in accordance with SWMM Section 6.3. Maintenance of private stormwater facilities is the responsibility of the applicant.

Though not proposed, if the installation of stormwater treatment facilities with maintenance requirements not explicitly stated in SWMM Section 6.3 (such as proprietary filters on the City's approved list of devices) is approved, the applicant must enter into a maintenance agreement with the City to ensure the implementation of a maintenance plan for the private stormwater facilities in accordance with SWMM Section 6.2. An operations and maintenance (O&M) agreement with an approved maintenance plan will need to be recorded prior to building permit issuance and must include all elements of the system.

Final Drainage Report

A final storm report as well as construction plans for the private water quality treatment and detention facilities shall be submitted for review at the time of building permit submittal.

Impervious Area Plan

An impervious area plan will be required with the building permit plan submittal. The plan will be required to show the existing impervious area, added impervious area, and any impervious area that is to be removed and replaced with areas of each listed.

Source Control

Because the proposed use will have solid waste storage containers (dumpsters), it will also be subject to the requirements of Section 5.5 of the Stormwater Management Manual. This includes a paved and covered garbage area that is hydraulically isolated (no stormwater allowed to enter).

Erosion and Sedimentation Control Requirements

Erosion and sedimentation control must comply with the Appendix C of the Stormwater Management Manual and Section 9.0500 of the Development Code.

A5.300: WATER FACILITIES

Rockwood Water Service Area Requirements

The site lies in the Rockwood Water People's Utility District. The applicant will need to contact Rockwood PUD at 503-665-4179 to determine water availability. Rockwood will provide the applicant with a form that states the pressure and available flow in the system so the City can determine if fire flow demands can be satisfied from the existing system. The applicant will provide this form to the City.

All Rockwood waterlines and fire hydrants must be shown on the construction plans as well as proposed waterlines and any required easements.

The wastewater system development charge is calculated based on water meter size. Since the water service is provided by another jurisdiction, the applicant will need to provide meter size information to the City of Gresham when building plans are reviewed.

Fire Flow Requirements

Fire flow requirements are determined by the Fire Department and not by Development Engineering. Only the Fire Marshal or the Building Official can reduce or increase these requirements.

Well Field Area

The development site is located within the Cascade Well Field Area. The development as proposed is not impacted by regulations within the Well Field Area. If hazardous materials/wastes or petroleum products are stored or created on the site in the future, the well field protection area regulations will have to be met. A copy of wellfield related documents may be found at: [https://GreshamOregon.gov/Well-Field-Protection- Program/](https://GreshamOregon.gov/Well-Field-Protection-Program/).

For more information, please contact Clay Walker at Clay.Walker@GreshamOregon.gov or 503-618-2487.

OTHER

TriMet

The project is located along an existing bus line. The applicant should contact TriMet early to determine if any improvements to the site are needed to better serve TriMet users.

Easements

All existing and proposed public and private easements must be shown on the construction plans submitted for building permit review. If no easements exist, a note must be added to the plans to that effect. In general, all proposed easements must be in place prior to construction plan approval.

CHARGES AND FEES

System Development Charges (SDCs) can be estimated using the City's online calculator found at www.GreshamOregon.gov/SDC. A person challenging the calculation of SDCs and allocated capacity may do so pursuant to GRC 11.05.100.

For required public improvements, the developer will enter into a contract to pay City staff for plan review and inspection services. A deposit will be paid based on the engineer's estimate, and these services will be paid for at actual rates. A guarantee of completion will be required for 110 percent of the public improvement estimate.

Once the construction plans are approved, the City will begin charging a bi-monthly stormwater utility fee for the added impervious area. Reductions are available for projects that infiltrate their stormwater. The applicant must request this reduction during construction plan review. For current Stormwater Utility Rates and to request a discount, visit: <https://GreshamOregon.gov/Stormwater-Utility-Rates/>.

CONCLUSION

Findings submitted under each proceeding code section are generally consistent with the Community Development Code and the Public Works Standards. The following recommended conditions of approval will ensure that the Community Development Code and the Public Works Standards are met and adequate public facilities to serve this development are constructed.

These standards are met by Conditions of Approval #2, #3, #5 - #7, and #16(e).

FROM: Jay Higgins, Development Transportation Planner

TRANSPORTATION PLANNING COMMENTS

PROJECT DESCRIPTION

A new 2,049 square-foot fast food restaurant adjacent to NE 181st Avenue with vehicle access through easements between the existing hotel to the southwest and the existing Burger King parcel to the south.

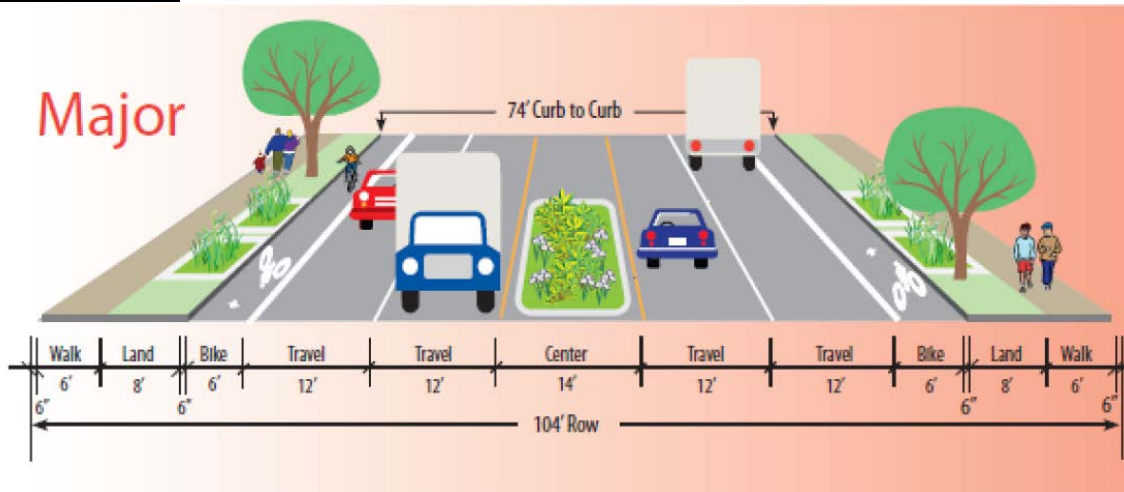
TRAFFIC IMPACT ANALYSIS (TIA)

The applicant was required to analyze the proposed development's impact on nearby intersections and the I-84 interchange. The TIA found that intersections will continue to operate acceptably at project buildout. No capacity improvements are required based on the TIA.

RIGHT-OF-WAY DEDICATION

NE 181st Avenue is classified as a Major Arterial in the Transportation System Plan, requiring 52 feet of right-of-way to roadway centerline. There is currently adequate right-of-way along the NE 181st Avenue frontage, as the parcel owned by ODOT east of the applicant's property is considered right-of-way. The standard cross section for a Major Arterial per GCDC A5.501 is as follows.

Major Arterial:



FRONTAGE IMPROVEMENTS

There is existing curb-tight sidewalk along the frontage and along the adjacent ODOT right-of-way parcel to the corner of the I-84 off-ramp and a pedestrian crossing at the corner of the I-84 off-ramp that is not built to ADA standards. The standard for a Major Arterial is for a sidewalk separated from travel lanes by an 8-foot planter strip as shown in the above diagram.

The applicant has provided a letter stating that the requirement to reconstruct the sidewalk and install a planter strip is disproportionate and should not be required. They state the pedestrian trip generation of the fast-food restaurant is very low due to its location near the I-84 Interstate. No numbers of trip generation are provided, but their reasoning is based on the number and distance of nearby crossings. The applicant also states that the cost of reconstructing the sidewalk with a planter strip is very high due to the slope on the ODOT right-of-way, which the sidewalk reconstruction would impact, and the need to relocate utilities.

The City does not calculate transportation impacts based on individual modes, such as pedestrian or bicycle, but uses the trip generation of the ITE trip manual to determine overall transportation impacts. In the absence of any data from the applicant the City's method remains the best indicator of overall transportation impacts and is used in the Dolan Analysis summarized later in this report.

The City does agree that the cost to reconstruct the sidewalk is very high, based on the electrical utilities that are under the sidewalk that feed the I-84 traffic signals and proceed under I-84 to the north. As the City is not able to assess the actual cost to move these electrical utilities and cannot determine if they would be proportional, the applicant is not required to relocate and reconstruct the sidewalk.

The applicant is required to reconstruct the sidewalk and curb ramps at the corner of the I-84 off-ramp which is not built to current ODOT or ADA standards. As a planter strip will not be installed, the applicant is required to plant street trees behind the existing sidewalk along the road frontage from the Burger King property line to the freeway off-ramp. The applicant is required to install new streetlights with underground power behind the existing sidewalk

between the shared driveway south of Burger King to the freeway off-ramp. Spacing requirements and equipment types are shown in the current Gresham Public Works Standards document, which is available online. This work is found to be proportional and have nexus to the Taco Bell transportation impacts in the below Dolan Analysis.

ACCESS

The applicant is proposing vehicle access to the parcel through private access easements. There is adjacent access to the right-of-way for NE 181st Avenue, but this would place a driveway close to the I-84 off-ramp, which is not desired by the City or ODOT due to possible safety impacts on traffic movements around the I-84 interchange. The existing easements provided by the applicant cross the existing Bridgeway Inn & Suites motel property (R111543) and use an existing private drive south of the existing Burger King (R321504) on property R239340. This is acceptable vehicle access to NE 181st Avenue.

The applicant also proposes a pedestrian pathway to the adjacent NE 181st Avenue right-of-way for pedestrian access. This proposed pedestrian pathway connects to the right-of-way at the edge of the applicant's property and down a small grade to the NE 181st Avenue curb-tight sidewalk. This proposed pedestrian path is acceptable pedestrian access and is required to meet Federal and City ADA standards. If the pathway design is revised to put part of it on the ODOT property (R321516), an ODOT Miscellaneous Permit would be required.

DOLAN ANALYSIS

A Dolan Analysis was performed to ensure that exactions by the City are proportional to the project's impact to the City's transportation system. The dollar figures are standardized across the analysis using the best information that was available in 2017. The dollar figures do not represent actual costs to construct today, but they can be used to show the proportionality of exacted improvements relative to trip impacts.

A new fast-food restaurant generates 470.95 trips per 1,000 square feet per day, minus 60 percent for pass-by trips, for a total of 376.76 trips per day for the proposed Taco Bell development. The development has driveway access to NE 181st Avenue through access easements, and traffic will use the I-84 off-ramp to access the development. This provides a nexus between the proposed development and the required improvements.

First, a calculation for the total proportional exaction is created. For the purposes of the analysis, NE 181st Avenue is a Major Arterial street. A Major Arterial has an average segment length of 8,396 feet with an assumed value of right-of-way at \$10 per square-foot and \$13,106,534 in frontage improvements, for a total of \$21,838,431 per segment. The average daily trips on a Major Arterial are 19,696, of which the applicant's trips on NE 181st Avenue are 1.91 percent of the total. This provides a proportional exaction of \$417,751.

$$(1.91\% * \$21,838,431) = \$417,751$$

Then a calculation for the required improvements is created. The southwest corner frontage of the I-84 off-ramp can be estimated conservatively at 100 feet. The required frontage improvements of a 6-foot sidewalk with ADA improvements have an estimated value of

\$13,490.16. Street trees planted over a length of 230 feet has an approximate value of \$2,669.63. Streetlights for approximately 450 feet have an approximate value of \$8,186.79. Total requirements have a value of \$24,751.

As the proportional exaction is \$417,751 and the total requirements are \$24,751 the analysis shows that all required improvements are proportional to the project's impact to the transportation system.

These standards are met by Conditions of Approval #7(a)-(c).

FROM: Samantha Chandler

FIRE COMMENTS

NOTE: 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 commercial buildings varies based on construction and square footage. Provide a fire flow report from the water department with the building plans. *OFC App B Table B105.1, 507.3 & B-101.1.*
2. A temporary address of 6 inches 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. Minimum 6-inch address numbers are required. *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. *OFC 507*
5. 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.*
6. All Fire Department 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 20 feet wide. *OFC 503.2.1.*
7. Required Fire Department 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 the time of building permit submittal. *OFC, Appendix D, Section D102.1.*
8. The turning radius for all emergency apparatus roads shall be: 28 feet inside and 48 feet outside radius. *OFC 503.2.4.*
9. No Parking Fire Lane signage or curb marking will be required. Fire access roads 20 feet - 26 feet 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. *OFC D 103.6.*

10. Commercial kitchen hoods shall be installed and monitored by a fire alarm system if applicable. *OFC 609 and 904.*
11. Commercial appliances that produce heat or steam may be required to have a type II hood installed. *OFC 609.2.2.*
12. Proposed drive-thru lanes cannot impede fire access lanes. *OFC 503.3.*
13. This occupancy is an A-2. A fire sprinkler system may be required. *OFC 903.*
14. A fire alarm system may be required. *OFC 903.4 and 907.*

These standards are met by Conditions of Approval #17(a) - (n).

FROM: Nick Isbister, Nick.Isbister@GreshamOregon.gov

WASTE MANAGEMENT COMMENTS

The Code requires that adequate room shall be provided within enclosures for length and width of the service containers and for maneuverability in depositing solid waste or recyclable materials.

- A minimum of 2 feet, including pad area, shall be provided around the sides and rear of each container.
- A minimum of 3 feet, including pad area, shall be provided in front of each container for maneuverability in depositing solid waste or recyclable materials.
- In cases where the containers face each other, a minimum of 4 feet shall be provided in between containers.

New stormwater rules require a roof to be constructed on the enclosure with a minimum height of 14 feet and that the enclosure's drain be piped to the sewer.

Trucks need direct access to enclosures and safe turn around or exit with a 52-foot turning radius.

In the plan, three 6-yard containers are shown inside the enclosure. This many containers would not fit in the space, but a 6-yard container is not needed for food waste. Taco Bell will only need two 65-gallon roll carts for food waste.

The garbage and recycling containers should remain 6-yard containers, but keep in mind that 6-yard containers are not on wheels and will need to face the openings of the enclosure. Staff suggests angling the enclosure slightly more aligned with the southern approach which will allow the truck to service the container directly.

The gates of the enclosure should also open fully from the ends of the enclosure and not have a bollard in the middle (revise the four smaller gates to two large gates).

The grease container will need to be relocated. It cannot be located inside the garbage enclosure.

To follow the requirements listed in the beginning of this document, please read the Solid Waste Design [Matrix](#) (at bottom of this web page). This document will help with layout of the container footprints within the enclosure.

These standards are met by Condition of Approval #16(a)-(g).

FROM: Amanda Lunsford, Administrative Analyst

ADDRESSING COMMENTS

The applicant and/or representative may contact the Addressing Coordinator at 503-618-2235 or Addressing@GreshamOregon.gov after the staff decision has been made final and before submitting for building permits to obtain the temporary new address.

Addresses will be assigned in accordance with the City of Gresham Street Naming and Property Numbering Guidelines of Gresham Development Code Appendix 13.

These standards are met by Condition of Approval #4.

FROM: Marah Danielson, Development Review Planner marah.b.danielson@odot.state.or.us
Avi Tayar, P.E. abraham.tayar@odot.state.or.us

ODOT COMMENTS

The site of this proposed land use action is adjacent to the I-84/NE 181st Avenue interchange. ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation. Please direct the applicant to the District Contact indicated below to determine permit requirements and obtain application information.

COMMENTS/FINDINGS

ODOT has reviewed the applicant's submitted land use application materials. The proposal includes construction of a new a 2,049 square-foot Taco Bell restaurant with a drive-thru. The site is located south of the I-84/NE 181st Avenue freeway off-ramp and is adjacent to an existing Burger King, Bridgeway Inn & Suites, and the incoming My Place Hotel.

The site is also adjacent to an ODOT-owned property, Tax Lot 100, located east of the site between the developing parcel and NE 181st Avenue. The site plan shows a pedestrian connection from the property's NE 181st Avenue frontage to the Taco Bell development, which would pass through the ODOT-owned parcel. A Miscellaneous Permit will be required for this work on ODOT right-of-way. Additionally, ODOT recommends that the applicant upgrade the curb ramps and construct street improvements along the site's NE 181st Avenue frontage to comply with local, ODOT, and ADA standards. Finally, ODOT has reviewed the Traffic Impact Analysis completed by Lancaster Mobley and has no concerns with the study's findings.

All alterations within the State highway right-of-way are subject to the ODOT Highway Design Manual (HDM) standards. Alterations along the State highway but outside of ODOT right-of-way may also be subject to ODOT review pending its potential impact to safe operation of the highway. If proposed alterations deviate from ODOT standards a Design Exception Request

must be prepared by a licensed engineer for review by ODOT Technical Services. Preparation of a Design Exception request does not guarantee its ultimate approval. Until more detailed plans have been reviewed, ODOT cannot make a determination whether design elements will require a Design Exception.

Note: Design Exception Requests may take up to three months to process.

All ODOT permits and approvals must reach 100 percent plans before the District Contact will sign-off on a local jurisdiction building permit, or other necessary requirement prior to construction.

These standards are met by Condition of Approval #7(a).

IV. PUBLIC COMMENTS

No response to the public notice was received as of the date of this staff report.

V. CONCLUSION

This development proposal is consistent with the applicable development procedures and standards or can reasonably be made to comply with the applicable standards and criteria through the imposition of conditions of approval. While the development proposal is generally consistent with the applicable development standards, conditions of approval are aimed at assuring the criteria are met when the applicant's narrative and plans do not provide enough information to assure each criterion is met.

VI. RECOMMENDATION

Staff recommends APPROVAL WITH CONDITIONS of the Type III Design Review E and Type II Tree Removal for the construction of a single-story 2,049 square-foot fast-food restaurant building with drive-through vehicular circulation area, 25 surface parking stalls, and associated site improvements with vehicular access from NE 181st Avenue along a private driveway across abutting parcels 1N3E30D 00302 and 1N3E30D 00300 and pedestrian access from NE 181st Avenue along a new accessible walkway. The proposal includes the removal of 25 regulated trees.

Note that this recommendation for approval with conditions is based on the applicant's presented narrative and plans and staff's analysis of the proposal based on Code compliance; any conditions are aimed at assuring the criteria are met when the applicant's narrative and plans do not provide enough information to assure each criterion is met. Consistency with the submitted plans is required. Where Code standards and criteria could be met with conditions of approval, the finding "*This standard is met by Condition of Approval # ____*" is made.

GENERAL CONDITIONS

1. This approval is valid for one year from the date of decision (the end of the appeal period). A building permit must be applied for within one year of this decision (per 11.0105) and remain active. An extension, as permitted under Section 11.0106, is possible. Any changes to the plans must comply with the Gresham Development Code, City of Gresham Public

Works Standards, the Building Code, and Uniform Fire Code. Changes to the plans that require a discretionary decision will be reviewed under, at minimum, a Type III procedure.

2. The applicant shall provide adequate public facilities and services including access, drainage, water, and sanitary sewer, as applicable, per all applicable sections of Appendix 5 of the Gresham Community Development Code (GCDC), the Gresham Public Works Standards (PWS), and the Gresham Revised Code (GRC).
3. The applicant shall schedule a pre-design meeting with Jesse Davies, Development Engineering Specialist, at 503-618-2395 prior to construction plan submittal to discuss permit processes, technical requirements, design and construction schedules, and plan review processes.

PRIOR TO PERMIT SUBMITTAL

4. The applicant and/or representative shall contact the Addressing Coordinator at 503-618-2235 or Addressing@GreshamOregon.gov after the staff decision has been made final and before submitting for building permits to obtain the temporary new address.

WITH THE PUBLIC FACILITIES PERMIT

5. Erosion and sedimentation control shall comply with Appendix C of the Stormwater Management Manual and Section 9.0500 of the Development Code.
6. A final stormwater management report shall be submitted with the public improvement construction plans.
7. Provide frontage improvement drawings demonstrating the following:
 - a. Reconstruct the southwest corner of the I-84 off-ramp to ODOT standards, including the connection to the I-84 Pedestrian Trail if needed. Improvements shall be constructed to City, ODOT, and ADA standards. An ODOT Miscellaneous Permit must be obtained for all work in the highway right-of-way.
 - b. Install a new streetlight system to current City of Gresham standards behind the sidewalk along 450 feet of the NE 181st Avenue right-of-way between the shared driveway south of Burger King and the I-84 freeway off-ramp.
 - c. Eight street trees, measuring 1.75-inch caliper minimum at the time of planting, shall be provided behind the sidewalk along 230 feet of the NE 181st Avenue right-of-way and include dimension strings that demonstrate street trees are spaced 20 to 40 feet on center and are located at least 15 feet from streetlights, 15 feet from stormwater catch basins, and 5 feet from driveway cuts or underground public utilities.

WITH THE BUILDING PERMIT

8. Provide tree removal and protection drawing(s) that include the following information:
 - a. Arborist's instructions for excavation and construction of the site improvements within the tree protection zone.
 - b. Notations requiring the project arborist be present onsite while work occurs within the tree protection zone.

- c. The tree protection fencing detail shall be revised to indicate fencing posts staked at no more than 4 feet on center.
9. Provide site and landscape drawings revised to demonstrate the following:
 - a. The center planter strip is widened to 11 feet (5-foot minimum plus 3-foot vehicle overhang for both rows of parking) and shorten stall depths to 15.5 feet on both sides of the planter strip or provide extruded curbs at each parking stall on both sides of the center planter strip.
 - b. Drawing sheet 16 LANDSCAPE L1.01 revised to include a row of shrubs along the street facing side of the masonry screen wall as shown on the drawing sheet 27-COLOR RENDERING FROM ACROSS THE STREET.
 - c. Twenty percent of all plantings specified as drought resistant species.
10. Provide drawings with the building permit that provide for the design and installation of a site landscaping irrigation system.
11. Provide an updated lighting plan and drawing sheet 29-LL-V1.02 SITE PHOTOMETRIC demonstrating 0.5 foot-candle minimum light levels on the walkway connecting the site to the sidewalk on NE 181st Avenue.
12. Provide drawings clearly demonstrating the bike lockers location on the site plans in compliance with 9.0831(A)(4) and 9.0832 and details for the anchoring of the lockers.
13. Provide drawings demonstrating compliance with the addressing regulations prescribed by standard 7.0103(A)(3)(S)(4).
14. Provide drawing notations or product data sheets specifying the roof membrane has a SRI of 78 or greater.
15. Provide drawing notations or other documentation that clearly indicates the clear vision glazing shall have a visible transmittance value (VT) of no less than 60 percent.
16. The building permit drawings for the trash enclosure shall demonstrate the following:
 - a. Waste containers shall have a minimum clear dimension of 2 feet along the sides and rear, and 3 feet along the front side. In cases where the containers face each other, a minimum of 4 feet shall be provided between containers.
 - b. A “no parking” sign, gate restrainers in the open and closed position, and bumper rail or curb at ground level inside the enclosure, at least 8 inches thick and 4 inches high.
 - c. Two large gates at the front of the enclosure without a bollard in the middle.
 - d. Enclosure is located on a 4-inch-thick cement concrete pad.
 - e. Enclosure is covered and shall have floor drains connected to the sanitary sewer system on the private side. The cover shall have a minimum height of 14 feet clear.
 - f. Garbage and recycling containers shall both be 6-yard containers and will need to face the gate opening of the enclosure. Two 65-gallon roll carts for food waste shall

be provided. The grease container will need to be relocated outside the garbage enclosure.

- g. Service truck turning radius is 52 feet.

17. Provide the following information on a separate FIRE ACCESS and WATER SUPPLY drawing.

- a. Provide fire flow per Oregon Fire Code Appendix B. Fire flow for commercial buildings varies based on construction and square footage. Provide a fire flow report from the water department with the building plans. OFC App B Table B105.1, 507.3 & B-101.1.
- b. A temporary address of 6 inches shall be provided at each construction entrance prior to the arrival of materials or workers. OFC 505 & 3301.
- c. The site addressing shall meet the Gresham Fire Addressing Policy. Minimum 6-inch address numbers are required. OFC 505.1.
- d. 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. OFC 507
- e. 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.
- f. All Fire Department 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 20 feet wide. OFC 503.2.1.
- g. Required Fire Department 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 the time of building permit submittal. OFC, Appendix D, Section D102.1.
- h. The turning radius for all emergency apparatus roads shall be: 28 feet inside and 48 feet outside radius. OFC 503.2.4.
- i. No Parking Fire Lane signage or curb marking will be required. Fire access roads 20 feet - 26 feet 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. OFC D 103.6.
- j. Commercial kitchen hoods shall be installed and monitored by a fire alarm system if applicable. OFC 609 and 904.
- k. Commercial appliances that produce heat or steam may be required to have a type II hood installed. OFC 609.2.2.
- l. Proposed drive-thru lanes cannot impede fire access lanes. OFC 503.3.
- m. This occupancy is an A-2. A fire sprinkler system may be required. OFC 903.

n. A fire alarm system may be required. OFC 903.4 and 907.

PRIOR TO BUILDING PERMIT ISSUANCE

18. The City's standard Landscape Maintenance Agreement (LMA) signed and recorded by the owner shall be received by the City. The project planner will provide the LMA template following the receipt of the building permit submittal.
19. A recorded easement with the adjoining property to the west that documents the shared pedestrian and vehicular accesses between properties shall be provided.

PRIOR TO OCCUPANCY

20. Installation of landscaping and an irrigation system shall be provided prior to temporary building occupancy unless an appropriate financial guarantee (such as a cash deposit or surety bond) is provided at a value of 110 percent of the cost to furnish and install this scope of work as a means to ensure the scope is provided. Installation of the landscaping and irrigation system shall be provided prior to issuance of a certificate of final occupancy.

End of Staff Report