

**STAFF REPORT - DESIGN REVIEW E
FINDINGS AND RECOMMENDATION**

HEARING DATE: April 3, 2019, 6:30 pm

REPORT DATE: March 27, 2019

TO: Design Commission

FROM: John Heili, Associate Development Planner

FILE NUMBER: DRE/MP/TR 18-26000329 - WDC Sandy Mixed-Use Development

APPLICANT: Gresham PDX, LLC

REPRESENTATIVE: Jim Toporek, Studio 3 Architecture

LOCATION: Northwest corner of NE Sandy Boulevard and NE 185th Drive

PARCEL DESCRIPTION: 1N3E29B 00500

PROPOSAL: The proposal includes a minor partition of a 1.86-acre undeveloped parcel located on the northwest corner of NE Sandy Boulevard and NE 185th Drive and a Type III Design Review E for the development of a 20-unit mixed use apartment and live-work building, and a 10-unit live-work building with associated site improvements including landscaping and parking area on the undeveloped 62,745 square-foot north parcel. The remaining south parcel will be approximately 18,276 square feet. The proposal also includes a Type II Tree Removal for the removal of 54 regulated trees.

RECOMMENDATION: **APPROVAL WITH CONDITIONS of the Type III Design Review E including a Type I Minor Partition and Type II Tree Removal permit.**

EXHIBITS: A. Vicinity Map
B. Application Package - Narrative and Plans

I. FINDINGS OF FACT

- A. LOCATION:** The subject property is located at the northwest corner of NE Sandy Boulevard and NE 185th Drive. The parcel State ID number is 1N3E29B 00500.
- B. ZONING:** The 1.86-acre property is designated Moderate Commercial (MC) and is in the Corridor Design District.
- C. PROPOSAL:** The proposal includes a three-story mixed-use apartment/live-work building with 10 apartment units and 10 live-work units and a two-story 10-unit live-work building, 64 stall parking area, and associated site and landscaping improvements including shared open spaces, children's play area and buffer screening. The proposal includes two driveways onto NE 185th Drive which is classified as a minor arterial roadway.
- D. SITE DESCRIPTION:** Lot 1N3E29B 00500 is undeveloped. The site is within the Historic overlay area, is located within the North Gresham Neighborhood Association, and is within the Marijuana Dispensaries and Portland Columbia South Shore Well Field zones. There are many trees on the site, but none are classified as a Significant Tree.
- E. SURROUNDING LAND USES:** This finding is based on the application submitted, City zoning maps, and City GIS information on land uses. The abutting parcel to the west is zoned General Industrial (GI) and is undeveloped. The property to the east across NE 185th Drive is zoned MC and is currently occupied by an agricultural use. The property to the south across NE Sandy Boulevard is zoned GI and is developed with a commercial business facility. The north edge of the property abuts a railroad overpass.
- F. PUBLIC NOTICE AND COMMENTS:** The City of Gresham Development Planning Division sent notices of the proposal to surrounding property owners of record (as shown on the most recent property tax assessment roll) and residents within 300 feet of the subject property. No written comments have been submitted in response to the notification 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 review and recommendation.

Public and neighborhood association comments can be submitted at any time up until the hearing date or at the hearing on April 3, 2019.

- G. APPLICATION ACCEPTANCE DATE:** The application for design review was submitted on August 9, 2018. The application was initially deemed incomplete on September 7, 2018 and again on January 8, 2019. Following the submittal of new materials, the application was deemed complete on February 5, 2019. The determination of completeness occurred within 180 days of the submittal of the incomplete materials.

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 10 or more residential units, at least one

discretionary standard, and is within a Design District. 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 7.0100 - Multi-Family Design Guidelines and Standards for the apartments scope and Section 7.0603 - Corridor Design District Commercial Design Guidelines and Standards for the live-work scope 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 will require a waiver of the guideline from the Design Commission:

7.0103(A) - Site Design

7.0103(A)(1)(c)(3) and 7.0103(A)(1)(d)(3) - Outdoor Private Space.

7.0103(A)(3)(c)(1) and 7.0103(A)(3)(d)(1) - Safe Design Visible Dwelling Front.

7.0103(A)(4)(c)(3) and 7.0103(A)(4)(d)(3) - Children's Play Area.

7.0103(B) - Building Design

7.0103(B)(3)(c)(1) and 7.0103(B)(3)(d)(1) - Entrance Orientation.

7.0103(B)(3)(c)(3) and 7.0103(B)(3)(d)(3) - Highlighted Entrance.

7.0603(A) - Site Design

7.0603(A)(3)(c)(1)(b) and 7.0603(A)(3)(d)(1)(b) - Building Placement and Frontage.

7.0603(A)(4)(c)(5) and 7.0603(A)(4)(d)(5) - Mixed Use Building Entries Orientation.

7.0603(A)(10)(c)(1) and 7.0603(A)(10)(d)(1) - Service and Loading Areas.

7.0603(B) - Building Design

7.0603(B)(2)(c)(4) and 7.0603(B)(2)(d)(4) - Building Entry Feature.

7.0603(B)(4)(c)(1) and 7.0603(B)(4)(d)(1) - 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 3, 2019 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 DRE is a Type III review. Per 11.0203(B)(2) all permits will be handled under the Type III process. 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 (February 7, 2018), a neighborhood meeting (per 11.0800) was held (April 3, 2018), and verification of the neighborhood meeting and its mailed notice is provided as part of the development permit application.

A development permit application was submitted August 9, 2018. The application was initially deemed incomplete on September 7, 2018 and again on January 8, 2019. Following the submittal of new materials, the application was deemed complete on February 5, 2019. The determination of completeness occurred within 180 days of the original submittal.

Copies of the complete application were transmitted to each affected agency and City department for review and comment on February 5, 2019. 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 North Gresham Neighborhood Association on March 13, 2019. The notice was also posted onsite on March 3, 2019. No written responses to the public notice were received prior to the issuance 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 application submittal material as found in Exhibits A and B and the supporting evidence relied on therein except to the extent inconsistent with the following findings listed in this Staff Report. The Manager makes the following findings regarding this application file.

GENERAL

4.0400 - Corridor Districts.

Table 4.0420 - Permitted Uses in the Corridor Land Use Districts. The proposed attached dwellings on a single lot is a limited use and the live-work is a permitted use in the MC district. The frontage and number of ground floor units for the attached dwellings on a single lot component are within the limitation of this Code section as proposed.

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(G) and (H) and 4.0433 - Setbacks. The maximum setback of 10 feet is exceeded on the front lot lines of Building B. The proposal is for a front yard setback that varies from 4 feet to approximately 22 feet along the curved portion of the frontage.

Per Section 4.0433(B)(2), the maximum setback standard is applied per Section 7.0600. The maximum front yard setback can be varied under the discretionary review process permitted under Section 7.0601; see findings under Section 7.0603(A)(3)(d)(1).

These standards are addressed under Section 7.0603(A)(3)(d)(1).

4.0430(J) and 4.0435 - Transit Design Criteria. Contrary to the applicant's narrative response these standards are not applicable per Section 4.0435 and are exempted per Section 7.0601(D)(5)(b).

These standards do not apply.

4.0430(K) and (L) - Minimum and Maximum Off-street Parking. These standards are applicable per Section 9.0851.

These standards are addressed under Section 9.0851.

4.0430(M) - Screening and Buffering. These standards are required per Section 9.0100.

These standards are addressed under Section 9.0100.

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

These standards are addressed under Section 9.0200.

5.0324 - Discovery of Archaeological Objects and Site North of Interstate 84. Section 5.0324 details the requirements if any archaeological discoveries are made while developing

the site. The grading plans submitted as part of the building permit shall include notations describing the steps outlined in Section 5.0324 should an archaeological find be made during the site excavation and development.

These standards are met with Condition of Approval #12.

6.0210 - Tentative Land Division. Staff finds the applicant's narrative and drawings for the proposed minor partition demonstrate compliance with this section. See associated comments in Section 9.0822(A)(8).

These standards are met with Conditions of Approval #2a - #2c and #8.

7.0000 - Design Review - Common Requirements.

7.0212(A)(1-17) - Standards for New Solid Waste and Recycling Collection Areas. These standards apply and are addressed by the agency comments (Recycling & Solid Waste) provided later in this Staff Report. Staff finds the applicant's narrative and drawings for the proposed minor partition demonstrate compliance with this section except as follows. As drawn, it is difficult to determine that the gates can open to 120 degrees or how the gates can be secured in the open position as prescribed by Section 7.0212(A)(8). A condition of approval requiring the permit drawings include details and notations demonstrating compliance with Section 7.0212(A)(8) is required.

These standards are met by Condition of Approval #13.

7.0220(B)-(D) - Grading and Drainage, Street Dedications. These standards apply and are addressed by the agency comments (Development Engineering and Transportation Planning) provided herein.

These standards are met with Conditions of Approval #3, #4, #6 - #9, and #11.

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

These standards are met with Condition of Approval #35.

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

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 discussion in Sections 7.0103(A)(5)(d)(13)(c)(ii) and 7.0603(A)(7)(d)(7)).

These standards are met with Condition of Approval #33.

7.0224 - Site Lighting. This standard applies and is addressed in Sections 7.0103(A)(1)(d)(5) and 7.0603(A)(9)(d)(1)(a-h) of this Report.

This standard is met with Condition of Approval #29.

9.0000 - Common Requirements.

9.0110 - Buffering and Screening Requirements. Per Table 4.0435, screening and buffering is required in the MC district.

The attached dwellings on a single lot use requires a Type E buffer along the west property line adjacent to the GI zoned abutting parcel. The applicant is responsible for development of half the buffer, excluding the 8-foot-high wall which is the responsibility of the abutting property at the time of development because that property is vacant. The applicant is proposing a 9-foot, 6 inch-wide buffer for 235 linear feet beginning at a southern point aligned with the south façade of Building A due to the residential units in that structure, and extending north to a point aligned with the northern edge of the children’s play area, which is a component of the residential portion of the project. The proposal includes an 8-foot-high masonry wall along the west edge of the buffer where none is required with this application, and both tree and shrub landscaping in excess of the minimum required for half of a Type E buffer prescribed in Table 9.0111(B) are proposed.

Due to the reduced width of the buffer, 9 feet, 6 inches wide, where 15 feet is prescribed as half of a Type E buffer, the applicant is proposing an alternate buffer per Section 9.0110(G)(2). Staff concurs with the applicant’s alternative buffer proposal provided in the design review submission narrative and demonstrated on Sheets 122 L2.1, 126 A1.03, and 126.1 A1.04 of the plan set with the following comments.

The Site Plan Sheet 124 A1.01 indicates a buffer length of 235 feet. However, this does not cover the shared open space at the north end of the site that is a component of the residential portion of the project, which therefore is also required to be separated by a buffer from the abutting parcel to the west. The Site Plan Sheet 124 A1.01 indicates a buffer width of 9 feet, 6 inches; however, this does not include the 2-foot parking stall overhang area. Therefore, the effective proposed buffer width is 11 feet, 6 inches. The required overhang is 3 feet per Table 9.0825(A) and Figure 9.0825(A) where stalls are adjacent to trees, which makes the buffer width 12 feet, 6 inches adjacent to the parking area.

Conditions of approval require the following items with the building permit submittal:

- Drawings that demonstrate the shared open space on the north portion of the site is separated from the abutting parcel by a 15-foot wide buffer with landscaping as prescribed by Table 9.0111(B);
- Drawings that demonstrate a maximum parking stall depth of 18 feet, 6 inches, including the 3-foot overhang which shall be landscaped with ground cover only;

- Drawings that provide for the design and installation of a site landscaping irrigation system; and
- A recorded landscape maintenance agreement prior to the issuance of the building permit.

These standards are met with Conditions of Approval #15, #17, #30, and #33.

9.0110(E) - Buffering and Screening Materials. The proposed Hogan Red Cedar and Vine Maple are not approved buffer trees. The applicant shall reference the City of Gresham Recommended Tree List for approved species.

A condition of approval requires landscape drawings Sheets 122 L2.1 and 123 L2.2 be revised to specify trees used in the buffer as only those from the City of Gresham Recommended Tree List to be included in the building permit submittal.

These standards are met with Condition of Approval #15.

9.0200 - Clear Vision Area. Staff concurs with the applicant’s narrative and as illustrated on Sheet L-100 with the following comment.

See related items addressed by the agency comments (Transportation Planning) provided herein.

These standards are met with Condition of Approval #11.

9.0301 - General Utility Easements. See Development Engineering comments herein.

9.0500 - Grading and Drainage and Stormwater Quality Control Requirements. See Development Engineering comments herein.

These standards are met with Conditions of Approval #3, #4, #6, and #7.

9.0700 - Neighborhood Circulation Plans. See Development Engineering comments herein.

These standards are met.

9.0800 - Parking Standards. Staff accepts the findings that these standards are met with the following comments.

9.0822 - Parking Lot Design. Parking lots shall be designed to connect to adjacent parking areas. Joint or shared access and internal circulation is encouraged. A shared access easement for the south driveway shall be included with the Minor Partition Final Plat application and the site plans shall be updated to incorporate a future driveway curb cut along the shared south or east property line including the deletion of one proposed tree along the lot line adjacent to the proposed future driveway.

These standards are met with Conditions of Approval #8 and #11.

9.0823 - Landscaping of Parking Lots. Staff accepts the findings that these standards are met with the following condition. The property owner is responsible for the establishment and maintenance of landscaping. Provide a recorded landscape maintenance agreement prior to the issuance of the building permit.

These standards are met with Condition of Approval #33.

9.0824 - Pedestrian Circulation/Walkways. Staff accepts the findings that these standards are met with the following condition. Where accessible walkways cross vehicular drive aisles they shall be clearly marked with contrasting slip resistant paving materials. Painted striping is not permitted in satisfaction of this standard. A condition of approval requires civil drawing Sheet 118 C5.0 be revised with the building permit to indicate the walkway connecting Buildings A and B be constructed of a contrasting slip resistant paving material.

These standards are met with Condition of Approval #20.

9.0825 - Space and Aisle Standards for Surface Parking Lots. Staff accepts the findings that these standards are met with the following condition. A condition of approval requires building permit submittal drawings demonstrate wheel stops located 2 feet from curb faces adjacent to pedestrian walkways less than 7 feet wide and demonstrate minimum stall depth adjacent to planter areas include a 3-foot overhang. Plantings within this overhang zone shall be limited to groundcover only.

These standards are met with Condition of Approval #17.

9.0831 - Bicycle Parking Standards. Staff accepts the findings that these standards are met with the following condition. Building permit drawings for Building A wall mounted long-term bike parking spaces shown on the unit floor plans to be located under stairs shall be provided with details demonstrating bikes can be accommodated at these locations or shall be relocated on the unit floor plans as required to meet Section 9.0831 - Long Term Bicycle Parking standards.

These standards are met with Condition of Approval #22.

9.0840 - Off-Street Loading Requirements. Staff accepts the applicant's narrative findings that these standards are met in consideration of the restrictive site conditions and because the loading zone is only applicable to a retail or restaurant commercial use within the live-work units. See related comments herein for Section 7.0603(A)(10)(c)(1).

These standards are met.

9.1033 - Street Tree Planting During Development. The NE 185th Drive project frontage is 502 feet (overall frontage minus driveway and clear vision areas), and one street tree is required for every 30 feet of frontage; therefore, 17 trees are required. The applicant has requested to pay into the tree fund in lieu of providing trees due to the restricted right of way. A condition of approval requires that prior to release of the building permit

the applicant shall provide a completed Fee in Lieu request form and, upon approval, provide payment for the 17 required street trees.

These standards are met with Condition of Approval #10.

9.1034 - Tree Removal During Development. The 54 trees proposed to be removed are regulated trees. The applicant's arborist's report and tree removal plan indicate that the trees are in various states of health and will not survive the construction of the proposed project. The arborist recommends, and the applicant proposes, replanting of the undeveloped north portion of the site where trees are proposed to be removed due to health and construction activities. Staff accepts these findings.

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 later in this Staff Report.

These standards are met with Conditions of Approval #3, #4, #6 - #9, #11, #13, and #34.

DESIGN REVIEW

7.0100 - Multi-Family Design Guidelines and Standards and 7.0600 - Corridor Design District Commercial Design Guidelines and Standards. Applicants can choose to meet the relevant design criteria of Section 7.0100 for the residential-related elements of the proposal and 7.0600 for the commercial (live-work) related elements of the proposal by either meeting the design guidelines through the discretionary process or by meeting the standards through the clear and objective process. Where similar criteria for both sections are applicable the more stringent standard shall apply. 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.

7.0103(A)(1)(d)(1) - Building Orientation. Contrary to the applicant’s narrative this section does not apply because the building frontage at street level is occupied by the commercial use and that the standard of Section 7.0603(A)(3)(d)(1) is more restrictive.

This standard is not applicable.

7.0103(A)(1)(d)(2) - Pedestrian Circulation. The applicant has shown compliance with the applicable design guidelines by meeting the clear and objective standards of this Section and as modified as noted in Section 9.0824 - Pedestrian Circulation/Walkways herein.

This standard is met with Condition of Approval #20.

7.0103(A)(1)(c)(3) and 7.0103(A)(1)(d)(3) - Outdoor Private Space. This section requires that outdoor private spaces be provided.

ISSUE: The applicant must either:

- Meet the 7.0103(A)(1)(d)(3) standard; or
- Meet the 7.0103(A)(1)(c)(3) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Dwelling units above ground level shall have attached a directly accessible outdoor private space of not less than 80 square feet in area. The area shall be enclosed, screened or otherwise designed to provide privacy from adjacent units. This required square footage of outdoor private space may be added and incorporated into the required central courtyard.

PROPOSAL: The applicant proposes individual balconies of 34 square feet each at the residential units and the remainder of the required private open space (460 square feet) shall be incorporated into the shared open space.

GUIDELINE: *Outdoor Private Space. Developments shall include functional open space. The required private open space square footage can be added to the public open space.*

RECOMMENDATION: Staff finds the applicant’s proposal is consistent with the guidelines as the drawings indicate shared open space areas in excess of those required by Code Section 7.0103(A)(4)(d)(1) including the additional 460 square feet of private open space.

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

7.0103(A)(1)(d)(5) - Illumination. Staff finds the applicant’s narrative and drawings have shown compliance with the applicable design guidelines by meeting the clear and objective standards with a condition of approval that requires building permit submittal drawings include wall mounted light fixture locations on the building elevations and an updated

site photometric plan demonstrating light levels along the west property line do not exceed 1-foot candle.

This standard is met with Conditions of Approval #23 and #29.

7.0103(A)(1)(d)(6) - Grading. The applicant has shown compliance with the applicable design guidelines by meeting the clear and objective standards of this section. See the comments from Development Engineering herein.

This standard is met with Conditions of Approval #3, #4, #7 and #12.

7.0103(A)(2)(d)(1) - Energy Conservation. The applicant's narrative indicates the residential units on the top floor of Building A are in compliance with items (c) window orientation and shading and (f) locally sourced materials of this standard; however, the building elevations do not indicate shading devices at the upper floor windows and the narrative states only wood framing as the locally sourced material. Staff finds these standards are met with a condition of approval requiring the building permit submittal include drawings demonstrating exterior horizontal and vertical window shading devices for the third floor windows on the east, south and west elevations of Building A, and documentation demonstrating no less than 20 percent of the material costs for the residential portion of the project are for materials locally sourced from within a 500-mile radius of the project site.

This standard is met with Conditions of Approval #23 and #31.

7.0103(A)(2)(d)(2) - Water Conservation. The applicant has shown compliance with the applicable design guidelines by meeting the clear and objective standards of this section with the following condition of approval: with the building permit submittal provide drip irrigation system drawings.

This standard is met with Condition of Approval #30.

7.0103(A)(2)(d)(5) - Site Furnishing Recycled Content. The applicant's narrative has indicated the play structure and other site furnishings will comply with the standard for locally sourced materials; however, the product data provided does not demonstrate compliance with the standard. Staff finds this standard is met with a condition of approval requiring the building permit submittal include documentation demonstrating no less than 20 percent of the site furnishings material costs for the project are for materials locally sourced from within a 500-mile radius of the project site.

This standard is met with Condition of Approval #31.

7.0103(A)(2)(d)(6) - Recycled Content Pavement. The applicant's narrative has indicated the paving materials will comply with the standard for recycled content materials; however, the drawings provided do not demonstrate compliance with the standard. Staff finds this standard is met with a condition of approval requiring building permit submittal civil

drawings include notations and/or details demonstrating all pavement or pavement base contains 20 percent recycled content.

This standard is met with Condition of Approval #20.

7.0103(A)(3)(c)(1) and 7.0103(A)(3)(d)(1) - Safe Design Visible Dwelling Front. This section requires that building entries are visible from the street to provide for safe and secure places.

ISSUE: The applicant must either:

- Meet the 7.0103(A)(3)(d)(1) standard; or
- Meet the 7.0103(A)(3)(c)(1) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: The front entry to a building on a street or on a courtyard shall be oriented towards the street which the dwelling faces or towards a central courtyard. At least 70 percent of the street frontage shall be visible from the front door or one of the areas listed in this standard. This section allows portions of the front of a dwelling to protrude forward of other portions as long as the visibility standard is satisfied.

PROPOSAL: The applicant is proposing that the building entry to the residential units on the third floor of Building A be located on the north and south parking lot-facing facades and has oriented the live-work unit entries toward the street as a matter of function given the live-work requirement for public access.

GUIDELINE: *The front door and windows shall be oriented to the street which the dwelling faces or to a central courtyard and shall maximize visual surveillance of the front door.*

RECOMMENDATION: Staff concurs with the applicant's findings regarding the necessity for locating the live-work unit entries toward the street due to public use, and staff finds the residential entries as proposed are visible from the street and adjacent site shared open spaces.

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

7.0103(A)(3)(d)(3) - Addressing. The applicant's narrative response suggests the proposal meets the standards; however, the drawings do not demonstrate compliance. Therefore, a condition of approval requires building permit drawings indicate building and unit addressing for the residential units in compliance with Code Section 7.0103(A)(3)(d)(3) items (a) and (c). Also see the comments from Addressing in this Report.

This standard is met with Conditions of Approval #5, #14b and #21.

7.0103(A)(4)(d)(1) - Public Open Space. Contrary to the applicant's narrative the minimum standard open space for the portion of the site associated with the residential use (36,175 square feet) is 1,447 square feet of shared open space plus the additional 460 square feet of private open space for a total of 1,907 square feet. The applicant's narrative and drawings indicate 9,641 square feet is provided as children's play area, natural open space and lawn.

This standard is met.

7.0103(A)(4)(c)(3) and 7.0103(A)(4)(d)(3) - Children's Play Area. This section requires that children's play areas shall be designed to promote safety, creative play and exercise and shall be adequate for the number of units in the development.

ISSUE: The applicant must either:

- Meet the 7.0103(A)(4)(d)(3) standard; or
- Meet the 7.0103(A)(4)(c)(3) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: A minimum of 50 percent of the minimum required shared open space shall be a children's play area and the minimum dimensions for any children's play area shall be 20 feet in length. The children's play area(s) shall be enclosed by any or a combination of any of the following: a 2-foot, 6-inch to 3-foot high wall, planter, decorative fence; or by 18-inch high benches or seats; or by other means acceptable to the Manager.

PROPOSAL: The applicant's narrative is proposing a children's play area of 1,100 square feet where only 724 square feet is required. However, the drawings demonstrate the overall width of the space varies from 28 feet to 16 feet and is 1,083 square feet. The applicant's proposal does not specify the play area enclosure and provides manufacturer's product information for only one multi-use play structure where three are shown on the plan.

GUIDELINE: *Children's play areas shall be designed to promote safety, creative play and exercise and shall be adequate for the number of units in the development.*

RECOMMENDATION: Staff finds the length and width of the proposed configuration provides ample usable and programable play space considering the children's play area exceeds the standards for overall play area. A condition of approval requires the building permit submittal demonstrate compliance with Section 7.0103(A)(4)(d)(3)(d) standards for play area enclosure and demonstrate that the play structure(s) fit within the enclosure with adequate circulation space.

Staff recommends that the Design Commission find that this guideline is met with Condition of Approval #16.

7.0103(A)(5)(d)(13) - Landscaping Maintenance. The applicant has shown compliance with the applicable design guidelines by meeting the clear and objective standards of this Section except as outlined in the condition of approval.

This standard is met with Condition of Approval #33.

7.0103(A)(5)(d)(14) - Landscaping Buffering and Screening. The applicant has shown compliance with the applicable design guidelines by meeting the clear and objective standards of this section with the following conditions of approval as noted in Section 9.0100 herein.

This standard is met with Conditions of Approval #15 and #17.

7.0103(A)(7)(d)(2) - Bike Parking. The applicant has shown compliance with the applicable design guidelines by meeting the clear and objective standards of this section with the following condition of approval as noted in Section 9.0800 herein.

This standard is met with Condition of Approval #22.

7.0103(A)(7)(d)(3) - Transit Connections. Contrary to the applicant's narrative this section does not apply because the site does not have frontage on a street with public transit.

This standard does not apply.

7.0103(A)(8)(d)(1)(c) - Vehicular Circulation - Public Street Improvements. Contrary to the applicant's narrative response this section is applicable and is addressed in the Transportation Planning Agency Comments herein.

These standards are met with Conditions of Approval #8 - #11.

7.0103(A)(8)(d)(1)(e) - Vehicular Circulation - Private Driveways. As proposed the vehicular access meets these standards. However, the north driveway is addressed in the Transportation Agency Comments herein and will not be allowed. Eliminating that driveway creates a dead-end private driveway access that exceeds 150 feet in length when measured from the south driveway and shall be provided with an approved fire apparatus turn-around. A condition of approval requires the building permit submittal demonstrate compliance with Section 7.0103(A)(8)(d)(1)(e)(i-iv). Note Sections 7.0103(A)(8)(d)(1)(e)(i)(a and b) do not apply.

These standards are met with Condition of Approval #11.

7.0103(B)(1)(d)(3) - Massing Building Base and Top. This section requires that buildings shall differentiate between the base of the building and the top of the building to enhance the pedestrian realm. Because only the top floor residential use of Building A must satisfy this criteria, staff finds that, contrary to the applicant's narrative response, the proposed Building A elevations drawings meet the applicable standards related to a

distinguishable building top where the building mid-section provides a visual break between the top and base. See Section 7.0603(1)(d)(5) for building base standards.

This standard is met.

7.0103(B)(1)(d)(4) - Storage. Contrary to the applicant's narrative, the standards for the garbage enclosure and outdoor equipment storage are met. See Section 7.0212(A)(1-17) - Standards for New Solid Waste and Recycling Collection Areas of this Report for related comments and conditions of approval.

These standards are met with Condition of Approval #13.

7.0103(B)(2)(d)(4) - Street Facing Façade Window Coverage. Contrary to the applicant's narrative, the applicant's drawing 133 A2.11 demonstrates compliance with the applicable design guidelines by meeting the clear and objective standards of this section.

These standards are met.

7.0103(B)(2)(d)(7) - Mechanical Equipment Screening. Contrary to the applicant's narrative response, this section is applicable. Mechanical and communication equipment and components shall be screened so they are not visible from streets and other street level public spaces. This includes all building mechanical system vents, piping, controls, etc., none of which are shown on the roof plan or elevations. A condition of approval requires the building permit submittal drawings demonstrate compliance with Section 7.0103(B)(2)(d)(7).

This standard is met with Condition of Approval #28.

7.0103(B)(2)(d)(11) - Mixed Use Buildings; Ground Floor Transparency. Contrary to the applicant's narrative response, this section is applicable; however, the similar but more restrictive criteria of Section 7.0603(B)(4) takes precedence. See additional comments for Section 7.0603(B)(4)(d)(1) - Transparency herein.

This standard is met with Condition of Approval #24.

7.0103(B)(3)(c)(1) and 7.0103(B)(3)(d)(1) - Entrance Orientation. This section requires that building entries shall be highlighted and oriented toward the street.

ISSUE: The applicant must either:

- Meet the 7.0103(B)(3)(d)(1) standard; or
- Meet the 7.0103(B)(3)(c)(1) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Multi-family buildings that face the street shall orient the front door to the street or to a central courtyard. All entries shall be made visually prominent and

receive architectural emphasis. Possible techniques to accomplish this include but are not limited to: recessed entries; corner entries; projecting entries, including porches, canopies and articulated lintels above the doorway; pilasters or columns supporting and/or framing the entrance; elevated entries with transparent stairways that are compatible with the architecture; or landscape treatments that connect the public realm to the private realm.

PROPOSAL: The applicant is proposing that the building entry to the residential units on the third floor of Building A be located on the north and south parking lot-facing facades and has oriented the live-work unit entries toward the street as a matter of function given the live-work requirement for public access. The entry wall plane extends beyond the adjacent wall plane and is highlighted with a canopy above the doorway.

GUIDELINE: *Front Door Orientation. All building entrances shall be enhanced architecturally.*

RECOMMENDATION: Staff concurs with the applicant's findings regarding the necessity for locating the live-work unit entries toward the street due to public use and staff finds the residential entries as proposed are visible from the street and adjacent public spaces.

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

7.0103(B)(3)(c)(3) and 7.0103(B)(3)(d)(3) - Highlighted Entrance. This section requires that building entries shall be highlighted and visible from the street.

ISSUE: The applicant must either:

- Meet the 7.0103(B)(3)(d)(3) standard; or
- Meet the 7.0103(B)(3)(c)(3) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Entrances shall be highlighted by incorporating two or more of the following elements: landscaping (ground cover, shrubs and trees) that emphasize seasonal color and interest; an entry courtyard; ornamental glazing, railings and balustrades; prominent landscape feature, such as a trellis or an arbor; ornamental gate and/or fence; water feature; or year-round site furnishings, including benches, tables and sitting areas.

PROPOSAL: The applicant is proposing that the building entry to the residential units on the third floor of Building A be located on the north and south parking lot-facing facades. The entry wall plane extends beyond the adjacent wall plane and is highlighted by a change in finish material for the full height of the projecting mass that also extends above the adjacent parapet and includes a canopy above the doorway.

GUIDELINE: *Entries shall be highlighted and visible from the street.*

RECOMMENDATION: Staff concurs with the applicant's findings that the guideline is met.

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

7.0103(B)(3)(d)(7) - Mixed Use Buildings; Ground Floor Entries. Contrary to the applicant's response this section applies to the commercial component of the project. The proposed live-work entries comply with the standard.

This standard is met.

7.0103(B)(4)(d)(1 and 2) - Sustainable Architecture. Staff finds these standards are met with conditions of approval requiring the building permit submittal include drawings demonstrating exterior horizontal and vertical window shading devices for the third floor windows on the east, south, and west elevations of Building A, and documentation demonstrating no less than 20 percent of the material costs for the residential portion of the project are for materials locally sourced from within a 500-mile radius of the project site.

These standards are met with Conditions of Approval #23 and #31.

7.0103(B)(5)(d)(1) - High Quality Materials. The applicant has shown compliance with the applicable design guidelines by meeting the clear and objective standards of this section with the following condition of approval that requires the building permit submittal drawings demonstrate compliance with the standards requiring panel material be of a size, thickness, and detailing to remain free of visual defects and distortion. Metal siding wall panels shall be of a minimum thickness of 22 gauge and have no exposed fasteners.

Staff recommends that the Design Commission find that the standard is met with Condition of Approval #32.

7.0603(A)(1) - Neighborhood Connectivity and Block Structure. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section except as follows.

7.0603(A)(1)(d)(3) - Traffic Impacts and Transit Facilities. Right of way dedications and improvements are required. See Transportation Planning comments herein.

This standard is met by Conditions of Approval #8 - #11.

7.0603(A)(1)(d)(4) - Vehicular Connections. Vehicular and pedestrian connections shall be designed to provide access to the partitioned adjacent property to the south as required by Section 9.0822(A)(8). Cross access easements shall be required with the Minor Partition Final Map application and shall take effect when the adjacent property is developed to this standard. See Transportation Planning comments herein.

This standard is met by Condition of Approval #8.

7.0603(A)(1)(d)(6) - Identification System. These standards apply and are specifically addressed by the Agency Comments (Fire Department and Addressing) provided later in this Staff Report. Additionally, a condition of approval requires the applicant provide details and drawing notations for site wayfinding signage to be located near the south entry driveway and both the north and south pedestrian site entry walkways with the building permit submittal.

This standard is met by Conditions of Approval #5, #14b, and #21.

7.0603(A)(3)(c)(1)(b) and 7.0603(A)(3)(d)(1)(b) - Building Placement and Frontage. This section requires that frontages greater than 200 feet shall be occupied by building facades for a minimum of 60 percent of the frontage length, as measured by the length of buildings present within the setback zone.

ISSUE: The applicant must either:

- Meet the 7.0603(A)(3)(d)(1)(b) standard; or
- Meet the 7.0603(A)(3)(c)(1)(b) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Frontages greater than 200 feet shall be occupied by building facades for a minimum of 60 percent of the frontage length, as measured by the length of buildings present within the setback zone.

PROPOSAL: The applicant is proposing two buildings that together occupy 44 percent of the NE 185th Drive street frontage and less than that occupies the front yard setback, where 60 percent is required in satisfaction of the standard. The applicant's narrative indicates that the north end of the site, or approximately 169 feet of frontage, is site area that is not suitable for development due to the moderate slope and narrow depth.

GUIDELINE: *In order to create a consistent and cohesive building edge which defines the public space and creates an inviting and accessible pedestrian environment, buildings shall be placed close to the street and shall occupy sufficient street frontage to create a pedestrian friendly environment.*

RECOMMENDATION: As noted by the applicant, the north end of the site is not particularly suited to development. Where possible the buildings have been located along the frontage and within the maximum setback or have been provided with paved courtyards adjacent to the live-work unit entries along the curved frontage to better address the guideline.

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

7.0603(A)(4)(c)(5) and 7.0603(A)(4)(d)(5) - Mixed Use Building Entries Orientation. Mixed-use buildings shall have distinct entries for each use and shall be on and face a public street.

ISSUE: The applicant must either:

- Meet the 7.0603(A)(4)(d)(5) standard; or
- Meet the 7.0603(A)(4)(c)(5) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: When part of a mixed-use building, residential and other non-retail commercial uses shall have a distinct entry that is not shared with a retail use. Required residential and non-retail entries shall be on and face a public street.

PROPOSAL: The applicant is proposing that the building entry to the residential units on the third floor of Building A be located on the north and south parking lot-facing facades and has oriented the live-work unit entries toward the street as a matter of function given the live-work requirement for public access.

GUIDELINE: *Mixed-use buildings shall have distinct entries for each use.*

RECOMMENDATION: Staff concurs with the applicant's findings regarding the necessity for locating the live-work unit entries toward the street due to public use, and staff finds the residential entries as proposed are visible from the street and distinct from the live-work commercial entries.

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

7.0603(A)(5) - Publicly Accessible Open Space. A publicly accessible open space is not proposed for this project as a means to meet building frontage requirements of Section 7.0603(A)(3)(D).

These standards are not applicable.

7.0603(A)(6) - Parking. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards.

These standards are met.

7.0603(A)(7) - Landscaping. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section except as follows.

7.0603(A)(7)(d)(4) - Parking Area Landscaping - Perimeter Screening. Staff concurs with the applicant's narrative findings and the drawings with a condition of approval that requires the building permit submittal landscape plan Sheet 122 L2.1 be revised to provide wheel stops or 2-foot vehicle overhang in planter areas where stalls are adjacent to shrubs and wheel stops or 3-foot vehicle overhang in planter areas where stalls are adjacent to trees. The overhang areas shall be planted with groundcover only.

Additionally, the building permit submittal landscape plan Sheet 122 L2.1 shall be revised to provide one canopy tree as well as a continuous row of shrubs and ground cover adjacent to the public sidewalk along the NE 185th Drive frontage where the north driveway is to be removed.

Staff recommends that the Design Commission find that this standard is met with Conditions of Approval #17 and #18.

7.0603(A)(7)(d)(6) - Buffering and Screening. This standard requires the standards in Sections 9.0100 and 7.0603(A)(10)(d) to be met. See the discussion in Section 9.0100.

This standard is met with Conditions of Approval #15 and #17.

7.0603(A)(7)(d)(7) - Landscaping Maintenance Criteria. This standard requires that the owner enter into and record a landscape maintenance agreement. See the discussion in Section 7.0223 - Maintenance Responsibility.

This standard is met with Condition of Approval #33.

7.0603(A)(8)(d)(5) - Pedestrian Circulation. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section with a condition of approval that requires building permit submittal drawing Sheet 124 A1.01 Site Plan be revised to include wheel stops at the accessible parking stalls adjacent to the children's play area, and building permit submittal civil drawing Sheet 118 C5.0 be revised to indicate the walkway connecting Buildings A and B be constructed of a contrasting slip resistant paving material.

This standard is met with Conditions of Approval #17 and #20.

7.0603(A)(9)(d)(1) - Illumination Levels. Per the site lighting plan and photometric plan Sheet 140 E1.01 and 141 E1.02, the required minimum lighting levels are met except at the entry drive and at the live-work unit entries.

A condition of approval requires the building permit submittal site lighting plan and photometric plan Sheet 140 E1.01 and 141 E1.02 be revised to demonstrate 1-foot candle minimum lighting levels and average 3.5-foot candle at the south driveway, and 3.5-foot candle at the live-work unit entries. Additionally, the building permit submittal site lighting plan and photometric plan Sheet 140 E1.01 and 141 E1.02 shall be revised to relocate the pole mounted light fixture in conflict with a parking lot tree in the planter bay west of Building A.

This standard is met with Condition of Approval #29.

7.0603(A)(10)(c)(1) and 7.0603(A)(10)(d)(1) - Service and Loading Areas. This section seeks to minimize the negative impacts that required service functions, such as deliveries and trash removal, have on surrounding areas and adjacent properties.

ISSUE: The applicant must either:

- Meet the 7.0603(A)(10)(d)(1) standard; or
- Meet the 7.0603(A)(10)(c)(1) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: When dedicated loading facilities are required, loading areas shall be located at the rear of the building or in other locations as approved by the Manager or Design Commission. Required loading area dimensions can be found in Section 9.0840.

PROPOSAL: The proposed loading space is located to the rear of the building; however, the 30-foot loading zone depth prescribed by Section 9.0840 extends 11 feet into the 26-foot-wide drive aisle reducing the effective drive aisle width to one lane.

GUIDELINE: *Loading facilities and other service areas shall be located away from public view and public areas of the site to the greatest degree possible and shall minimize visual, acoustic and lighting impacts on surrounding areas.*

RECOMMENDATION: Staff accepts the applicant’s narrative findings that these standards are met in consideration of the restrictive site conditions and because the loading zone is only applicable to a retail or restaurant commercial use of the live-work units which would likely not require a full-size delivery vehicle. Even at the 30-foot depth, a delivery truck parked in this manner would have minimal impact on the vehicular circulation within the parking area given its proximity to a turnout area of the parking lot allowing vehicles to maneuver around the truck.

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

7.0603(B)(1) - Building Rhythm and Façade Articulation. The applicant has shown compliance with the design guidelines by meeting the clear and objective standards of this section except as follows.

7.0603(B)(1)(d)(2) - Façade Depth. Contrary to the applicant’s narrative response the submittal drawings demonstrate compliance with the standard.

This standard is met.

7.0603(B)(1)(d)(3) - Façade Articulation and Rhythm Design Elements. This section requires that all facades shall be articulated, and a rhythm shall be established by repeating design elements at a regular spacing which does not exceed 30 feet along the length and/or height of the façade. These design elements shall be present for a minimum of 80 percent of the façade length. The standard further says that buildings shall utilize a minimum of two of the eight prescribed design elements.

The applicant’s narrative proposes the standard is met with Section items:

- 7.0603(B)(1)(d)(3)(a)(3) a repeating fenestration pattern;

- 7.0603(B)(1)(d)(3)(a)(4) belt courses or other horizontal banding; and
- 7.0603(B)(1)(d)(3)(a)(6) planters along the street facing façade of Building B.

Staff accepts the applicant’s findings as described in the narrative and demonstrated on the drawings except as follows.

The north and south facing facades of Building B do not include any of the elements described in the applicant’s narrative necessary to comply with the standard. Additionally, the north, south and east elevations of Building B do not include horizontal banding similar to Building A. The planters along the east façade of Building B do not meet the minimum standard width of 10 feet. Therefore, a condition of approval requires the building permit submittal include Building B elevation drawing Sheet 138 A2.21 be revised to include north and south elevations with a repeating fenestration pattern comprised of window openings/types similar to the east façade, and include north, south and east elevations revised to include horizontal reveals at the stucco finish similar to the west elevation of Building B. These design elements shall be present for a minimum of 80 percent of the facade length.

Additionally, a condition of approval requires the building permit drawings be revised to demonstrate planters along the east elevation of Building B are a minimum of 10 feet wide and contain a tree and ground level planting.

Staff recommends that the Design Commission find that this standard is met with Conditions of Approval #19 and #25.

7.0603(B)(1)(d)(5) - Building Base. Staff finds the applicant’s narrative and drawings demonstrate compliance with the standard by providing a change in material or color for the majority of the façade perimeter of Buildings A and B except as follows.

The north and south facades of Building B do not include a change of material or color necessary to meet the standard. Therefore, a condition of approval requires the building permit submittal include a revised Building B elevation drawing Sheet 138 A2.21 to include north and south elevations with a distinct stucco color at the base or change of wall material above the stucco base.

Staff recommends that the Design Commission find that this standard is met with Condition of Approval #26.

7.0603(B)(1)(d)(7) - Packaged Terminal Units. The standard states “*Packaged Terminal Air Conditioners, Package Terminal Heat Pumps and similar systems with individual through-wall heating/cooling that are visible, including from internal public or private areas, shall not be allowed.*”

This item was omitted from the applicant’s narrative; therefore, a condition of approval requires that drawings submitted with the building permit provide notations describing the proposed building mechanical systems and confirming through drawings and

notations that mechanical systems and associated wall penetrations shall not be visible from public or private areas.

Staff recommends that the Design Commission find that this standard is met with Condition of Approval #28.

7.0603(B)(1)(d)(8) - Window Recess. The standard states “*windows shall be recessed a minimum of 4 inches from the building plane in order to create facade depth and cast shadows.*”

This section was omitted from the applicant’s narrative; however, the drawings include a detail demonstrating a window with a 4-inch recess. The detail is not referenced on the plan or elevation drawings; therefore, a condition of approval requires that drawings submitted with the building permit provide detail references at the window openings on Building A levels one and two and Building B that demonstrate a minimum 4-inch recessed window measured from the building exterior wall finish plane to the outside face of glass.

Staff recommends that the Design Commission find that this standard is met with Condition of Approval #27.

7.0603(B)(2)(d)(2) - Building Entry Feature. Contrary to the applicant’s narrative response the building entries to Building B live-work units are offset 12 inches not the 16-inch minimum offset prescribed by the standard. Therefore, a condition of approval requires the Building B level one floor plan Sheet 135 A1.31 submitted with the building permit be revised to demonstrate compliance with the standard 16-inch minimum offset of wall planes adjacent to entries.

Staff recommends that the Design Commission find that this standard is met with Condition of Approval #26.

7.0603(B)(2)(c)(4) and 7.0603(B)(2)(d)(4) - Building Entry Feature. This section seeks to establish a prominent building entrance that is a focal point of the building.

ISSUE: The applicant must either:

- Meet the 7.0603(B)(2)(d)(4) standard; or
- Meet the 7.0603(B)(2)(c)(4) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Within 30 feet along the length of the facade from each side of the entry doors, the building shall utilize only primary materials, as specified in Section 7.0603(B)(8)(D), unless another material is approved by the Manager or Design Commission.

PROPOSAL: The proposed materials adjacent to the live-work entries include fiber cement siding which is classified as a secondary material under the commercial

design guidelines but is also classified as a primary material under the multifamily design guidelines.

GUIDELINE: Materials on and surrounding the entry feature shall be attractive and of high quality.

RECOMMENDATION: Staff finds the proposed use of fiber cement siding adjacent to the entries meets the intent of the guideline in consideration of its classification as a primary material under other sections of the Code and that its use is consistent with the materials pallet for the project and does not detract from the design.

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

7.0603(B)(3) - Prominent Façade Sections. Contrary to the applicant's narrative response this section does not apply.

These standards do not apply.

7.0603(B)(4)(c)(1) and 7.0603(B)(4)(d)(1) - Transparency.

ISSUE: The applicant must either:

- Meet the 7.0603(B)(4)(d)(1) standard; or
- Meet the 7.0603(B)(4)(c)(1) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Buildings shall have a pedestrian level transparency zone with windows utilizing clear glass between the heights of 2 feet and 12 feet for no less than 60 percent of facades facing public streets.

PROPOSAL: Contrary to the applicant's narrative response, the drawings do not demonstrate compliance with this standard to provide 60 percent glazing on street facing facades between the area of 2 feet and 12 feet. Building A has 44 percent glazing and Building B has 54 percent glazing on the east street facing facades between the area of 2 feet and 12 feet.

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

RECOMMENDATION: Staff finds only Building B meets the intent of the guideline as proposed. Therefore, a condition of approval requires the building permit submittal include revised Building A elevation drawing Sheet 133 A2.11 demonstrating additional window units on both sides of the window/door assembly center bay at both end units on the street facing façade. Additionally, the Building A elevation drawing Sheet 133 A2.11 shall be revised with the building permit submittal to demonstrate the window bays along the street facing façade shall be articulated with canopies as prescribed by standard 7.0103(B)(2)(d)(13).

Staff recommends that the Design Commission find that this guideline is met with Condition of Approval #24.

7.0603(B)(5)(d)(1) - Screening of Mechanical Equipment. This section requires that all rooftop mechanical and communication equipment be screened so as to not be visible at ground level from streets and other public spaces. The applicant’s narrative response states that “*No mechanical equipment is proposed.*” The applicant has provided a similar response regarding any wall mounted mechanical equipment. Therefore, it is unclear how building mechanical systems will be accommodated, and a condition of approval requires the building permit submittal drawings clearly demonstrate that building mechanical systems will not be visible on walls or roofs of Buildings A and B.

Staff recommends that the Design Commission find that this standard is met with Condition of Approval #28.

7.0603(C)(1)(d)(1)(a) - Landscape and Stormwater - Irrigation. The applicant’s narrative and notations on the landscape plan Sheet 122 L2.1 specify that an automatic drip irrigation system will be used. A condition of approval requires the irrigation system drawings be included with the building permit submittal or as a deferred submittal.

This standard is met with Condition of Approval #30.

IV. RESPONSE TO PUBLIC NOTICE

No responses to the public notice were received at the time of issuance of this Staff Report.

V. AGENCY COMMENTS

DEVELOPMENT ENGINEERING COMMENTS

FROM: Jesse Davies

The project site is located on the northwest corner of the intersection of NE Sandy Boulevard and NE 185th Drive in the Moderate Commercial (MC) land use district. The applicant proposes a two-parcel partition and the construction of one mixed use building and one live-work building on the newly created northern parcel. The newly created southern parcel may have a future fast food restaurant but is not a part of this application, and development of the parcel will require a future land use application.

The following comments are from Development Engineering and refer to the plans submitted by Studio 3 Architects received February 4, 2019.

A5.000: GENERAL

Design and construction of all public facility improvements shall be in conformance with applicable sections of the [Gresham Community Development Code \(GCDC\)](#), [Gresham Public Works Standards \(PWS\)](#), [Water Quality Manual \(WQM\)](#) and [Gresham Revised Code \(GRC\)](#).

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 onsite stormwater detention and water quality systems), enter into an agreement with 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 www.GreshamOregon.gov/Maps/.

A5.100: SANITARY SEWER FACILITIES

Existing Sanitary Sewer Facilities and Approved Point of Connection

City records show an existing 12-inch diameter PVC sanitary main running from the neighboring property to the west through a 20-foot public easement at the northern edge of the property and into a manhole in NE 185th Drive. This line then heads north, and there are no additional lines in NE 185th Drive or along this site's frontage of NE Sandy Boulevard. As-builts were provided in the pre-application meeting but they are dated, and the applicant's engineer should verify conditions in the field.

This 12-inch line is the approved point of connection for both parcels of the development. The proposed connection to the mainline onsite is approvable. If the depth of the existing line or proximity to the existing retaining wall make this connection infeasible, the applicant will need to either extend a new mainline from the manhole in NE 185th Drive to the edge of the proposed new property line or obtain an easement from the neighboring property to the west and connect to an existing manhole approximately 35 feet west of the shared property line.

A sanitary lateral shall be provided to the new southern parcel. This could be done by extension of the mainline and a new lateral in NE 185th Drive or through a private easement on the northern parcel, as is proposed.

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 12-inch diameter storm main in NE 185th Drive along the southern half of the site frontage, which transitions into an 18-inch main along the northern half. This main is the approved point of discharge for the entire site.

There are two existing catch basins on the west side of NE 185th Drive along the proposed northern parcel's frontage with 12-inch connections to the main. Either of these catch basins could be used as points of connection for the northern parcel, though they would likely need to be replaced with inlet manholes as flow is limited to 0.5 CFS when connecting to a catch basin. The proposed new lateral from the northern parcel to a new manhole over the existing mainline is also approvable.

When the southern parcel develops, a second lateral and manhole will need to be installed from the site to the mainline in NE 185th Drive. Alternatively, the proposed private storm line on the northern parcel could be extended to the proposed property line to allow for a future connection, similar to the proposed sanitary line. This would also require a private easement.

Water Quality & Detention Requirements

Per the GCDC, onsite water quality treatment for stormwater runoff is required for developments that add or replace 1,000 square feet or more of the existing surface with impervious area. Developments are also generally required to detain stormwater to pre-developed rates, but this site drains to the Columbia Slough and detention is not required.

The use of onsite stormwater systems such as rain gardens, planter boxes, pervious pavement, and other green development practices as described in the City's Green Development Practices Manual must be used to satisfy water quality requirements to the fullest extent practicable. The proposed combination of rain gardens and lined planters is approvable.

Maintenance Requirements for Private 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.

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 will need to 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. The proposed rain gardens and lined planters would not require a maintenance agreement.

Drainage Report

A final storm report as well as construction plans for the private water quality treatment 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.

Erosion and Sedimentation Control Requirements

If the area of disturbance exceeds one acre, an NPDES 1200-C permit shall be provided from the Oregon Department of Environmental Quality (DEQ). Information can be obtained from DEQ's website at www.DEQ.State.OR.US/wq/wqpermit/stminfo.htm. Applications are processed directly through DEQ; the LUCS (Land Use Compatibility Statement) form is processed through the City of Gresham.

A5.300: WATER FACILITIES

Existing Water Facilities and Approved Point of Connection

The site lies in the South Shores service level with a static pressure of 79 pounds per square inch (psi). City records show an existing 18-inch diameter ductile iron water main in NE 185th Drive. A domestic service will need to be installed from this main to the site. The mixed use and live-work buildings are proposed to remain on a single lot and can either share a single service and meter or have two separate services and meters, as is proposed. However, the proposed 2.5-inch meter is not an approvable size. If a 2-inch meter is not adequate than a 3-inch meter will be required. The future fast food restaurant will be required to have its own dedicated domestic service installed when the site develops.

Domestic and Irrigation Service and Water Meter Sizing for Proposed Development

Plumbing fixture counts will need to be submitted with the building permit submittal via the City's [water meter sizing chart](#) and must include all fixtures in all buildings connected to each new and/or existing meter, including irrigation devices. It is the responsibility of the applicant's engineer to ensure water demands can be met. City crews will install the water services and meters at the applicant's expense.

Domestic, Irrigation, and Fire Service Backflow Requirements

The size of the domestic and irrigation service(s) will depend on the site demands. In general, copper pipe is required for service lines less than or equal to 2-inch diameter, and ductile iron pipe is required for pipe that is 4-inches or larger. A commercial site will require a minimum double check backflow assembly at the property line.

The irrigation system must either be connected downstream of the domestic service backflow prevention assembly or must have its own meter and double check assembly on a dedicated service.

Fire Flow Requirements

The Fire Department will review this development proposal for adequate fire line sizing. The fire line will require a double check detector assembly (DCDA) in a vault at the property line. Currently, there are two existing hydrants along the site frontage with a maximum flow of 3,500 gpm at a residual pressure of 71 psi.

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 Portland Columbia South Shore 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: www.GreshamOregon.gov/Well-Field-Protection-Program/.

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

EASEMENTS and OTHER

Easements

All existing and proposed public and private easements must be shown on the construction plans submitted for building permit review. In general, all proposed easements must be in place prior to construction plan approval.

CHARGES AND FEES

A person challenging the calculation of a Systems Development Charge (SDC) or a Facilities Charge (FC) must appeal within 10 calendar days of the issue date of the associated building permit. The appellant must file with the City Manager a written notice of appeal pursuant to GRC 1.05.025.

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 at a current rate of \$20.68 per 2,500 square feet of impervious area.

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.

Please refer to Conditions of Approval #3, #4, #6, #7, and #34.

TRANSPORTATION PLANNING COMMENTS

FROM: Jay Higgins

Project Description: NE 185th Drive & NE Sandy Boulevard

A mixed live/work, office and residential project with 4,800 square feet office, 20 live/work units and 10 apartment units.

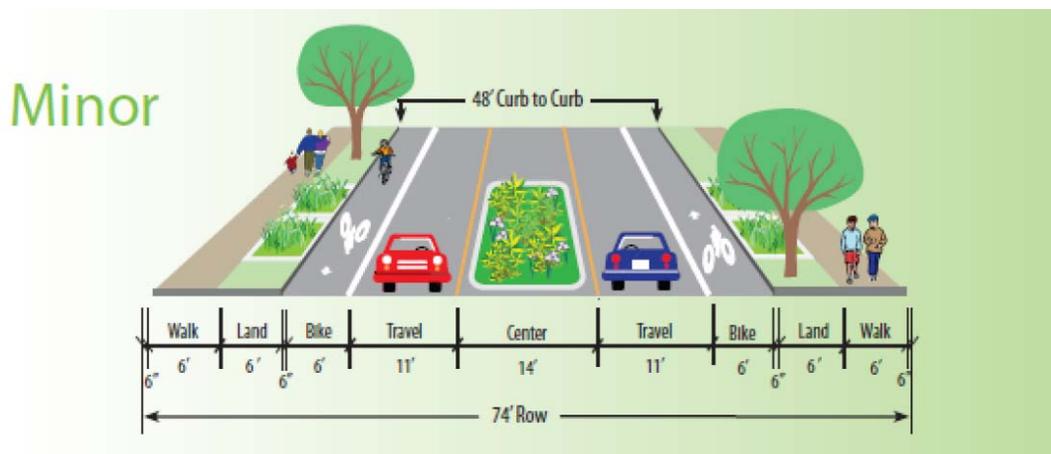
Traffic Impact Analysis

The applicant was required to analyze the north driveway entrance to ensure safe sight lines for vehicles entering NE 185th Drive. The analysis found that due to the vertical and horizontal curves north of the driveway, any vehicles entering NE 185th Drive from that driveway would need to pull partially into the southbound traffic lane. It is not safe to require vehicles pull into the traffic lane in order to achieve recommended sight distances. The north driveway will need to be removed from the plans.

Right of Way Dedication

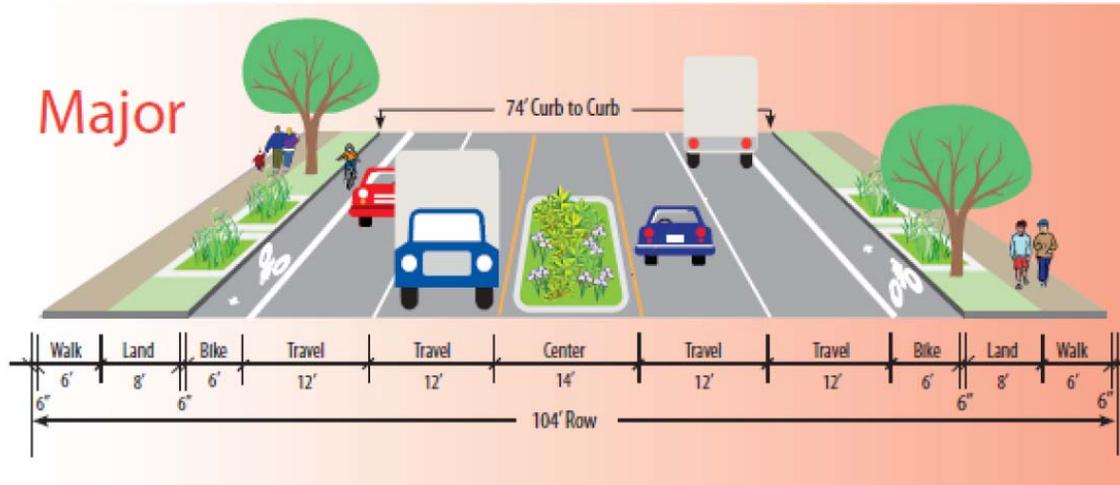
NE 185th Drive is classified as a Minor Arterial in the Transportation System Plan, requiring 74 feet of right of way or 37 feet of right of way to centerline. There is currently 30 feet of right of way measured to the center of the existing road and consists of: 24 feet of pavement, a 6-inch curb and a 6-foot curb-tight sidewalk. There have been previous right of way dedications from this site, so the center of the road as constructed does not align with the center of the right of way. The actual existing right of way along the site frontage is 35 feet, so a 2-foot dedication to provide for the standard 37 feet is required. The standard cross section for a Minor Arterial per GCDCA 5.501 is as follows.

Minor Arterial:



NE Sandy Boulevard is classified as a Major Arterial in the Transportation System Plan, requiring 52 feet of right of way to roadway centerline. There is currently 45 feet of right of way to centerline, consisting of roughly 24 feet of pavement and 21 feet of dirt. A 7-foot dedication is required along the project frontage to provide the standard 52 feet of right of way to centerline. The standard cross section for a Major Arterial per GCDCA A5.501 is as follows.

Major Arterial



A corner dedication is required for the street intersection based on the long chord of the curb return radius of the lower classification street at the intersection. See PWS 6.02.11 for the curb return radii for each street classification and the City’s definition of the long chord.

Frontage Improvements

Along the NE 185th Drive frontage, no improvements are required due to the existing retaining wall at the back of the existing curb-tight sidewalk. To meet street tree requirements the applicant can pay into the City’s Street Tree fund. Full frontage improvements are required along the NE Sandy Boulevard frontage, including widening the roadway to provide 37 feet of pavement to centerline, a 6-inch curb, an 8-foot planter strip and a 6-foot sidewalk. This frontage also requires one additional street light, which is shown correctly in the application. As there is an active TriMet bus stop on NE Sandy Boulevard, the applicant will need to coordinate with TriMet.

The required frontage improvements along NE Sandy Boulevard are part of an existing City project and therefore eligible for TIF credits upon construction. TIF credits reduce the amount of Transportation System Development Charges that the applicant pays to the City.

Access

The applicant is proposing to partition the parcel and create a new parcel at the corner of NE 185th Drive and NE Sandy Boulevard. The new parcel must take access from the lower classification street, which is NE 185th Drive. The new parcel’s location is too close to the intersection for a new access driveway to NE 185th Drive, so the applicant will need to provide cross access easements for both parcels to provide access through the south driveway.

It should be noted that the proposed south driveway is within the length of the existing left turn pocket of the NE 185th Drive and NE Sandy Boulevard intersection. This may introduce additional crash risk, as northbound vehicles on NE 185th Drive turn left into the proposed development. When additional development occurs on the new parcel fronting NE Sandy Boulevard, increasing the number of turns across the left turn lane, the developer may be required to add a 12-inch median barrier across the south driveway to prevent northbound traffic from turning left across the left turn pocket.

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 frontage improvements on NE Sandy Boulevard provide TIF credits to the applicant and are exempt of the calculation. 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 apartment generates 6.65 trips per day, a new condo generates 5.81 trips per day, and new office space generates 11.03 trips per 1,000 square feet per day, for a total of 235 trips per day for the proposed development. The development has driveway access to NE 185th Drive, so 100 percent of all trips will use NE 185th Drive and an assumed 90 percent of all trips will also use NE Sandy Boulevard. 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 185th Drive is a Minor Arterial street and NE Sandy Boulevard is a Major Arterial street. A Minor Arterial street has an average length of 2,816 feet with an assumed value for right of way of \$10 per square-foot and \$3,362,321 in frontage improvements including all pavement, curbs, sidewalks, street trees and streetlights required by City standards for a total of \$5,446,407. The average daily trips on a Minor Arterial are 5,633, of which the applicant's trips on NE 185th Drive are 4.18 percent of the total. For NE Sandy Boulevard, 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. The average daily trips on a Major Arterial are 19,696, of which the applicant's trips are 1.08 percent of the total. This provides a proportional exaction of \$462,983 for both frontages.

$$(4.18\% * \$5,446,407) + (1.08\% * \$21,838,431) = \$462,983$$

Then a calculation for the required improvements is created. The NE 185th Drive frontage is 730 feet and a 2-foot dedication is required. Using the assumed value for right of way of \$10 per square-foot, the required dedication is valued at \$14,600. The NE Sandy Boulevard frontage is 150 feet and a 7-foot dedication is required with an assumed value of \$10,500.

As the proportional exaction is \$462,983 and the total requirements are \$25,100 (\$14,600 + \$10,500), the analysis shows that all required dedications are proportional to the project's impact to the transportation system.

Please refer to Conditions of Approval #8, #9, and #11.

FIRE COMMENTS

FROM: Kyle Stuart, Gresham Fire (Kyle.Stuart@GreshamOregon.gov)

NOTE: Building permit plans shall include a separate "FIRE ACCESS AND WATER SUPPLY PLAN" indicating all of the following:

1. Provide fire flow per Oregon Fire Code Appendix B. OFC App B Table B105.1.
2. Temporary addresses of 6 inches shall be provided at EACH construction entrance prior to ANY construction materials arriving onsite. Prior to the building finals permanent address range placards will be required high on each building, facing the address street, per Gresham Fire Addressing Policy. This policy can be emailed upon request. OFC 505 & 3310.
3. Required fire hydrants and access road shall be installed and approved PRIOR to any combustible construction material arriving onsite. OFC 3312.1.
4. The furthest point on each building shall be no more than 400 feet from a hydrant. Without knowing the construction type of the building, the minimum distance from a road frontage to a hydrant must be 225 feet. Private fire hydrants shall be installed along the entire length of the fire access road with spacing no more than 450 feet apart. Show distances of hydrants in relation to buildings on the plans. This should be measured as the hose would lay. OFC Appendix C and 507.
5. Each public or private fire hydrant used for fire flow for this property shall have a 5-inch Storz adapter with National Standard Threads installed on the 4-½ inch fire hydrant outlet. The adapter shall be constructed of high-strength aluminum alloy, have a Teflon coating on the seat and threads, and use a rubber gasket and two (2) set screws to secure it in place. The adapter shall be provided with an aluminum alloy pressure cap. The cap shall be attached to the hydrant barrel or Storz adapter with a cable to prevent theft of the cap. Adapter shall be Harrington HPHA50-45NHWCAP or equal approved by Gresham Fire.
6. A fire hydrant shall be within 50 feet of the fire sprinkler system "FDC." OFC Appendix C 102.2 & NFPA 13E.
7. Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be BLUE. They shall be located adjacent and to the side of the centerline of the access road way on which the fire hydrant is located. In the case that there is no center line, assume a centerline and place the marker accordingly. OFC 508.5.4.
8. 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 required to be 26 feet due to the building heights being over 30 feet. OFC 503.2.1 & D103.1.
9. At least one of the required aerial fire access roads shall be located a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to each building over 30 feet tall. This will be required to be approved by the fire code official. OFC App D-105.

10. Required Fire Department access roads onsite 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.
11. The turning radius for all emergency apparatus roads shall be: 28 feet inside and 48 feet outside radius. OFC 503.2.
12. No Parking Fire Lane signage or curb marking will be required. Fire access roads 20 feet - 26 feet wide require the marking on both sides. Indicate on the building permit plans. This policy can be emailed upon request. OFC D 103.
13. The building is required to be provided with fire sprinklers throughout. OFC 903.
14. A fire alarm system is required. OFC 907, 903.4.
15. Buildings over three stories will need to be equipped with standpipe systems in accordance with NFPA 14. OFC 905.1.

Please refer to Condition of Approval #14a - #14o.

RECYCLING & SOLID WASTE COMMENTS

FROM: Shannon Martin, Recycling & Solid Waste Program Manager

1. The location of enclosure is approved. Consider a man door on the side of the enclosure for easier tenant access. If this project will include food service businesses, a separate area will be needed for oil collection.
2. 7.0212(B)(2)- Containers 3 yards and larger may not be placed facing each other inside an enclosure.

Condition - This project will need larger equipment for collection of solid waste and recycling. The enclosure needs to be 20 feet wide to accommodate garbage and recycling containers that are each 7 feet wide and 6 feet deep. This allows space for the two containers to face outward and some buffer for the trucks so they do not damage the enclosure. Given this enclosure supports both buildings, larger equipment (4 to 6-yard containers) will be needed for collection and they will not be on wheels. Placing smaller containers on wheels is not advisable for this project.

3. 7.0212(B)(3) - Enclosure gates shall swing free of obstructions and have restrainers in the open and closed positions. The gate swing should open to a minimum of 120 degrees.

Condition - Demonstrate restrainers in the open and closed positions. Pin holes will meet this standard.

Please refer to Condition of Approval #13.

ADDRESSING COMMENTS

FROM: Carrie Osborn, Planning Technician II

The site is currently unaddressed and identified as State ID 1N3E29B 00500, Portland OR 97230. However, this will not be used for the mixed-use development. Instead, new addresses will be assigned to each live/work unit and the apartment complex. The applicant and/or representative may contact the Addressing Coordinator at 503-618-2809 after the staff decision has been final to obtain the new addresses and apartment unit placements for building permits. Addresses will be assigned in accordance with the City of Gresham Street Naming and Property Numbering Guidelines of Gresham Development Code Appendix 13.

Please refer to Condition of Approval #5.

VI. 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.

VII. RECOMMENDATION

Staff recommends APPROVAL WITH CONDITIONS of the Type I Minor Partition of a 1.86-acre undeveloped parcel located on the northwest corner of NE Sandy Boulevard and NE 185th Drive, Type III Design Review E for the development of a 20-unit mixed-use apartment and live-work building and a 10-unit live-work building with associated site improvements including landscaping and parking area on the undeveloped 62,745 square-foot north parcel, and Type II Tree Removal for the removal of 54 regulated trees.

If the Design Commission chooses to approve the proposal with conditions, the following conditions of approval are recommended.

Note that this recommendation for approval with conditions is based on the applicant's submitted narratives 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 narratives and plans do not provide enough information to assure each criterion is met. Consistency with the submitted plans is required. Where Code standards or guidelines could be met with conditions of approval, the finding "This standard or guideline is met by Condition of Approval____" is made.

GENERAL CONDITIONS

1. This Design Review Development application approval is valid for one year from the date of decision (the end of the appeal period). An application for a building permit must be submitted within one year of this decision (per Section 11.0105). 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, at minimum, as a Type II procedure, except changes that affect standards under Sections 7.0103 and 7.0603, which will be reviewed under a Type III procedure.

2. This Minor Partition Preliminary Map approval is valid for one year from the date of decision (the end of the appeal period). An application for a Final Partition Map must be submitted within one year of this decision (per Section 11.0105). 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.
 - a. Submit to the City three copies of the final survey map along with legal descriptions for the consolidated lots. The final map shall comply with the approved preliminary plan and with the applicable requirements of ORS Chapters 92 and 209. Final map submittal shall occur at the City of Gresham Permit Center and include the appropriate fees, application, and copies.
 - b. After the City has approved the final map, the applicant shall file the approved final survey map with the Multnomah County Surveyor. Record with Multnomah County Deed Records the approved final map along with the deeds transferring ownership. Deliver a copy of the stamped approved final lot line adjustment map to Multnomah County Assessment and Taxation.
 - c. Provide to the City of Gresham Development Planning Division a copy of all newly recorded documents with book and page numbers.
3. 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).

PRIOR TO BUILDING PERMIT SUBMITTAL

4. 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.
5. The applicant shall contact the Addressing Coordinator at 503-618-2809 prior to building permit submittal to obtain the new addresses and apartment unit placements for building permits. Addresses will be assigned in accordance with the City of Gresham Street Naming and Property Numbering Guidelines of Gresham Development Code Appendix 13.

PRIOR TO BUILDING PERMIT ISSUANCE

6. A final stormwater management report shall be submitted with the public improvement construction plans.
7. If the disturbed area exceeds one acre, a NPDES 1200-C permit shall be obtained.

8. The Minor Partition Final Map shall include: dedication of 2 feet along the NE 185th Drive frontage, dedication of 7 feet along the NE Sandy Boulevard frontage, and a cross access easement and a shared access easement from the south driveway to benefit the adjoining parcel to the south.
9. With the street improvements permit submittal include full improvements along the NE Sandy Boulevard frontage, including a 6-foot sidewalk, an 8-foot planter strip with street trees and streetlights, a 6-inch curb, and asphalt roadway to complete a half-street profile. The applicant shall demonstrate that the relocation of the TriMet bus stop on the NE Sandy Boulevard frontage has been coordinated with TriMet. Contact Michelle Wyffels: 503-962-2180 or WyffelsM@TriMet.org.
10. Provide a completed Street Tree Fee in Lieu request form and, upon approval, provide payment for the 17 required street trees. The project planner will provide the application form upon request.
11. Building permit submittal site plans shall be updated to eliminate the north driveway with access to NE 185th Drive from the scope of work, the adjacent parking area shall be designed to accommodate a hammerhead turn around for Fire Department apparatus per OFC App D Item 103.4, demonstrate compliance with Section 7.0103(A)(8)(d)(1)(e)(i-iv), and site plans shall be updated to incorporate a future driveway curb cut along the shared south or east property line including the deletion of one proposed tree along the lot line adjacent to the future driveway.
12. The grading plans submitted as part of the building permit shall include notations describing the steps outlined in Section 5.0324 should an archaeological find be made during the site excavation and development.
13. With the building permit drawings for the trash enclosure demonstrate a man door on the side of the enclosure for tenant access, demonstrate restrainers in the open and closed positions (pin holes will meet this standard), and that the enclosure is 20 feet wide to accommodate garbage and recycling containers that are each 7 feet wide and 6 feet deep. Four to 6-yard containers will be needed for collection. If this project will include food service businesses, a separate area will be needed for oil collection. The permit drawings shall include details and notations demonstrating compliance with GDC Section 7.0212(A)(8).
14. Building permit plans shall include a separate "FIRE ACCESS AND WATER SUPPLY PLAN" indicating all of the following:
 - a. Provide fire flow per Oregon Fire Code Appendix B. OFC App B Table B105.1.
 - b. Temporary addresses of 6 inches shall be provided at EACH construction entrance prior to ANY construction materials arriving onsite. Prior to the building finals permanent address range placards will be required high on each building, facing the address street, per Gresham Fire Addressing Policy. This policy can be emailed upon request. OFC 505 & 3310.

- c. Required fire hydrants and access road shall be installed and approved PRIOR to any combustible construction material arriving onsite. OFC 3312.1.
- d. The furthest point on each building shall be no more than 400 feet from a hydrant. Without knowing the construction type of the building, the minimum distance from a road frontage to a hydrant must be 225 feet. Private fire hydrants shall be installed along the entire length of the fire access road with spacing no more than 450 feet apart. Show distances of hydrants in relation to buildings on the plans. This should be measured as the hose would lay. OFC Appendix C and 507.
- e. Each public or private fire hydrant used for fire flow for this property shall have a 5-inch Storz adapter with National Standard Threads installed on the 4-½ inch fire hydrant outlet. The adapter shall be constructed of high-strength aluminum alloy, have a Teflon coating on the seat and threads, and use a rubber gasket and two (2) set screws to secure it in place. The adapter shall be provided with an aluminum alloy pressure cap. The cap shall be attached to the hydrant barrel or Storz adapter with a cable to prevent theft of the cap. Adapter shall be Harrington HPHA50-45NHWCAP or equal approved by Gresham Fire.
- f. A fire hydrant shall be within 50 feet of the fire sprinkler system "FDC." OFC Appendix C 102.2 & NFPA 13E.
- g. Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be BLUE. They shall be located adjacent and to the side of the centerline of the access road way on which the fire hydrant is located. In the case that there is no center line, assume a centerline and place the marker accordingly. OFC 508.5.4.
- h. 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 required to be 26 feet due to the building heights being over 30 feet. OFC 503.2.1 & D103.1.
- i. At least one of the required aerial fire access roads shall be located a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to each building over 30 feet tall. This will be required to be approved by the fire code official. OFC App D-105.
- j. Required Fire Department access roads onsite 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.
- k. The turning radius for all emergency apparatus roads shall be: 28 feet inside and 48 feet outside radius. OFC 503.2.
- l. No Parking Fire Lane signage or curb marking will be required. Fire access roads 20 feet - 26 feet wide require the marking on both sides. Indicate on the building permit plans. This policy can be emailed upon request. OFC D 103.

- m. The building is required to be provided with fire sprinklers throughout. OFC 903.
 - n. A fire alarm system is required. OFC 907, 903.4.
 - o. Buildings over three stories will need to be equipped with standpipe systems in accordance with NFPA 14. OFC 905.1.
15. Provide drawings that demonstrate the shared open space on the north portion of the site is separated from the abutting parcel by a 15-foot-wide buffer with landscaping as prescribed by Table 9.0111(B). Landscape drawings Sheets 122 L2.1 and 123 L2.2 shall be revised to specify trees used in the buffer as only those from the City of Gresham Recommended Tree List. The Hogan Red Cedar and Vine Maple are not approved buffer trees.
 16. Provide building permit submittal drawings demonstrating compliance with Section 7.0103(A)(4)(d)(3)(d) standards for play area enclosure and demonstrate that the play structure(s) fit within the enclosure with adequate circulation space.
 17. Provide drawings that demonstrate a maximum parking stall depth of 18 feet, 6 inches, including the 3-foot overhang into planters adjacent to trees and 2-foot overhang into planters adjacent to shrubs, including buffers. Overhang areas shall be landscaped with ground cover only. Building permit submittal drawings shall demonstrate wheel stops, where provided adjacent to pedestrian walkways less than 7 feet wide, are located 3 feet from curb faces.
 18. Landscape Plan 122 L2.1 shall be revised to provide one canopy tree as well as a continuous row of shrubs and ground cover adjacent to the public sidewalk along the NE 185th Drive frontage where the north driveway is to be removed.
 19. The building permit drawings shall be revised to demonstrate planters along the east elevation of Building B are a minimum of 10 feet wide and contain an ornamental tree and ground level planting.
 20. Provide civil drawing Sheet 118 C5.0 revised to indicate the walkway connecting Buildings A and B is to be constructed of a contrasting slip resistant paving material and provide civil drawings that include notations and/or details demonstrating all pavement or pavement base contains 20 percent recycled content.
 21. Provide details and drawing notations for site wayfinding signage to be located near the south entry driveway and both the north and south pedestrian site entry walkways with the building permit submittal.
 22. With building permit drawings for Building A: wall mounted long term bike parking spaces shown on the unit floor plans to be located under stairs shall be provided with details demonstrating bikes can be accommodated at these locations or shall be relocated on the unit floor plans as required to meet Section 9.0831 - Long Term Bicycle Parking Standards.
 23. Include wall mounted light fixture locations on the building elevations and provide exterior horizontal and vertical window shading devices for the third-floor windows on the east, south and west elevations of Building A. Provide building permit drawings demonstrating

building and unit addressing for the residential units in compliance with Code Section 7.0103(A)(3)(d)(3) items (a) and (c).

24. The building permit submittal shall include revised Building A elevation drawing Sheet 133 A2.11 demonstrating additional window units on both sides of the window/door assembly center bay at both end units on the street facing façade. Additionally, the Building A elevation drawing Sheet 133 A2.11 shall be revised to demonstrate the window bays along the street facing façade shall be articulated with canopies as prescribed by Section 7.0103(B)(2)(d)(13).
25. The building permit submittal shall include Building B elevation drawing Sheet 138 A2.21 revised to include north and south elevations with a repeating fenestration pattern comprised of window openings/types similar to the east façade, and include north, south and east elevations revised to include horizontal reveals at the stucco finish similar to the east elevation of Building B. These design elements shall be present for a minimum of 80 percent of the facade length.
26. The building permit submittal shall include Building B elevation drawing Sheet 138 A2.21 revised to include north and south elevations with a distinct stucco color at the base or a change of wall material above the stucco base, and the Building B level one floor plan Sheet 135 A1.31 shall be revised to demonstrate compliance with the standard 16-inch minimum offset of wall planes adjacent to entries.
27. Drawings submitted with the building permit shall provide detail references at the window openings on Building A levels one and two and Building B that demonstrate a minimum 4-inch recessed window measured from the building exterior wall finish plane to the outside face of glass.
28. The building permit submittal drawings shall demonstrate that mechanical and communication equipment and components located on exterior walls or the roofs of both Building A and B shall be screened so these are not visible from streets and other street level public spaces. This includes all building mechanical system vents, piping, controls, etc. in compliance with Section 7.0103(B)(2)(d)(7).
29. Include an updated site photometric plan demonstrating light levels along the west property line do not exceed 1-foot candle. The site lighting plan and photometric plan Sheets 140 E1.01 and 141 E1.02 shall be revised to demonstrate 1-foot candle minimum lighting levels and average 3.5-foot candle at the south driveway, and 3.5-foot candle at the live-work unit entries. Additionally, the site lighting plan and photometric plan Sheets 140 E1.01 and 141 E1.02, shall be revised to relocate the pole mounted light fixture in conflict with a parking lot tree in the planter bay west of Building A.
30. Provide drawings for the design and installation of a site landscaping drip irrigation system with the building permit submittal or a deferred submittal form that includes this item.
31. Provide documentation demonstrating no less than 20 percent of the site material costs for the residential portion of the project are for materials locally sourced from within a 500-mile radius of the project site and specifically no less than 20 percent of the site furnishings

material costs for the project are for materials locally sourced from within a 500-mile radius of the project site.

32. Provide notations on the building permit drawings indicating the metal wall panels are of a minimum thickness of 22 gauge and have no exposed fasteners.
33. Pursuant to Section 7.0603(A)(7)(d)(7), the owner/applicant shall comply with requirements for landscape maintenance and installation. Prior to building permit issuance, the “owner” shall enter into and record a landscape maintenance agreement as approved by the City. The project planner will provide the landscape maintenance agreement template upon request.

PRIOR TO OCCUPANCY

34. A sanitary lateral shall be provided to the new southern parcel.
35. 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 110 percent value to insure said installation. Installation of landscaping and irrigation system shall be provided prior to any final occupancy.

End of Staff Report

All exhibits and plans referenced in this Staff Report are filed and maintained with the City of Gresham Urban Design & Planning Department and are available for review upon request.