

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

HEARING DATE: September 18, 2019

REPORT DATE: September 11, 2019

TO: Design Commission

FROM: Terra Wilcoxson, Associate Development Planner

FILE NUMBER: DRE/SD 19-26000011

APPLICANT: Spiro Sassalos, SKS Development, Inc.

REPRESENTATIVE: Tyler Henderson, All County Surveyors & Planners, Inc.

LOCATION: 550 NE 5th St., Gresham OR 97030

PARCEL DESCRIPTION: 1S3E10BD 01800

PROPOSAL: Type III Design Review E for the construction of one, three-story building with five single-family attached homes with associated site improvements and a Type II five-lot subdivision.

RECOMMENDATION: **Approval of the Type III Design Review and Type II Subdivision**

EXHIBITS: A. Vicinity Map  
B. Application Package - Narrative and Plans  
C. Public Comments/Engagement

## **I. FINDINGS OF FACT**

- A. LOCATION:** The subject site is located on the southwest corner of NE 5th Street and NE Elliott Avenue.
- B. ZONING:** The site is in the Downtown Transit Mid-Rise (DTM) land use district. There are no environmental overlay districts effecting the site.
- C. PROPOSAL:** The project will consist of a five-lot subdivision and the construction of one, three-story building with five single-family attached homes. The proposal includes five one-car garages facing NE Elliott Avenue, four front entrances facing NE Elliott Avenue, one front entrance facing NE 5th Street, and site landscaping.
- D. SITE DESCRIPTION:** The 5,000 square-foot (0.11 acres) site is comprised of one lot with 100 lineal feet of frontage on NE Elliott Avenue and 50 lineal feet of frontage on NE 5th Street. The site is currently vacant but had a single-family residence demolished in 2006. Presently, it contains four mature trees. NE 5th Street and NE Elliott Avenue are classified as Downtown Local Streets.
- E. SURROUNDING LAND USES:** NE Elliot Avenue divides the DTM and Downtown Residential Low-Rise-2 (DRL-2) subdistricts. Two adjacent properties to the east are in the DRL-2 land use district: one is vacant and the second is developed with a single-family detached residence. The remainder of adjacent properties are in the DTM land use district. Property to the north (across NE 5th Street) is part of a commercial development and used for parking. The property directly to the west is a detached single-family residence. The parcel to the south contains a commercial use.
- F. PUBLIC NOTICE AND COMMENTS:** The City of Gresham Development Planning division sent notices of the proposal to the surrounding property owners of record (as shown on the most recent property tax assessment roll) and residents within 300 feet of the subject property. At the time of this Report no comments were received. Public and neighborhood association comments can be submitted at any time up until the hearing date or at the hearing on September 18, 2019.
- G. APPLICATION ACCEPTANCE DATE:** The application for design review and subdivision was submitted on January 29, 2019 and deemed incomplete on February 28 ,2019. After subsequent rounds of incompleteness determination, the application was deemed complete on July 26, 2019.

## **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 applicant is proposing more than three discretionary review items. 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 4.1100 - Downtown Plan District Design Manual 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:

## **ROCKWOOD DESIGN GUIDELINES**

### **4.1151(A) - Site Design**

**4.1151(A)(1)(c)(1) and 4.1151(A)(1)(d)(1) - Building Frontage**

**4.1151(A)(1)(c)(23) and 4.1151(A)(1)(d)(23)(i) - Street Frontage and Building Orientation**

**4.1151(A)(1)(c)(24) and 4.1151(A)(1)(d)(24)(e) - Driveways and Unit Access**

**4.1151(A)(5)(c)(1) and 4.1151(A)(5)(d)(1) - Professional Landscape Architect**

### **4.1151(B) - Building Design**

**4.1151(B)(2)(c)(17) and 4.1151(B)(2)(d)(17) - Dwelling Unit Offset**

**4.1151(B)(2)(c)(18) and 4.1151(B)(2)(d)(18) - Entry Covered Porch or Portico**

**4.1151(B)(2)(c)(20) and 4.1151(B)(2)(d)(20) - Window Trim**

**4.1151(B)(2)(c)(24) and 4.1151(B)(2)(d)(24) - Unique Corner Feature**

**4.1151(B)(2)(c)(26) and 4.1151(A)(2)(d)(26) - Garage Facades**

**4.1151(B)(2)(c)(27) and 4.1151(B)(2)(d)(27) - Maximum Width of Street-Facing Garages**

**4.1151(B)(2)(c)(28) and 4.1151(B)(2)(d)(28) - Minimum Transparency for Street Facing Facades**

**4.1151(B)(5)(c)(2) and 4.1151(B)(5)(d)(2) - Ground-Floor Transparency by Street Type**

**4.1151(B)(9)(c)(1) and 4.1151(B)(9)(d)(1) - Building Façade Primary Materials**

This Report will describe how the proposal will meet the Code sections as a summary overview with references to the applicant's narratives. 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 September 18, 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 E (DRE) is a Type III review, and the subdivision is a Type II review. Pursuant to Section 11.0203(B)(2), all permits will be handled under the Type III process. The decision body for a Type III DRE is the Design Commission. This application requires both a pre-application conference and an early neighborhood meeting. A public hearing for this application is scheduled before the Design Commission on September 18, 2019.

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 on June 13, 2018; a neighborhood meeting (per 11.0800) was held on July 27, 2018; and verification of the neighborhood meeting and its mailed notice is provided as part of the development permit application.

An Optional Design Commission Consult (per 11.0700) was held on December 12, 2018.

The application for design review was submitted on January 29, 2019 and deemed incomplete on February 28, 2019. After subsequent rounds of incompleteness determination, the application was deemed completed on July 26, 2019.

Copies of the complete application were transmitted to each affected agency and City department for review and comment on July 29, 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 representatives of the Central City Neighborhood Association on August 28, 2019. No written comments were received as of the date of this Staff Report.

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, including updated drawings and narrative descriptions, except to the extent inconsistent with the following findings in this Staff Report. The Manager makes the following findings regarding this application file.

## GENERAL

**4.1112 - Downtown Transit Mid-Rise (DTM).** The Manager accepts the applicant's findings with the following clarifications and corrections.

**Table 4.1130 - Setback for Single Family Attached Dwellings on a Downtown Local Street.**

Front and street side setbacks are evaluated in 4.1151(A)(1)(c)(1) and 4.1151(A)(1)(d)(1) - Minimum Building Frontage Percent. Staff accepts the applicant's narratives for interior and rear setbacks.

This standard is met.

**4.1143(A)-(F) - Downtown Street Type Standards.** An update to the Gresham Community Development Code resulted in changes to the Downtown Street Type Standards. NE 5th Street and NE Elliott Avenue are referred to as Urban Residential streets in the applicant's narratives; however, they were recently classified as Downtown Local streets. While the street type names have transitioned, the standards for an Urban Residential Street are largely consistent with the Downtown Local Streets Section 4.1143(B). These standards are met as described in the applicant's narratives (4.1143(C)-Urban Residential) with the exception of transportation conditions of approval described in Agency Comments and the requirement that streetlights shall be a 14-foot height Downtown Decorative Lighting Pole and Luminaire as detailed in the Public Works Standards.

The standards in Section 4.1143(A) and (C-F) are not applicable.

***The standards in Section 4.1143(B) are met with Conditions of Approval #22a-b and #24a-d.***

**6.0000 - Land Divisions.** The applicant's proposal includes a subdivision of the lot to create five lots for development with single-family attached dwellings, as proposed as part of this application.

***The standards are met with Conditions of Approval #2, #17, #18, #19, and #20.***

**6.0210 - Criteria for Approval of Tentative Plan.** The subdivision of the lot will not result in any "remainder" properties. Further, the subdivision and development of the lot will not preclude access to or development of any adjoining lots.

The standard is met.

**7.0005 - Models in the Downtown Plan Area.** At the discretion of the Manager proposals for new development approved through the design review process in the area shown on Figure 7.0005 shall submit a three-dimensional, basswood (or similar material) model prior to the issuance of a building permit. In lieu of the physical model, the applicant may provide a 3D digital model in a file format approved by the Manager.

*This standard is met with Condition of Approval #6.*

**7.0220(C)-(F) - Street Dedications, Arterial Streets, Frontage Roads or Signalized Access as Necessary.** These standards apply and are addressed by the Agency Comments (Development Engineering and Development Transportation Planning).

*These standards are met with Conditions of Approval #22a-b and #24a-d.*

**7.0220(A), 7.0221 and 7.0222 - Landscaping, Installation and Irrigation.** The project is subject to the landscaping installation and irrigation provisions of the Code:

- Landscaping must be installed prior to occupancy or a funding mechanism (such as bonding) must be provided. A condition of approval will be provided to ensure installation occurs by occupancy or an appropriate funding mechanism is provided at 110 percent of the value of plant materials and labor as determined by the Manager.

*These standards are met with Condition of Approval #23.*

**7.0223 - Maintenance Responsibility.** The property owner(s) is responsible for the maintenance of the site improvements including plant material, restriping parking stalls, and posting of the correct address. For landscaping, the City has developed a maintenance agreement which the applicant shall be required to sign and record prior to issuance of the building permit as a condition of approval.

*This standard is met with Condition of Approval #21.*

**7.0224 - Site Lighting.** Per this standard onsite lighting for all developments subject to design review shall be hooded or directional. In order to verify compliance with this standard a condition of approval is included requiring that with the building permit the applicant submit revised plans and elevations demonstrating the locations of exterior lighting fixtures and provide specification sheets that demonstrate a 90-degree cut off angle for each type of exterior lighting fixture.

*This standard is met with Condition of Approval #12b.*

**9.0300 - Easements.** Staff concurs with the applicant's findings stated in the narrative except as addressed in the agency comments (Development Engineering) provided later in this Report.

These standards are met.

**9.0500 - Grading and Drainage and Stormwater Quality Control Requirements.** These standards apply and are addressed by the Agency Comments (Development Engineering and Development Transportation Planning).

*These standards are met with Conditions of Approval #4a-b and #16.*

**9.1000 - Tree Regulations.** The Manager accepted the applicant findings with the following additions and clarifications:

**9.1021 - Exemptions to Tree Removal Permit for Regulated Trees.** As stated in the applicant's narrative two regulated onsite trees are proposed for removal and are eligible for a Tree Removal Permit Exemption. The City's Tree Removal Permit Exemption form is available upon request and must be completed by the applicant. With the building permit the applicant shall submit an approved Tree Removal Permit Exemption.

***This standard is met with Condition of Approval #7b.***

**9.0123 - Street Planting Exception.** Per the submitted narrative the applicant seeks to pay into the City of Gresham's tree fund rather than plant street trees because public stormwater facilities are located along each street frontage. The stormwater facilities are anticipated to be designed by the City of Gresham. Per a condition of approval provided herein, the required six street trees shall be provided in the public storm facilities (in the form of City-selected tree species), or the applicant shall pay the equivalent cash-in-lieu to the City of Gresham tree fund.

***This standard is met with Condition of Approval #12c.***

**9.1024(C)(1) - Removal of Buffer and Street Trees During Development.** Two street trees are proposed for removal. Street tree removal during construction may be permitted and requires the completion of a Type I Tree Removal Permit. The permit form is available upon request. With the building permit the applicant shall submit an approved Type I Tree Removal Permit.

***This standard is met with Condition of Approval #7a.***

**A5.000 - Public Facilities.** The majority of the public facilities standards apply and are specifically addressed by the Agency Comments (Development Engineering and Transportation Planning).

***These standards are met by Conditions of Approval #4a-b, #13, #14, #15, #16, #22a-b, and #24a-d.***

**9.0800 - Parking Standards.**

**9.0820 - General Location for Surface Parking Lots.** All required parking spaces are proposed to be located in onsite garages as shown on Sheet 106 2 First Floor Plan. Loading is not required because the proposed development is exclusively residential.

These standards are met.

**9.0852(B)(1)(b) - Downtown Plan District Minimum Off-Street Parking.** Contrary to the applicant's narrative single-family attached dwellings in the Downtown Plan District are

required to contain a minimum of one parking space per unit. One parking space per unit is provided in garages.

This standard is met.

**9.0870 - Off-Street Parking and Driveways for Detached Dwellings, Manufactured Homes,**

**Single Family Attached Dwellings and Duplexes.** As prescribed in standard 9.0852(B)(1)(b) a minimum of one parking space for each single-family attached dwelling unit is required in the Downtown Plan District. Each parking space shall be 8.5 feet wide by 18 feet deep. Driveways shall to be paved, and the minimum driveway width required is 10 feet. Driveway approaches are addressed in Agency Comments (Transportation).

Per Sheet 106 2 First Floor Plan, the minimum parking space width in garages is 9 feet, 5 inches and the minimum depth is 18 feet; therefore, the standard is met. As shown on Sheet 104 O.CS Site Plan each driveway is paved and has a width of 8 feet, which is 2 feet shy of the standard. A condition of approval is required to specify that with the building permit all plans demonstrate that each driveway is 10 feet in width.

***This standard is met Condition of Approval #12g.***

**DESIGN REVIEW**

**4.1100 - Downtown Plan District.** Applicants can choose to meet the design criteria of Section 4.1100 by either meeting the design guidelines through the discretionary process or by meeting the standards through the clear and objective process. The applicant in this case has chosen to follow the discretionary process. For all criteria, the applicant must show compliance with the design guideline or the corresponding design standard. Alternatively, the Design Commission can choose to waive a guideline to achieve the flexibility necessary to support a particularly creative proposal.

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

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

Contrary to the applicant’s narrative, the following standards are not applicable:

- **4.1151(A)(1)(d)(8) - Location of Parking and Loading Services.** This standard applies exclusively to parking not located in a building. The proposed parking is located solely in garages. This standard is not applicable.



- **4.1151(A)(1)(d)(19) - Vehicular Circulation and Parking.** New streets and blocks are not required or created by the proposal; therefore, this standard is not applicable.
- **4.1151(B)(5)(d)(1) - Ground Floor Minimum Transparency.** This standard applies to projects located on streets without a designated street type. The proposal has frontage on two Downtown Local streets. This standard is not applicable.
- The following standards are not applicable to the proposed use, single-family attached dwellings:
  - **4.1151(A)(3)(d)(1)**
  - **4.1151(A)(3)(d)(3-4)**
  - **4.1151(A)(3)(d)(8)**
  - **4.1151(A)(3)(d)(10)**
  - **4.1151(A)(4)(d)(3)**
  - **4.1151(B)(1)(d)(1-5)**
  - **4.1151(B)(1)(d)(10)**
  - **4.1151(B)(2)(d)(2-3)**
  - **4.1151(B)(2)(d)(10)**
  - **4.1151(B)(2)(d)(12-15)**
  - **4.1151(B)(7)(d)(1)**
  - **4.1151(A)(2)(d)(6)**

**4.1151(A)(1)(c)(1) and 4.1151(A)(1)(d)(1) - Building Frontage**

ISSUE: The applicant must either:

- Meet the 4.1151(A)(1)(d)(1) standard; or
- Meet the 4.1151(A)(1)(c)(1) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Minimum and maximum setbacks apply. For Downtown Local Streets (NE Elliott Avenue and NE 5th Street) the front and street site setbacks are 5 feet minimum to 20 feet maximum.

PROPOSAL: The proposal deviates from the minimum 5-foot setback distance at the second and third levels, resulting in a discretionary request. The ground level facades facing NE Elliott Avenue and NE 5th Street are located 5-6 feet from the right of way (ROW), dependent upon location. However, the second and third level balconies and façade planes project toward the street. The upper stories

are set back a minimum of 2 feet from NE Elliott Avenue and a minimum of 4 feet from NE 5th Street.

GUIDELINE: Sufficient length of buildings shall be present to maintain a continuous building street wall and in general limit spatial gaps to those necessary to accommodate vehicular and pedestrian access in order to define the street edge.

RECOMMENDATION: The proposal contains a generous length of building along each street (89 percent on NE Elliott Avenue and 58 percent on NE 5th Street), providing a clear street-wall. The proposed cantilevers extending into the minimum setback provide variation within the facades. The balconies activate the street-wall vertically, creating a connection between the residential activities and the sidewalk, supporting the intent of the downtown design standards. However, as proposed the privacy screens on Units 3 and 4 are offset from the third level; the screens are 1-foot proud of the adjacent third level facade. Staff recommends a condition of approval that with the building permit the applicant submit revised elevations demonstrating that the privacy screens terminate flush with the adjacent third level wall plane.

***Staff recommends that the Design Commission find that the guideline is met with Condition of Approval #10a.***

**4.1151(A)(1)(d)(7) - Connections to Principal Pedestrian Entrances.** Consistent with this standard, walkways are provided from each of the five front entrances to the public sidewalk.

This standard is met.

**4.1151(A)(1)(c)(23) and 4.1151(A)(1)(d)(23)(i) - Street Frontage and Building Orientation**

ISSUE: The applicant must either:

- Meet the 4.1151(A)(1)(d)(23)(i) standard; or
- Meet the 4.1151(A)(1)(c)(23) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Garage facades shall not be closer to the street than portions of the unit containing living space.

PROPOSAL: The ground level facing NE Elliott Avenue contains garages that are 5 feet proud of the adjacent recessed entry areas. The upper stories project 2 feet to 4 feet beyond the garage wall planes.

GUIDELINE: Single-family attached developments shall provide site design that orients units toward the street to provide a welcoming and interesting face to the public realm and limits the visual presence of access and parking. Developments also shall provide site design that provides a highly functional and attractive

relationship between the buildings, such as by minimizing front-to-back relationships.

RECOMMENDATION: The intent of the standard is to minimize the visual impact of parking and parking facilities (perhaps, epitomized by the snout-house). The ground level references a snout-house in that the entry areas are small in size and set back from the larger garage. However, the proposal includes projecting balconies and third-level pop-outs, which bring upper story living areas closer to the street than the garages. Particularly the balconies (vertical, active elements) visually de-emphasizing the auto access.

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

**4.1151(A)(1)(c)(24) and 4.1151(A)(1)(d)(24)(e) - Driveways and Unit Access**

ISSUE: The applicant must either:

- Meet the 4.1151(A)(1)(d)(24)(e) standard; or
- Meet the 4.1151(A)(1)(c)(24) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: A minimum distance of 20 feet shall be between driveways, whether shared or individual, so as to allow for on-street parking.

PROPOSAL: One individual single driveway approach and two shared driveway approaches are proposed on NE Elliott Avenue. The shared approaches split into individual unit driveways. The distance between driveways ranges from 4 feet to 14 feet, 4 inches.

GUIDELINE: The impact of street-facing garages and driveways on the pedestrian environment shall be minimized. Building faces, entrances and landscaping that create a positive pedestrian environment shall be maximized along the street.

RECOMMENDATION: Staff evaluated access options considering the narrow lots and requirement of one parking space per unit. Although adjacent on-street parking will not be feasible, the proposed frontage improvements, with minor modifications, were deemed to be most consistent with public works and development engineering standards. The inclusion of projecting second level balconies gives the upper stories greater street presence, thus promoting a more pedestrian friendly environment. In response to the feedback at the Optional Design Commission Consult the applicant has included opaque glass garage door panels and transparent front door panels. The walkways to the front doors are emphasized with a 12-inch by 12-inch stamped concrete grid. The combination of these elements minimizes the impact of street-facing garages and driveways.

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

**4.1151(A)(1)(d)(25) - Miscellaneous Standards for Single-Family Attached Dwellings.** In

addition to requiring private storage areas (as stated in the applicant's narrative) this standard specifies that transformers and heating, ventilation and air conditioning equipment, and utility meters/boxes shall be screened. A condition of approval is included that requires with the building permit the applicant provide plans detailing the locations of all onsite HVAC equipment and utilities and demonstrate screening consistent with this standard.

***This standard is met with Condition of Approval #12a.***

**4.1151(A)(5)(c)(1) and 4.1151(A)(5)(d)(1) - Professional Landscape Architect**

ISSUE: The applicant must either:

- Meet the 4.1151(A)(5)(d)(1) standard; or
- Meet the 4.1151(A)(5)(c)(1) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: A professional licensed landscape architect shall complete and stamp the landscape plan for the development.

PROPOSAL: Sheet 104.1 0.LS Landscape Plan was produced by Builders Design, Inc. The applicant's narrative states that the landscape plan will not be produced by a landscape architect. Three types of shrubs (Tall Oregon Grape, Mock Orange, and Snowberry) are proposed and primarily are located fronting NE 5th Street and along the interior property lines. Four Jefferson Red Maple trees are included in the landscape plan. The spread of shrubs and trees are not listed on the plan. "Blue grass drought resistant ground cover" is the sole groundcover listed. The applicant plants to pay cash in lieu for the City to design and plant the public storm facilities. Staff observed some inconsistencies between the landscape plan and the renderings.

GUIDELINE: The landscape plan shall be created by a licensed design professional such as a landscape architect, architect or civil engineer. The landscape plan shall exhibit the following characteristics:

- The overall design shall achieve unique, attractive and significant landscaping on the site as a whole;
- The proper type, spacing, height, placement and location of plant materials;
- The choice and selection of plant materials shall insure that root systems will not interfere with public utilities and will not constitute a nuisance;
- The plantings selected will survive and thrive in the area in which they are to be located;

- The proper relationship between deciduous and evergreen plant materials shall exist so as to ensure that the desired buffering effect will be accomplished; and
- The plant sizes shall provide a more mature appearance at installation.

RECOMMENDATION: The presence of street-facing driveways results in a deficit of landscape area on NE Elliott Avenue. Typically, diverse plant types and/or distinctive landscape features are provided to punctuate the threshold between the building and the public realm. A landscape design that is clearly appropriate for the small setback area and distinguishes the public-private space threshold is needed to meet the guideline for a unique, attractive and significant landscaping. The proposed plan must be further developed to meet the guideline. In order to bring the application into conformance staff recommends conditions of approval that:

- With the building permit the applicant submit a revised site and landscape plan demonstrating that the walkways from the sidewalk to the entries are 3 feet in width to allow for larger planting areas.
- With the building permit the applicant shall submit a revised landscape plan and schedule that demonstrates a minimum of four varieties of shrubs and two types of ground cover of varying sizes at maturity, texture and color appropriate for the building setback area. Shrubs are not required where the landscape area is less than 2 feet in width. The plan shall be approved by the Manager. Should the plan not be approved by the Manager, then it shall be reviewed by the Design Commission. Alternately, the applicant may submit a landscape plan created by a licensed landscape architect.

***Staff recommends that the Design Commission find that the guideline is met with Conditions of Approval #12d and #12e.***

**4.1151(A)(5)(c)(2) and 4.1151(A)(5)(d)(2) - Landscape Maintenance Compliance.** The standard requires compliance with requirements for landscape maintenance and installation, prior to and after Certificate of Occupancy and Temporary Certificate of Occupancy.

***The standard is met with Condition of Approval #23.***

**4.1151(A)(5)(D)(3) - Site Landscaping and Exceptions.** This standard is applicable to single-family attached proposals. Staff accepts the applicant’s written narrative with the following additions and exceptions:

- 72 percent of the yard setback is landscaped. The total yard setback is 467 square feet (excluding the required minimum driveway area) and 337 square feet contains landscaping.
- The use of ornamental grass lawns exceeds 20 percent of the required front yards. Sheet 104 0.LS predominantly shows green hatch marks labeled “blue grass drought resistant groundcover” in the landscape schedule. A condition of

approval is needed to require a revised landscape plan be submitted with the building permits demonstrating that less than 20 percent of the yard setback is grass lawn.

- Per the applicant's narrative the end units will be irrigated using an underground system with an automatic rain sensor. The middle three units will be manually irrigated. Per the standard landscaped areas shall be irrigated with an in-ground irrigation system, unless a licensed landscape architect submits written verification that the proposed planting materials do not require irrigation. A condition of approval included herein requires that all landscaped areas contain an in-ground irrigation system.

***This standard is met with Conditions of Approval #12f and #9.***

#### **4.1151(B)(2)(c)(17) and 4.1151(B)(2)(d)(17) - Dwelling Unit Offset**

ISSUE: The applicant must either:

- Meet the 4.1151(B)(2)(d)(17) standard; or
- Meet the 4.1151(B)(2)(c)(17) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Offset every two dwelling units from the next dwelling unit by at least 4 feet in exterior wall offset for buildings two stories or taller and over 50 feet in length.

PROPOSAL: At the ground level the second and third units from the south are inset 1 foot. The second and third stories each have unique configurations of facade recesses and projections. The maximum span of undivided wall plane is two units. The offset depth between units ranges from 1-2 feet.

GUIDELINE: Offset dwelling units to provide building articulation.

RECOMMENDATION: The offset depth falls 2-3 feet short of the offset depth required (4 feet) by the standard. The 1-2-foot shifting of units aligned with the balcony screens create deep shadow lines delineating the units consist with the standard. The push and pull of façade planes on each building level further articulate the building.

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

#### **4.1151(B)(2)(c)(18) and 4.1151(B)(2)(d)(18) - Entry Covered Porch or Portico**

ISSUE: The applicant must either:

- Meet the 4.1151(B)(2)(d)(18) standard; or
- Meet the 4.1151(B)(2)(c)(18) guideline; or

- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: For each entry, provide a covered porch or portico with a floor area of at least 40 square feet.

PROPOSAL: The covered front entry areas (inclusive of the recessed area and adjacent overhang) facing NE Elliott Avenue range from 34 square feet to 38 square feet. The front entry area on NE 5th Street measures 18 square feet. The entry walkways include a 12-inch by 12-inch stamped concrete grid, and the recessed area is punctuated with one step up. The front doors are accented with glass panels and the adjacent wall planes are vertical tongue and grove cedar siding for four of the five entries.

GUIDELINE: Make entries more prominent with architectural features that make them stand out and provide landing space at the front door to add to the layers of elements between the sidewalk and the front door.

RECOMMENDATION: The front step and hardscape pattern augment the reduced entry size consistent with the guideline. The entry facing NE 5th Street, which has the most substantial deficit, is flanked by landscaping to create another layer of interest between the sidewalk and the front door. The front entries are also substantially accented with high-quality materials including glass panels.

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

#### **4.1151(B)(2)(c)(20) and 4.1151(B)(2)(d)(20) - Window Trim**

ISSUE: The applicant must either:

- Meet the 4.1151(B)(2)(d)(20) standard; or
- Meet the 4.1151(B)(2)(c)(20) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Window trim shall be provided (minimum 3 inches wide).

PROPOSAL: Sheet 105 1 Elevations calls out typical 3.5-inch wide window trim. The “Window Recess” details on Sheet 109.2 7 Hardie-Plank Details illustrate the window design at the Hardie panel and Hardie plank sidings. Trim width is shown exceeding 3.5 inches.

The “Window Sill at Brick Veneer” detail on Sheet 109.2 7 shows that 3-inch trim is not provided where the window opening is in brick.

GUIDELINE: Window trim shall highlight windows and give expression to residential buildings.

RECOMMENDATION: Staff acknowledges inconsistencies in the drawings; however, the proposal appears to include 3.5-inch wide window trim adjacent to Hardie plank,

Hardie panel and cedar tongue and groove siding. This trim width meets the standard. A condition of approval is included in this Staff Report that with the building permit drawings are coordinated and window details are submitted that demonstrate 3.5-inch window trim adjacent to Hardie plank, Hardie panel and cedar tongue and groove siding.

The window design does not meet the standard where window openings are in brick (refer to Sheet 109.2 7 Hardie-Plank Detail *Window Sill at Brick Veneer*). In these locations a 4 1/8-inch window recess is used to give expression and create a strong shadow line. Considering the use of brick and the generous reveal depth, wide trim would interrupt the clean lines of the windows design and detract from the appearance of the project. The window design proposed is sufficiently expressive.

***Staff recommends that the Design Commission find that the guideline is met with Condition of Approval #10d.***

#### **4.1151(B)(2)(c)(24) and 4.1151(B)(2)(d)(24) - Unique Corner Feature**

ISSUE: The applicant must either:

- Meet the 4.1151(B)(2)(d)(24) standard; or
- Meet the 4.1151(B)(2)(c)(24) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Corner buildings shall respond to the corner location with architectural features that emphasize and address the corner.

PROPOSAL: The building features a second level balcony, which wraps the building corner facing NE Elliott Avenue and NE 5th Street. The balcony is 4 feet deep. It is 16 feet in length facing NE 5th Street and 19-feet, 2-inches in length facing NE Elliott Avenue.

GUIDELINE: The design of corner buildings that have facades facing both streets shall include a unique feature at the corner such as a tower, corner bay or gable, or a combination of architectural elements that visually enhance the building corner. As an alternative, a functional (i.e. usable) and decorative pedestrian or landscaping feature of not less than 300 square feet in ground area may be provided.

RECOMMENDATION: The applicant's narrative proposes that the corner balcony fulfills the standard. While a stronger architectural statement on the corner would be more distinctive, staff believes that the street intersection is addressed because the balcony wraps the corner of the building. The balcony is ample length (at least 16 feet in length) on the north and east facades; it sufficiently enhances the architecture and meets the guideline.



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

**4.1151(B)(2)(c)(26) and 4.1151(A)(2)(d)(26) - Garage Facades**

ISSUE: The applicant must either:

- Meet the 4.1151(B)(2)(d)(26) standard; or
- Meet the 4.1151(B)(2)(c)(26) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Garage facades shall not be located closer to a street than façade portions of the structure facing said street containing living space (i.e. no “snout” units are permitted).

PROPOSAL: The ground level facing SE Elliott Avenue contains garages that are 5 feet proud of the adjacent recessed entry areas. The upper stories project 2-4 feet beyond the garage wall planes.

GUIDELINE: The entry and living portions of the façade shall be emphasized, with the garage and automobile access portions of the façade de-emphasized.

RECOMMENDATION: As stated in the discussion for Standard 4.1151(A)(1)(C)(23) and 4.1151(A)(1)(D)(23)(i) - Street Frontage and Building Orientation. The entries facing NE Elliott Avenue are small in size and set back from the garage entries, thus they reference a snout-house. This effect is mitigated by projecting second-level balconies and third-level pop-outs (upper story living areas situated closer to the street than the garages). The proposed balconies provide a connection from the living units to the public realm and are adequate to de-emphasize the auto access.

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

**4.1151(B)(2)(c)(27) and 4.1151(B)(2)(d)(27) - Maximum Width of Street-Facing Garages**

ISSUE: The applicant must either:

- Meet the 4.1151(B)(2)(d)(27) standard; or
- Meet the 4.1151(B)(2)(c)(27) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Street-facing garages associated with duplexes and multi-family townhouse configuration shall have a maximum width of 50 percent of the overall building width.

PROPOSAL: Approximately 61 feet of the 86-foot building width is occupied by garages. Per the applicant’s narrative limiting the garage width to 50 percent of the

building width while maintaining a functional garage is not feasible considering the narrow lot widths (17 feet, 2-inches for interior lots; 22 feet, 3-inches and 23 feet, 2-inches for the end lots). The interior garage width ranges from 9 feet, 5-inches to 11 feet, 1-inch, excluding the storage space on the north unit.

GUIDELINE: Street-facing garages shall not dominate the façade.

RECOMMENDATION: Staff concurs with the limitations to minimizing the area of garages. At the December 12, 2018 Consult, the Design Commission generally expressed support for a garage width over 50 percent of the building width; however, the Commission suggested ornamental garage door treatments and that the front entrances be emphasized. The applicant has proposed opaque garage door panels. The design also features clear glass door panels and a façade material change at the front entry. These features, as well as the upper-story balconies projecting beyond the garage wall planes, and enhancements to the landscape plan required to meet guideline 4.1151(A)(5)(c)(1) - Professional Landscape Architect, will be sufficient to de-emphasize the garages.

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

#### **4.1151(B)(2)(c)(28) and 4.1151(B)(2)(d)(28) - Minimum Transparency for Street Facing Facades**

ISSUE: The applicant must either:

- Meet the 4.1151(B)(2)(d)(28) standard; or
- Meet the 4.1151(B)(2)(c)(28) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Windows shall occupy a minimum of 20 percent of the total street facing façade. A minimum of 25 percent of the ground floor living units shall be windows.

PROPOSAL: The north elevation, facing NE 5th Street, contains clear glass for 12 percent of the total façade. The ground level includes clear glass for 14 percent.

The east elevation, facing NE Elliott Avenue, features clear glass for 21 percent of the total façade and 6 percent of the ground level. The garage doors include opaque glass. Should the opaque glass be considered, the quantity of ground level glass is increased to 17 percent.

GUIDELINE: Buildings shall feature adequate glazing to establish scale and give expression to residential buildings and provide sufficient surveillance opportunities from all facades.

RECOMMENDATION: The project incorporates clear windows along the ground floor façade on the front doors. The north unit also includes windows in the storage area, stairway and bathroom of the ground level. Visual connectivity and surveillance from the ground floor will be primarily from each front entry and

the stairway of the north unit. The project has also attempted to address the standard and guideline requirements for transparency and expressive design features by providing opaque glass in the garage doors. Translucent glass would enable privacy but let light into the garage and better meet the intent of the guideline.

The overall deficit of windows facing NE 5<sup>th</sup> Street contributes to this façade having the character of a side wall rather than a front façade. Increasing the quantity of glazing will facilitate a character more appropriate for a residential front façade. Where interior rooms are living, bedroom and hallway spaces there is opportunity to expand the window size. Staff recommends increasing the window sizes to facilitate a more expressiveness and balanced street-facing facade composition. Staff recommends that with the building permit the applicant submit plans and elevations that demonstrate increased window sizes on the north façade. The design is subject to Manager approval. With the building permit plans the applicant shall also provide garage door specification sheets that demonstrate translucent glass panels.

***Staff recommends that the Design Commission find that the guideline is met with Condition of Approval #10b.***

**4.1151(B)(4)(C)(5) - Addressing System.** A clearly visible addressing system shall be provided, which is at least 6 inches in height, a contrasting color to the background, and illuminated so as to be visible during the hours of darkness. Each individual unit shall display a unit number at least 4 inches in height and illuminated during darkness. A condition of approval is included in this Staff Report that requires with the building permit the applicant submit drawings demonstrating an addressing system design and sign locations consistent with this standard. The design is subject to approval by the Manager and Gresham Fire.

***This standard is met with Conditions of Approval #3, #5d, and #8.***

**4.1151(B)(5)(c)(2) and 4.1151(B)(5)(d)(2) - Ground-Floor Transparency by Street Type**

ISSUE: The applicant must either:

- Meet the 4.1151(B)(5)(d)(2) standard; or
- Meet the 4.1151(B)(5)(c)(2) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: In each building, the ground-level façade area shall contain clear, transparent glass on facades visible from any street dependent on use and Street Type. On Downtown Local streets (e.g., NE 5th Street and NE Elliott Avenue) 25 percent is required for single-family attached dwellings.

PROPOSAL: As noted in the discussion for Section 4.1151(B)(2)(c)(28) and 4.1151(B)(2)(d)(28) - Minimum Transparency for Street Facing Facades, the project will be sub-standard with regards to ground floor transparency for both street-facing facades. Per the submitted elevations, 14 percent of the ground floor will include transparent windows on NE 5th Street, and 6 percent on NE Elliott Avenue will contain transparent windows. The garage doors also include opaque glass. The total quantity of opaque glass and transparent windows is 17 percent.

GUIDELINE: Promote pedestrian-oriented uses with a high degree of transparency along the street. Uses shall be readily discernible to passers-by.

RECOMMENDATION: As discussed in Section 4.1151(B)(2)(C)(28) and 4.1151(B)(2)(D)(28) - Minimum Transparency for Street Facing Facades ground-level street surveillance and indoor-outdoor connectivity is limited to each front entry and the stairway of the north unit; however, the project includes second level street-facing balconies which will activate the street-facing facades and allow for “eyes on the street.”

The proposed garage doors also include opaque glass to add interest and expressiveness to these functional elements. Translucent glass would enable privacy but let light into the garage and better meet the intent of the guideline. Staff recommends that with the building permit revised elevations and garage door specification sheets that demonstrate translucent glass panels be submitted.

***Staff recommends that the Design Commission find that the guideline is met with Condition of Approval #10b.***

#### **4.1151(B)(9)(c)(1) and 4.1151(B)(9)(d)(1) - Building Façade Primary Materials**

ISSUE: The applicant must either:

- Meet the 4.1151(B)(9)(d)(1 and 2) standard; or
- Meet the 4.1151(B)(9)(c)(1 and 2) guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Buildings shall utilize primary materials for no less than 65 percent of each building façade area. Secondary materials are prohibited as primary cladding on building facades and shall not be allowed on more than 35 percent of each building façade area.

PROPOSAL: The proposed palette of primary materials includes full brick, glass, cedar (clear coated and painted) tongue and groove siding, cedar trim, and metal (aluminum garage doors). Secondary façade materials are Hardie plank siding and Hardie board siding. The street facing facades will comply with the standards for primary materials.

- The east elevation facing NE Elliott Avenue is 65 percent primary materials and 35 percent secondary.
- The north elevation facing NE 5th Street contains 66 percent primary and 34 percent secondary.
- The west elevation, abutting the rear yard and property line along the west side of the site, contains 54 percent primary materials and 46 percent secondary materials.
- The south elevation, abutting the side yard and property line, contains 45 percent primary materials and 55 percent secondary materials.

GUIDELINE: The predominant building materials shall be high-quality, durable and attractive. The predominant material may be complimented with other secondary materials which may not be appropriate on large areas of the façade.

RECOMMENDATION: The quantity of high-quality materials is substandard for the west and south facades. It is important for high quality materials to be used for best effect, which includes that exterior finish materials coordinate with each other and compliment the architecture. Therefore, staff recommends that the overall composition of façade materials be evaluated.

On the east elevation staff recommends that the Hardie panel proposed on the third level of Units 1, 3, and 4 (see Figure 1) be carried down to the second level to emphasize the rhythm of the units. The privacy screens separating balconies may remain natural cedar.



FIGURE 1: East Elevation. Facing NE Elliott Avenue

On the north elevation staff recommends the following (see Figure 2):

- The Hardie panel on the east half of the third level be extended down to the second level.
- The Hardie plank lap siding on the west half of the third level be carried down to the second level.

- The entry area be natural cedar (consistent with the east unit entries) and west of the entry, at the ground level, be Hardie plank lap siding or brick.

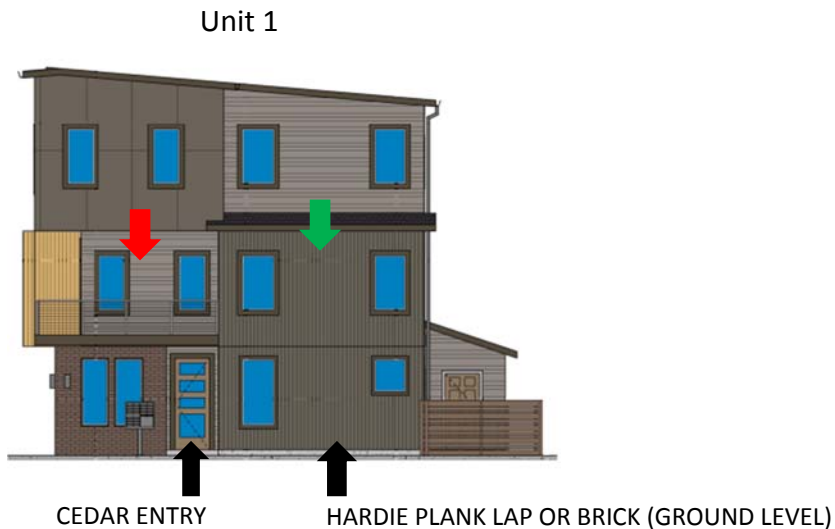


FIGURE 2: North Elevation. Facing NE 5th Street

On the west and south facades, painted cedar tongue and groove siding is used exclusively on the second level. Staff recommends replacing this with Hardie plank lap siding, so the siding material will be consistent around the corners of the building. This recommendation also eliminates the use of painted cedar, which simplifies the palette of exterior façade materials.

***Staff recommends that the Design Commission find that the guideline is met with Conditions of Approval #11a-d.***

#### **IV. RESPONSE TO PUBLIC NOTICE**

Written comments that were received as of the date of this Staff Report have been included as Exhibit C.

#### **V. AGENCY COMMENTS**

##### **FIRE COMMENTS**

**FROM:** Kyle Stuart, Gresham Fire

**DATE:** August 1, 2019

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.
2. Prior to applying for a building permit provide a fire flow test and report. The fire flow report will verify that the correct fire flow is available and will be required to have been conducted within the last 12 months. **OFC 507.3 & B-101.1**

3. Each building may be required to be sprinklered if the code's minimum water flow is not available. **OFC App B**
4. Temporary addresses of 6 inches shall be provided at EACH construction entrance prior to ANY construction materials arriving onsite. Prior to the building finals the site must meet Gresham Fire Addressing Policy. The policy is available upon request. **OFC 505 & 3310**
5. Required fire hydrants and access road shall be installed and approved PRIOR to any combustible construction material arriving onsite. **OFC 3312.1**
6. Without knowing the building construction types or sizes, a PUBLIC fire hydrant is required to be within 250 feet of the main entrance driveway. The furthest point on each building shall be no more than 600 feet from a hydrant. Private fire hydrants shall be installed along the entire length of the fire access road with spacing no more than 400 feet apart. Show on the building plans where the nearest existing and new hydrants are located. **OFC Appendix C and 50**
7. 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 4½-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 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.
8. 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 roadway 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**
9. 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 20 feet. **OFC 503.2.1 & D103.1**
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 D102.1**
11. The turning radius for all emergency apparatus roads shall be: 28 feet inside and 48 feet outside radius. **OFC 503.2.4**
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. The policy may be emailed upon request. **OFC D 103.6**
13. A fire alarm system may be required for monitoring unless it meets the exception 3 of **903.4. OFC 903.4**

14. Fire apparatus access roads must extend to within 150 feet of all portions of each building.

**OFC 5**

Note: Additional comments were provided by Shawn Durham, Gresham Fire, on September 11, 2019. Fire sprinklers may be required depending on available fire flow, occupancy, construction type and access.

**SOLID WASTE AND RECYCLING COMMENTS**

FROM: Shannon Martin, Solid Waste and Recycling Program Manager

DATE: August 13, 2019

Solid Waste and Recycling did not have any comments related to the proposal.

**ADDRESSING COMMENTS**

FROM: Amanda Lunsford, Administrative Analyst

DATE: June 30, 2019

The proposal for five townhomes is currently addressed as 550 NE 5th St., Gresham, OR 97030. However, this address will not be used for the housing community. Instead, new addresses will be assigned to each lot and released once the final plat is recorded with Multnomah County. The applicant and/or representative may contact the Addressing Coordinator at 503-618-2235 to obtain addresses before submitting for building permits. An official Notice of Address Assignment will be distributed to the applicable agencies after the decision has been made final. Addresses will be assigned in accordance with the City of Gresham Street Naming and Property Numbering Guidelines of Gresham Development Code Appendix 13.

**DEVELOPMENT ENGINEERING COMMENTS**

FROM: Jesse Davies, Development Engineering Specialist

DATE: August 13, 2019

The project area is located on the southwest corner of the intersection of NE 5th Street and NE Elliot Avenue in the Downtown Transit Mid-Rise (DTM) land use district. The applicant proposes a five-lot subdivision with single-family attached housing. The site is currently vacant but had a single-family residential home demolished in 2006; please reference demolition permit #06-1268.

The following comments are from Development Engineering and refer to the plans submitted by All County Surveyors received January 9, 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 plat 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/](http://www.GreshamOregon.gov/Maps/).

Public facilities construction plans will require the submittal of as-builts prior to close out. As-builts are submitted electronically and must comply with the City of Gresham CAD manual. The manual and CAD template can be found on the Public Facilities tab at: [www.GreshamOregon.gov/ePlan/](http://www.GreshamOregon.gov/ePlan/).

To mitigate the cost for construction of public improvements which benefit other properties, it is possible to form a reimbursement district which would require benefiting properties to pay their share of the cost of the planning or improvement when they take benefit. Application to form a reimbursement district must be made prior to issuance of a Notice to Proceed with the construction of the public improvement. More information on process as well as the necessary forms can be provided upon request.

#### **A5.100: SANITARY SEWER FACILITIES**

##### *Existing Sanitary Sewer Facilities and Approved Point of Connection*

City records show an existing 8-inch diameter concrete sanitary main in NE 5th Street with an existing lateral to the site. There is no infrastructure in NE Elliot Avenue. As-builts were provided in the pre-application meeting but they are dated, and the applicant's engineer should verify existing conditions in the field.

##### *Main Line Extension and Lateral Requirements*

A new sanitary main line shall be constructed in NE Elliot Avenue from the existing manhole in NE 5th Street as far south as is needed to reach the proposed Lot 5. New laterals would then need to be installed from this mainline in NE Elliot Avenue to serve each proposed lot. Every lot shall have its own independent lateral. The applicant may use the existing lateral in NE 5th

Street for the proposed Lot 1, or a new lateral could be installed from NE Elliot Avenue and the existing lateral abandoned at the main.

## **A5.200 & 9.0500: SURFACE WATER MANAGEMENT SYSTEMS**

### *Approved Point of Discharge*

The site lies in the Johnson Creek drainage basin. There is an existing 12-inch diameter concrete main in NE 5th Street and an 18-inch concrete main in NE Elliot Avenue. Either of these mains are approved points of discharge. There is also an existing catch basin at the southwest corner of the intersection between NE 5th Street and NE Elliot Avenue with a 10-inch lateral to the 18-inch main in NE Elliot Avenue. This catch basin and lateral do not meet code and should be replaced or removed, as is proposed.

### *Water Quality & Detention Requirements*

Per the GCDC, onsite detention and water quality treatment for stormwater runoff are required for developments that add or replace 1,000 square feet or more of the existing surface with impervious area. Detention and water quality requirements are outlined in Section 4.08 and 4.09 of the Public Works Standards, respectively.

The use of low impact/green development practices (such as rain gardens, planter boxes, pervious pavement, etc.) must be used to satisfy water quality requirements to the fullest extent practicable. The proposed combination of 6 percent public rain gardens and a public detention pipe to provide water quality and detention for both the proposed private and public impervious area is approvable. It should be noted that an additional manhole at the end of the proposed detention pipe will be required to meet PWS.

The proposed rain garden on NE 5th Street is shown to be directly above the existing 8-inch ductile iron water main. Based on as-builts and the submitted design it is unclear if the rain garden will conflict with the water main. The proposal is approvable so long as the entirety of the rain garden is located outside of the water main pipe zone. If the two conflict, the water main shall either be relocated, or an alternative rain garden design submitted and approved.

### *Drainage Report*

A final storm report as well as construction plans for the water quality treatment and detention facilities must 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*

Erosion and sedimentation control must comply with the Erosion Prevention & Sediment Control Manual, January 2011, and Section 9.0500 of the Development Code.

### **A5.300: WATER FACILITIES**

#### *Existing Water Facilities and Approved Point of Connection*

The site lies in the Grant Butte service level with a static pressure of 62 pounds per square inch (psi) at the hydrant at the southwest corner of NE 5th Street and NE Elliot Avenue.

City records show an existing 8-inch diameter ductile iron water main in NE 5th Street. There is an existing 3/4-inch domestic service and a 6-inch ductile iron fire service to a hydrant along the NE 5th Street frontage.

#### *Main Line Extension and Service Requirements*

A new 8-inch water main shall be installed from the main in NE 5th Street “to and through” the NE Elliot Avenue property frontage, as is proposed. New individual services would need be installed from this mainline to each proposed lot. The existing service from NE 5th Street does not meet current public works standards and shall be abandoned by City crews at the developer’s expense.

#### *Fire Flow Requirements*

There is an existing hydrant at the southwest corner of the intersection between NE 5th Street and NE Elliot Avenue with a maximum flow of 2,200 gpm at a residual pressure of 53 psi available to meet fire flow demand.

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.

### **EASEMENTS and OTHER**

#### *Easements*

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

#### *Street Cut Moratorium*

There is a City of Gresham local street reconstruction project planned for NE 5th Street in 2020 and will include this site’s frontage. After the project is completed, a three-year moratorium will be placed over the street. Though this does not completely preclude street cutting, excessive restorative measures would be required. If the applicant cannot complete all work in NE 5th Street prior to the start of 2020, they are encouraged to speak with the City about an estimated construction schedule to determine if additional restoration will be required.

## **CHARGES AND FEES**

System Development Charges (SDCs) can be estimated using the City's online calculator found at [www.GreshamOregon.gov/SDC](http://www.GreshamOregon.gov/SDC). A person challenging the calculation of a 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.

Allocated capacity for the previously demolished home on the site will be applied to the new subdivision.

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.

For construction of public utilities that may be above and beyond that normally required for a development, the applicant has the option to establish a reimbursement district. This allows the applicant to be reimbursed by future development projects that gain benefit from the infrastructure.

## **CONCLUSION**

Findings submitted under each proceeding code section are generally consistent with the Community Development Code and the Public Works Standards. The 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.

## **TRANSPORTATION PLANNING COMMENTS**

FROM: Jay Higgins, Associate Transportation Planner

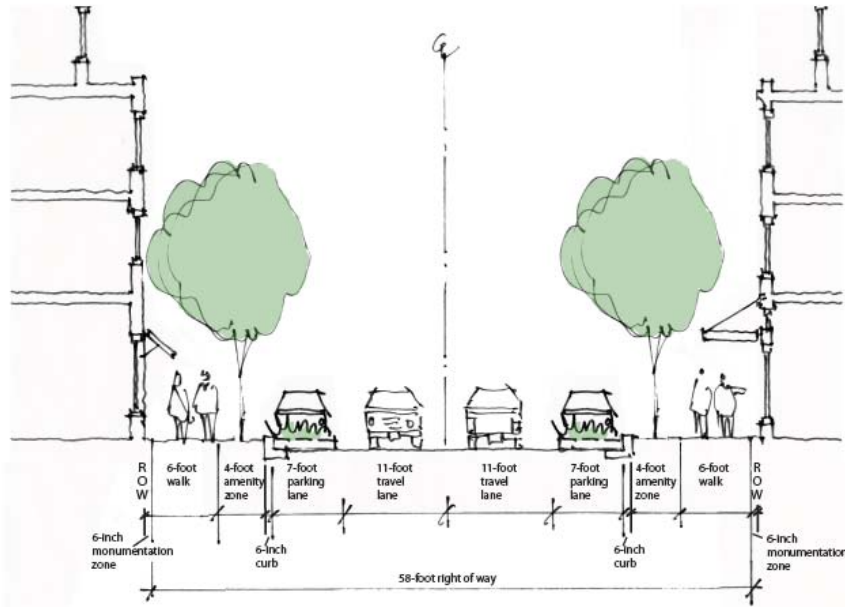
DATE: August 13, 2019

## **RIGHT OF WAY DEDICATION**

NE 5th Street is classified as a Downtown Local requiring 58 feet of right of way with 27 feet to roadway centerline. This classification was updated with changes to the Public Works Standards on January 1, 2019. There is currently 50 feet of right of way with 25 feet to centerline. As the applicant had a pre-application meeting prior to January 1, 2019 and based their plans on a smaller dedication, the proposed 3-foot dedication with a 5-foot sidewalk is acceptable.

NE Elliott Avenue is classified as a Downtown Local requiring 58 feet of right of way with 27 feet to roadway centerline. This classification was updated with changes to the Public Works Standards on January 1, 2019. There is currently 50 feet of right of way with 25 feet to centerline. As the applicant had a pre-application meeting prior to January 1, 2019 and based their plans on a smaller dedication, the proposed 3-foot dedication with a 5-foot sidewalk is acceptable.

Downtown Local:



## FRONTAGE IMPROVEMENTS

The applicant is proposing a 5-foot sidewalk and a 4-foot planter strip on NE 5th Street and NE Elliott Avenue. As discussed above this is acceptable based on the previous standards, which include a 5-foot sidewalk for downtown streets. The City's minimum standard for a half street requires 20 feet of pavement to create a paved width for two vehicles to pass in opposite directions. The applicant is proposing at the intersection 13 feet of pavement beyond the bulb-out curb extension. The applicant will need to pave 20 feet to meet the standards.

The applicant is showing a streetlight on NE 5th Street. For traffic safety, and to meet standards, a streetlight is required on NE Elliott Avenue. To meet spacing standards the streetlight should be positioned approximately 55 feet from the centerline of NE 5th Street.

The applicant is showing an 8-foot driveway approach on the single northern driveway, when Public Works Standards require a 12-foot minimum. Due to space constraints the driveway approach opening can match the required driveway width of 10 feet. This requires a design modification, which can be filed with the Public Facilities Permit.

## DOLAN ANALYSIS

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

A new townhome generates 7.32 trips per unit per day, for a total of 36.6 trips per day for the proposed development. The development has driveway access to NE Elliott Avenue and 100 percent of trips will use NE Elliott Avenue and NE 5th Street. This provides a nexus between the proposed development and the required improvements.

First, a calculation for the total proportional exaction is created. NE Elliott Avenue is a Downtown Local street with an average segment length of 351 feet. The segment has an assumed value of right of way of \$10 per square-foot and \$269,850 in frontage improvements, for a total of \$473,430 per segment. The average daily trips on a Downtown Local street are 627, of which the applicant's trips on NE Elliott Avenue are 5.84 percent of the total. NE 5th Street is a Downtown Local street with an average segment length of 351 feet. The segment has an assumed value of right of way of \$10 per square-foot and \$269,850 in frontage improvements, for a total of \$473,430 per segment. The average daily trips on a Downtown Local street are 627, of which the applicant's trips on NE 5th Street are 5.84 percent of the total. This provides a proportional exaction of \$55,271.

$$(5.84\% * \$473,430) + (5.84\% * \$473,430) = \$55,271$$

Then a calculation for the required improvements is created. The NE Elliott Avenue frontage is 100 feet long with a required 3-foot dedication and right of way valued at \$10 per square-foot, for a total of \$3,000. The required frontage improvements of a 5-foot sidewalk and planter strip with bioswale, 6-inch curb, and pavement widening to 20 feet have an assumed value of \$37,651. The NE 5th Street frontage is 50 feet long with a required 3-foot dedication and right of way valued at \$10 per square-foot, for a total of \$1,500. The required frontage improvements of a 5-foot sidewalk and planter strip with bioswale have an assumed value of \$6,252. The combined total exactions are \$48,403.

$$(\$3,000 + \$37,651) + (\$1,500 + \$6,252) = \$48,403$$

As the proportional exaction is \$55,271 and the total requirements are \$48,403, the analysis shows that all required improvements are proportional to the project's impact to the transportation system.

## **VII. RECOMMENDATION**

Staff recommends APPROVAL WITH CONDITIONS of the Type III Design Review E for the construction of one, three-story building with five single-family attached homes with associated site improvements and a Type II five-lot subdivision.

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 narrative and plans and staff's analysis of the proposal based on Code compliance; any conditions are aimed at assuring the criteria are met when the applicant's narrative and plans do not provide enough information to assure each criterion is met. Consistency with the submitted plans is required. Where Code standards 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 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 4.1100, which will be reviewed under a Type III procedure.
2. Unless an extension is requested and granted, the final plat must be submitted within one year of the effective date of the preliminary decision. Once the final plat is submitted, it must be signed by the City within one year of the date of final plat submittal.
3. Contact the Addressing Coordinator at 503-618-2235 to obtain the new addresses before submitting for any building permits.
4. Engineering:
  - a. 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).
  - b. 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.

#### **WITH THE BUILDING PERMIT**

5. Fire: All the following will need to be provided on a separate FIRE ACCESS and WATER SUPPLY page with the building permit plans.
  - a. Provide fire flow per Oregon Fire Code Appendix B.
  - b. Prior to applying for a building permit provide a fire flow test and report. The fire flow report will verify that the correct fire flow is available and will be required to have been conducted within the last 12 months. **OFC 507.3 & B-101.1**
  - c. Each building may be required to be sprinklered depending on available fire flow, occupancy, construction type and access. **OFC App B**
  - d. Temporary addresses of 6 inches shall be provided at EACH construction entrance prior to ANY construction materials arriving onsite. Prior to the building finals the site must meet the Gresham Fire Addressing Policy. The policy is available upon request. **OFC 505 & 3310**
  - e. Required fire hydrants and access road shall be installed and approved PRIOR to any combustible construction material arriving onsite. **OFC 3312.1**

- f. Without knowing the building construction types or sizes, a PUBLIC fire hydrant is required to be within 250 feet of the main entrance driveway. The furthest point on each building shall be no more than 600 feet from a hydrant. Private fire hydrants shall be installed along the entire length of the fire access road with spacing no more than 400 feet apart. Show on the building plans where the nearest existing and new hydrants are located. **OFC Appendix C and 50**
  - g. 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 4½-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 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.
  - h. 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 roadway 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.**
  - i. 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 20 feet. **OFC 503.2.1 & D103.1**
  - 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 D102.1**
  - k. The turning radius for all emergency apparatus roads shall be: 28 feet inside and 48 feet outside radius. **OFC 503.2.4**
  - 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. The policy may be emailed upon request. **OFC D 103.6**
  - m. A fire alarm system may be required for monitoring unless it meets the exception 3 of **903.4. OFC 903.4**
  - n. Fire apparatus access roads must extend to within 150 feet of all portions of each building. **OFC 5**
6. Submit a computer generated 3-dimensional model of the proposed development to include all exterior building and site walls, roofs, windows, doors, and material finishes; do not include interior elements. Submit the model in one of the following formats: Sketchup (SKP) preferred, or Collada (DEA), 3D Studio (3DS), VRML and GeoVRML (WRL), or OpenFlight (FLT).



7. Tree Removal:
  - a. Submit an approved Type I Tree Removal Permit for two street trees.
  - b. Submit an approved Tree Removal Exemption for two regulated trees.
8. Submit drawings demonstrating an addressing system design and sign locations compliant with standard 4.1151 (B)(4)(d)(5). The design is subject to approval by the Manager and Gresham Fire.
9. Submit an irrigation plan demonstrating that all landscaped areas contain an in-ground irrigation system.
10. Building:
  - a. Submit revised elevations demonstrating that the privacy screens on the balconies terminate flush with the adjacent third level wall plane.
  - b. Provide revised elevation and garage door specification sheets that demonstrate translucent glass panels. Submit plans and elevations that demonstrate increased window sizes on the north façade. The revised window composition shall enhance the expressiveness of the façade. The design is subject to Manager approval.
  - c. All plans and elevations shall be coordinated. Windows locations shall be as demonstrated in the approved elevations and conditions of approval herein.
  - d. Submit coordinated drawings demonstrating 3.5-inch wide window trim adjacent to Hardie plank, Hardie panel, and cedar tongue and groove siding. Provide window details illustrating a 3.5-inch wide window trim adjacent to these siding types.
11. Façade Materials: Submit revised plans and elevations demonstrating:
  - a. On the east elevation, Hardie panel on the second level of Units 1, 3, and 4 (refer to Figure 1). The privacy screens separating balconies may remain natural cedar.
  - b. On the north elevation, Hardie panel on the east side of the second level.
  - c. On the north elevation, Hardie plank lap siding on the west half of the second level.
  - d. On the north elevation, natural cedar on the entry area and west of the entry (on the ground level) Hardie plank lap siding or brick.
12. Site Plan:
  - a. Provide plans detailing the locations of all onsite HVAC equipment and utilities and appropriate screening per Section 4.1151(A)(1)(d)(25).
  - b. Submit revised plans and elevations demonstrating the locations of exterior lighting fixtures and provide specification sheets that demonstrate a 90-degree cut off angle as measured perpendicular to the ground for each type of exterior lighting fixture.
  - c. Provide six street trees in the public storm facilities (in the form of City-selected tree species) or the pay the equivalent cash-in-lieu to the City of Gresham tree fund.

- d. Submit revised site and landscape plans demonstrating that the walkways from the sidewalk to the unit entries are 3 feet in width to allow for larger planting areas.
- e. Provide a revised landscape plan and schedule that demonstrate a minimum of four varieties of shrubs and two types of ground cover of varying sizes at maturity, texture and color appropriate for the building setback area. Shrubs are not required where the landscape area is less than 2 feet in width. The plan shall be approved by the Manager. Should the plan not be approved by the Manager, then it shall be reviewed by the Design Commission. Alternately, the applicant may submit a landscape plan created by a licensed landscape architect.
- f. Provide a revised landscape plan demonstrating that no more than 20 percent of the front and street-side yard setback is grass lawn.
- g. Submit revised plans demonstrating that each driveway is 10 feet in width.

**PRIOR TO LOT RELEASE**

- 13. A new sanitary main line shall be constructed in NE Elliot Avenue from the existing manhole in NE 5th Street as far south as is needed to reach the proposed Lot 5 and individual laterals installed to each proposed lot.
- 14. A new 8-inch water main shall be installed from the main in NE 5th Street “to and through” the NE Elliot Avenue property frontage with individual services from this mainline to each proposed lot.
- 15. The existing domestic water service from NE 5th Street shall be abandoned by City crews at the developer’s expense.
- 16. The proposed rain garden on NE 5th Street shall be located entirely outside of the existing 8-inch water main pipe zone. If the two conflict, the water main shall either be relocated, or an alternative rain garden design submitted and approved.

**PRIOR TO BUILDING PERMIT ISSUANCE**

- 17. Within one year of the decision date for the tentative plan, submit (to the City of Gresham Permit Center) six paper copies of the final plat, along with the required fee, application, and documents required by Section 6.0402. The final plat submittal shall conform to 6.0401 through 6.0403 and shall comply with the approved preliminary plan, conditions of approval, and applicable requirements of the Development Code. The City of Gresham processes final plats following a Type I review. The applicant may also select to process the final plat through the City’s electronic plan review system, ePlan.
- 18. After all corrections are made to redlined paper copies and applicable conditions have been met, submit for City signature three sets of original mylars complying with Section 6.0403.
- 19. Plat notes that are disallowed by the County Surveyor’s Office shall be provided to the City on a shadow plat and may also be required by the City of Gresham to be in the form of deed covenants and restrictions.

20. The final plat for this subdivision must be recorded within one year after City approval and signature or it shall become invalid.
21. The “owner” shall enter into and record a landscape maintenance agreement as approved by the City. The specifics of the agreement are also to include the provisions found in subsections (a) - (c) of 4.1151(A)(5)(d)(2). The City will provide the landscape maintenance agreement template upon request.
22. Transportation:
  - a. Dedicate 3-feet along the NE Elliott Avenue frontage.
  - b. Dedicate 3-feet along the NE 5th Street frontage.

**PRIOR TO OCCUPANCY**

23. Installation of landscaping and 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.
24. Transportation:
  - a. Construct a 5-foot sidewalk, 4-foot planter strip with street trees where possible, 6-inch curb, and 20 feet of pavement along the NE Elliott Avenue frontage.
  - b. Construct a 5-foot sidewalk and minimum 4-foot planter strip on the NE 5th Street frontage.
  - c. Install one streetlight on the NE Elliott Avenue frontage and one streetlight on the NE 5th Street frontage to meet current downtown standards.
  - d. Construct the single driveway with a 10-foot opening to match the 10-foot required driveway; with the building permit file a design modification for approval of an opening less than the required 12 foot minimum.

***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.*