

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

HEARING DATE: October 2, 2019, 6:30 pm

REPORT DATE: September 25, 2019

TO: Design Commission

FROM: Joshua Williams, AICP, Senior Planner

FILE NUMBER: DRE/TR 19-26000064

APPLICANT: Robert Gibson, Palindrome Communities

REPRESENTATIVE: Gauri Rajbaidya, SERA Design

LOCATION: Northwest corner of NW Civic Drive and NW 13th Street

PARCEL DESCRIPTION: R993040480

PROPOSAL: Type III Design Review E for the development of a mixed-use project with five buildings, providing 435 dwelling units and approximately 10,500 square feet of commercial space with associated site improvements including landscaping, a single-level subterranean parking structure, and publicly accessible plaza; and Type II Tree Removal for the removal of 50 regulated trees.

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

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

I. FINDINGS OF FACT

- A. LOCATION:** The subject property of 184,083 square feet (4.4 acres) is located within the Civic Neighborhood Plan District, bordered by NW Civic Drive to the east, NW 13th Street to the south, the Columbia Trails Apartments to the west, and the right of way for the TriMet MAX light-rail tracks to the north.
- B. ZONING:** The subject property is designated Civic Neighborhood Transit High Density (CNTH). Attached Dwellings on a Single Lot and Business and Retail Service and Trade are permitted in the land use designation.
- C. PROPOSAL:** The project will include the construction of five new buildings, a privately owned publicly accessible plaza, associated onsite parking both at grade and in a single-level subterranean parking structure, and landscape improvements. A total of 435 dwelling units will be provided.
- The subterranean parking structure is identified as Building A for purposes of the submitted plans. It will contain 368 residential parking stalls, residential storage spaces, long-term bike parking, building services, and back-of-house service for commercial tenants.
 - Building B, adjacent to NW Civic Drive, will be six stories in height and will consist of 170 dwelling units. It will contain approximately 10,500 square feet of commercial retail space and shared residential community space.
 - Building C, adjacent to NW 13th Street will be four stories in height and consist of 24 dwelling units.
 - Building D, located at the southwest corner of the site adjacent to NW 13th Street and the site's internal driveway (identified by the applicant as the "woonerf"), will be four stories in height and will include 64 dwelling units.
 - Building E, located at the northwest corner of the site, north of Building D and adjacent to the public plaza, will be five-stories in height and will include 62 dwelling units. The building will include shared common space.
 - Building F, located at the northeast corner of the site, adjacent to the intersection of the TriMet MAX tracks and NW Civic Drive, will be five stories in height and will include 72 dwelling units. The building will also include a fitness room, leasing office and other shared common space.
 - Other onsite improvements include a 21,154 square-foot publicly accessible plaza, which includes children's play areas, a dog park, natural play areas as well as soft turf play areas and mounds, with outdoor seating interspersed; a 4,034 square-foot "micro-plaza" near the corner of the TriMet MAX tracks and NW Civic Drive with landscape planters and bench seating; private shared outdoor amenity space of 10,035 square feet, which includes a barbecue area, a soaking pool and deck, and landscaping; shared indoor amenity space in the first floor of Building B identified as a game room and common lounge comprising approximately 1,650 square feet; and

a multi-modal driveway the applicant has identified as a “woonerf,” which is intended to provide additional space for pedestrians and public use.

The project came before the Design Commission at an Early Advice Design Assistance (EADA) meeting on September 12, 2018 and an Optional Design Commission Consult (ODCC) on December 12, 2018.

- D. SITE DESCRIPTION:** The 184,083 square-foot site (gross square feet) is unimproved with a bowl-shaped topography with most of the site located below the surrounding grade established by NW Civic Drive, NW 13th Street and the TriMet right of way to the north. The site includes multiple mature trees dispersed around the parcel, but primarily along the western side of the site. A paved multi-use connector path extends from NW Civic Drive to the west along the site’s northern boundary. It will be maintained through a public access easement. The site is not located in any overlay districts.
- E. SURROUNDING LAND USES:** This finding is based on the application submitted, City zoning maps, and City GIS information on land uses. All abutting properties are in the CNTH land use district. The property directly to the north, across the TriMet right of way, is presently under development with the Alta Civic Station mixed-use project, approved by the Design Commission in January 2019. The eastbound TriMet Max station platform abuts the site to the north, separated by the multi-use pathway.

The property to the south, across NW 13th Street, is developed with the Gresham Station shopping center. The back-of-house facilities, including a loading area and trash collection area, as well as a small parking area are located adjacent to NW 13th Street. The property to the west is developed with the Columbia Trails Apartments. The property to the east, across NW Civic Drive, is developed with the Gresham Crossing mixed-use building.

- 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. One written public comment was received from Metro, the property owner.

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 October 2, 2019.

- G. APPLICATION ACCEPTANCE DATE:** The application for design review was submitted on March 8, 2019, deemed incomplete on April 5, 2019, and after additional information was submitted following a second and third completeness review, was deemed complete on August 9, 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 instance, the applicable Design Review is a Type E (DRE) as the project is a mixed-use development with more than 10,000 square

feet of new floor area and consists of more than three discretionary requests. 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 4.1200 - Civic Neighborhood Plan District 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:

CIVIC NEIGHBORHOOD DESIGN DISTRICT

4.1250.A - SITE DESIGN

- **4.1250.A.1.G3 and S3 - Maximum Block Length.**
- **4.1250.A.2.G1 and S1 - Building Frontage.**
- **4.1250.A.2.G2 and S2 - Building Placement.**
- **4.1250.A.4.G11 and S11 - Personal Storage.**
- **4.1250.A.5.G2 and S2 - Public Open Space: Operation, Size, and Location.**
- **4.1250.A.5.G3 and S3 - Public Open Space: Minimum Design Elements.**
- **4.1250.A.5.G8 and 4.1250.A.5.S8 - Children's Play Area: Size, Location and Elements.**
- **4.1250.A.6.G9 and S9 - Minimum Hardscape Shading, After 5 Years.**
- **4.1250.A.6.G14 and S14 - Parking Area: Landscaping.**
- **4.1250.A.6.G21 and S21 - Landscaping of Yard Setbacks.**
- **4.1250.A.7.G1 and S1 - Site Illumination and Photometric Plan.**

4.1250.B - BUILDING

- **4.1250.B.1.G2 and S2 - Upper Floor Articulation.**
- **4.1250.B.1.G8 and S8 - Change in Wall Planes (Multifamily).**
- **4.1250.B.3.G5 and S5 - Entry on Primary Street Frontage.**
- **4.1250.B.3.G8 and S8 - Entries for Ground-floor Units (Multifamily).**
- **4.1250.B.4.G2 and S2 - Through Wall Heating/Cooling/Mechanical Equipment.**
- **4.1250.B.4.G12 and S12 - Base and Top Treatments (Multifamily).**

- **4.1250.B.5.G6 and S6 - Transparency, Primary Facades (Commercial).**
- **4.1250.B.5.G15 and 4.1250.B.5.S15 - Transparency, Secondary Facades (Multifamily).**
- **4.1250.B.5.G19 and S19 - Sunshades (Multifamily).**
- **4.1250.B.8.G1 and S1 - Primary, Secondary, and Accent Materials.**

This Report will describe how the proposal will meet the Code sections as a summary overview with references 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 October 2, 2019 Design Commission public hearing represents 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 Tree Removal is a Type II 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 on October 17, 2018, a neighborhood meeting (per 11.0800) was held November 29, 2018, and verification of the neighborhood meeting and its mailed notice is provided as part of the development permit application.

An Early Assistance Design Advice (per 11.0700) meeting was held on September 12, 2018. An Optional Design Commission Consult (per 11.0700) was held on December 12, 2018.

The application for design review was submitted on March 8, 2019 and was initially deemed incomplete on April 5, 2019. After additional information was submitted, the application was deemed complete on August 9, 2019. The determination of completeness occurred within 180 days of the submittal of the initial application.

Copies of the complete application were transmitted to each affected agency and City department for review and comment on August 12, 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 the Northwest Gresham Neighborhood Association on September 11, 2019. The notice was also posted onsite September 5, 2019. One written comment was received in response to the public notice 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 except to the extent inconsistent with the following findings. The Manager makes the following findings regarding this application file.

GENERAL

4.1201 - 4.1230 - Civic Neighborhood Design Principles/Table 4.1230.A Sub-District Standards.

Staff concurs with the applicant's findings as stated in the narrative except as follows.

4.1226 - Permitted Land Uses. The applicant's narrative identifies the residential portion of the mixed-use development as "Residential Facility." However, the residential component of this project is classified as Attached Dwellings on a Single Lot under the use table and is a permitted use in the CNTH land use district.

The standard is met.

4.1234 - Solar Energy Standards. Small and medium scale solar energy systems are permitted uses; however, large-scale systems require a Special Use Review. A solar energy/PV system is proposed for the rooftops of Buildings E and F generating approximately 70.86 MWh and 72.92 MWh, respectively. Details of the system, including the height of the panels above the roof line and if screening will be required, are unresolved. A condition of approval requiring the applicant to provide specifications for the solar energy system and screening of rooftop mechanical equipment with building permit shall be required.

The standard is met with Condition of Approval #17a.

7.0212 - Standards for New Solid Waste and Recycling Collection Areas. Staff concurs with the applicant's findings stated in the narrative except as addressed in the Environmental Services agency comments and as noted herein.

This standard is met with Conditions of Approval #7, #15a and #15b.

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 and as follows:

- Landscaping must be installed prior to occupancy or a funding mechanism (such as bonding) must be provided. A condition of approval shall require an appropriate funding mechanism is provided at 110 percent of the value of landscaping and labor, or as determined by the Manager, and is filed with the City to ensure installation occurs by occupancy or within a time period determined by the Manager.

These standards are met with Condition of Approval #20.

7.0220.C - F - Street Dedications, Arterial Streets, Frontage Roads or Signalized Access as Necessary. These standards apply and are addressed by the Development Engineering and Development Transportation Planning agency comments provided in this Staff Report.

These standards are met with Conditions of Approval #14a - #14e and #19.

7.0223 - Maintenance Responsibility. For landscaping, the City has developed a landscape 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 #6.

9.0202 - Driveway Clear Vision Area. Contrary to the applicant's narrative, a clear vision area is not required in the Civic Neighborhood, except where driveways intersect with an Urban Boulevard. A clear vision area is not required for this site.

This standard is not applicable.

9.0300 - Easements. A new 20-foot wide storm easement will be required for the reconstructed 84-inch stormwater trunk line, proposed to run below the subterranean parking garage. Where the existing public utility easements are no longer necessary, the existing easements for the stormwater main may be quitclaimed by the City after the new easement is in place.

The standard is met with Conditions of Approval #11a and #12a.

9.0500 - Grading and Drainage and Stormwater Quality Control Requirements. These standards apply and are addressed by the Development Engineering and Development Transportation Planning agency comments provided in this Staff Report.

These standards are met with Conditions of Approval #9, #10 and #13.

9.0800 - Parking Reduction. Pursuant to Section 9.0852 - Plan District Minimums and Maximums, a minimum of 1.0 space per dwelling unit is required in the Civic Neighborhood for attached dwellings on a single lot. No parking is required for commercial uses. Section 9.0853(D) permits reductions of 10 percent to the minimum parking requirement for sites near light-rail transit stations in the CNTH land use district.

Section 9.0853(E) permits additional parking reductions of up to 50 percent per Manager approval when an applicant for a development permit can demonstrate in a parking study prepared by a traffic consultant or in data from comparable sites that parking reduction is justified based on special characteristics of the customer, client, employee, or resident population or that use of transit or demand management programs will reduce expected vehicle trip generation rates and minimum City parking requirements. In addition, the reduction in parking will not impact adjacent uses.

The applicant's final count on parking identifies 368 spaces provided in the subterranean parking level and 14 spaces provided at grade (along the woonerf and adjacent to the pool and Building B) for a total of 382 spaces provided onsite.

With the allowed 10 percent reduction (per 9.0853(D)), a total of 392 spaces are required for the 435 dwelling units ($435 - (435 \times 0.10) = 392$).

The applicant's request for further reduction of 10 spaces per Section 9.0853(E) is supported through the submitted parking analysis (page 10-12 of the Traffic Study prepared by Charbonneau Engineering LLC, dated December 2018). The parking analysis identified on-street parking capacity of 169 spaces within the vicinity of the site (south of the MAX tracks). Demand for those spaces was highest during the noon hour when between 50 and 54 percent of spaces were utilized. Demand for on-street parking during the evening, during the 8 PM hour, was reduced to 21 to 25 percent. Staff concurs with the report's conclusion that sufficient on-street parking capacity exists within the neighborhood and additional demand can be accommodated.

The standard is met.

9.1000 - Tree Regulations. Staff concurs with the applicant's narrative findings with the following clarifications and conditions of approval.

Table 9.1013 - Parking Lot Tree Minimum Planting Size and Height and Spread at Maturity.

The applicant's narrative states that the required parking lot trees (for the surface level parking spaces) will not meet the standard which requires parking lot trees to be selected from the City's Recommended Parking Lot Tree List, due to space issues and challenges with placing trees of that size on a podium structure. The request to deviate from the standard will require a discretionary request and is addressed through the Design Guidelines in Section 4.1250.A.6.S14.b, herein.

These standards are addressed in Section 4.1250.A.6.S14.b of this Staff Report.

Table 9.1013 - Buffer Tree Minimum Planting Size and Height and Spread at Maturity.

Contrary to the applicant's narrative, a buffer is not required as part of the development; therefore, the standard for buffer trees is not applicable.

This standard is not applicable.

9.1033(C) - Tree Spacing and Quantity. The applicant’s narrative identifies that along the NW 13th Street frontage, eight street trees will be required for the frontage length (minus the area provided for a driveway). However, due to other infrastructure, including light poles, catch basins, and utility lines, only seven street trees are being provided. When the required number of street trees cannot be provided, the applicant is required to pay into the in-lieu tree fund. A condition of approval requiring the payment into the in-lieu tree fund for one tree is required.

This standard is met with Condition of Approval #8.

A5.000 - Public Facilities. The majority of the public facilities standards apply and are specifically addressed by the Development Engineering and Development Transportation Planning agency comments.

These standards are met by Conditions of Approval #2, #3, #4, #9a, #10, #11a, #12a, #13, #14a - e, #19, #21, #22, and #23.

DESIGN REVIEW

4.1200 - Civic Neighborhood Plan District. Applicants can choose to meet the design criteria of Section 4.1200 - 4.1250 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.

4.1250.A.1.G3 and 4.1250.A.1.S3 - Maximum Block Length.

ISSUE: The applicant must either:

- Meet the 4.1250.A.1.S3 standard; or
- Meet the 4.1250.A.1.G3 guideline; or

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

STANDARD: Public streets shall be dedicated within the site and can connect to adjacent streets with a maximum block length of 300 feet by 300 feet, from curb to curb. Departures from the standard may be considered based on site physical conditions; a departure from the standard allows the opportunity for public open space/amenity; the location of an institutional use requires a larger block length; or a primary internal drive is provided.

PROPOSAL: The site includes linear frontages of approximately 350 feet on NW 13th Street and 391 feet on NW Civic Drive. The NW Civic Drive frontage is broken up by the inclusion of publicly accessible open space (a micro plaza) and pedestrian accessible plaza that connects to the “woonerf”/driveway which intersects with NW 13th Street. The opening to the micro-plaza will be approximately 300 feet north of the intersection of NW Civic Drive and NW 13th Street. The woonerf/driveway will be approximately 220 feet from the intersection of NW Civic Drive and NW 13th Street.

GUIDELINE: *The standard shall be met.*

RECOMMENDATION: In lieu of a public street breaking up the 350-foot by 391-foot block into smaller pieces, the applicant has incorporated publicly accessible open space features through the site. The connection through the site will be preserved through two unrelated required easements: a 26-foot wide Fire Department access easement through the site and a 20-foot wide stormwater utility easement, which will both require access be preserved. In their narrative, the applicant has incorrectly identified the woonerf/driveway as a “primary internal drive.” A primary internal drive is not required as the open space and pedestrian connection from NW 13th Street to NW Civic Drive through the site will satisfy the requirement for connectivity and breaking-up long blocks. The incorporation of open space amenities to break up the block allowing for pedestrian movement through the site will satisfy the standard.

Staff recommends Design Commission find that the standard is met.

4.1250.A.2.G1 and 4.1250.A.2.S1 - Building Frontage.

ISSUE: The applicant must either:

- Meet the 4.1250.A.2.S1 standard; or
- Meet the 4.1250.A.2.G1 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Building frontage shall be measured by the length of the building present between the minimum and maximum setbacks. The minimum percentage of site

frontage that must be occupied by a building shall be dependent upon the street location. For NW Civic Drive the standard requires 90 percent building frontage. For Civic Local street types (i.e., NW 13th Street), the standard requires 60 percent building frontage. Building frontage is calculated by the amount of building located between the minimum and maximum setbacks, per Table 4.1230.B (based on street type and use).

PROPOSAL: On NW Civic Drive, the applicant's narrative states that approximately 351 feet (89.76 percent) of building frontage is provided on the 391-foot street frontage. However, staff's review of the submitted site plan (Sheet 132 C32 Site Plan) demonstrates that only 277 feet of Building B is within the setback zone between 0 and 5 feet, and no portion of Building F is within the setback zone, resulting in 70 percent building frontage. Per Section 4.1250.A.2.S3, pedestrian oriented open space may count toward 10 percent of the total requirement (i.e., $351 \times 0.10 = 35$ feet). With the addition of 35 feet of open space, the building frontage is increased to 79.8 percent.

On NW 13th Street, the applicant's narrative states that 70 percent of the approximate 350-foot frontage is occupied. Staff review of the submitted site plan demonstrates that the residential Buildings C and D are outside of the required setbacks of 5 feet minimum and 10 feet maximum, either providing a 0-foot setback or a setback beyond 10 feet, as the building massing provides recesses and projections. Building B's commercial building frontage on NW 13th Street is also outside of the maximum setback area of 10 feet with the setback area occupied by a fenced outdoor dining area.

GUIDELINE: *Sufficient length of buildings shall be present along a frontage 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. The amount of frontage shall be related to the street type and shall be sufficient to promote active spaces along the frontage at the pedestrian level.*

RECOMMENDATION: The proposal almost achieves the standard for building frontage on NW Civic Drive. The inclusion of the micro-plaza at the northeast corner of the site is intended to allow and encourage pedestrian flow from the MAX station into the site. However, this results in Building F being pulled further back from the street. Staff finds that for the majority of the street, the frontage maintains a continuous building wall, primarily broken up by pedestrian and vehicular access points that are well integrated into the overall site design and limited to the minimum widths required by Code. The frontage also accommodates an inviting plaza area adjacent to the MAX station.

The NW 13th Street frontage will maintain a continuous building presence for the majority of the street, except where interrupted by the driveway for the commercial parking area and the woonerf/driveway. The applicant reviewed the request to have a 0-foot setback along NW 13th Street during the Optional Design Commission Consult in 2018 and received support for the request as long

as the interaction between the sidewalk and the buildings provided a friendly and active pedestrian environment. In reviewing the landscape plans (Sheet 156 C56 Enlarged Planting Plan), staff notes that the area between Building D and the intersection of NW 13th Street and NW Overlook Avenue (where the road curves leaving a wedge of land) is not identified as having any landscaping. If this wedge of land is intended to remain part of the subject site, the landscape plan shall be updated to provide ground cover, shrubs, and trees. If above ground utilities are intended to be located in this area, screening of the utilities through landscaping or a low wall shall be provided, with review and approval of the updated landscape plan by the Manager.

In addition, per Section 4.1250.A.2.S2.a, when a building resides on a corner with frontage on both streets, the building frontage requirement shall apply to the street with the highest functional classification. Therefore, Building B is satisfying its frontage requirement on the NW Civic Drive side.

In summary, the placement of buildings and open space along the two street frontages supports the intent of the standard by providing active, pedestrian scaled streetscapes. Staff recommends that the Design Commission find that the guideline is met with a condition of approval requiring an updated landscaping plan for the wedge of land at the corner of NW 13th Street and NW Overlook Avenue, adjacent to Building D.

Staff recommends that the Design Commission find the guideline is met with Condition of Approval #17b.

4.1250.A.2.G2 and 4.1250.A.2.S2 - Building Placement.

ISSUE: The applicant must either:

- Meet the 4.1250.A.2.S2 standard; or
- Meet the 4.1250.A.2.G2 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD:

- c. Frontages on streets other than the primary frontages shall provide one of the listed pedestrian amenities (items i - iii). Item (i) includes meeting the building frontage requirement on that street and Item (ii) of the list includes enhanced landscaping along the length of the frontage not occupied by buildings.

PROPOSAL: The subject site includes frontages on NW Civic Drive and NW 13th Street. The project will comply with Standards S2.a and S2.b. Standard S2.d regarding buildings along a future street right of way is not applicable. For Standard S2.c, the applicant is not technically meeting the frontage requirement as the two buildings fronting NW 13th Street (Buildings C and D) are located outside of the setback zone, being either too close to or too far from the property line.

GUIDELINE: *Greater concentrations of buildings and building mass shall be present at the intersection of street to better define these areas.*

- b. Buildings at corners shall provide building frontage on both streets at the corner or may be set back with public open space to promote visibility in these locations.*
- c. Frontages on streets other than the primary frontage shall provide enhanced pedestrian amenities along the length of the frontage(s) to enhance the pedestrian oriented character of the neighborhood.*

RECOMMENDATION: The placement of Buildings C and D along NW 13th Street will provide a consistent building edge along the street, with ground floor entries provided for the two units in Building C that are facing NW 13th Street. These entries will be set back approximately 10.75 feet from the right of way, with the space in front of the entry enhanced with landscaping planters and specialty paving. In addition, where Building B abuts the intersection of NW Civic Drive and NW 13th Street, the corner is enhanced with an outdoor dining area intended to activate this important intersection within the neighborhood.

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

4.1250.A.4.G11 and 4.1250.A.4.S11 - Personal Storage.

ISSUE: The applicant must either:

- Meet the 4.1250.A.4.S11 standard; or
- Meet the 4.1250.A.4.G11 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: For multifamily uses: individual storage facilities shall be provided for articles such as barbecues, outdoor furniture, etc. The storage facility shall be a minimum 6 feet high and 24 square feet in area. It shall be connected to each unit or easily accessible (such as in a central facility).

PROPOSAL: The applicant's narrative and plans demonstrate that 108 of the development's 435 units will not meet the requirement for storage square footage. Specifically, these units will be provided with storage areas of 15 square feet located either in unit or in the subterranean parking garage. The applicant provided a supplemental narrative document identifying that where units are not provided with adequate storage in-unit, additional space is provided in storage lockers in the subterranean parking structure.

GUIDELINE: *The standard in Section 4.1250.A.4.S11 is required.*

RECOMMENDATION: Staff has worked with the applicant to achieve the maximum amount of in-unit and onsite storage while maintaining a high level of in-unit amenities and livable square footage for each unit.

Given that most units do not have individual balconies/patios (only 44 units have a private balcony/patio area), storage of outdoor furniture and barbecues as discussed in the standard is less of an imperative. Staff recommends that the Design Commission find that the limited number of smaller storage areas in units will meet the intent of this Code section and will not contribute to negative visual or functional impacts on primary streets, adjacent properties, or surrounding areas.

Staff recommends that the Design Commission waive the guideline.

4.1250.A.5.G2 and 4.1250.A.5.S2 - Public Open Space: Operation, Size, and Location.

ISSUE: The applicant must either:

- Meet the 4.1250.A.5.S2 standard; or
- Meet the 4.1250.A.5.G2 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: All public open spaces shall incorporate, at a minimum, the items listed in subsections (a) to (h). Item (f) states that except for institutional uses, individual street-facing public open spaces shall not exceed 2,000 square feet.

PROPOSAL: The micro-plaza at the corner of NW Civic Drive and the MAX tracks is identified as having an area of 4,034 square feet. It will include fixed seating and landscaping and will open to the street and the MAX station entry area.

GUIDELINE: *Public open spaces shall:*

f. Public open spaces, except for institutional uses, shall not be sized greater than expected pedestrian activity would support.

RECOMMENDATION: The micro-plaza exceeds the standard of 2,000 square feet. The design of the micro-plaza was intended to open to the street to invite pedestrians into the site while also allowing needed fire department access to the interior of the site. The size of the micro-plaza is appropriate to the anticipated level of pedestrian activity primarily from the north, where commuters using the MAX will be able to funnel through the site to and from their residences within the project or to points further south. In addition, the micro-plaza will provide an entry to the internal publicly accessible plaza, which could potentially draw residents from the mixed-use development to the north allowing shared use of onsite open space amenities.

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

4.1250.A.5.G3 and 4.1250.A.5.S3 - Public Open Space: Minimum Design Elements.

ISSUE: The applicant must either:

- Meet the 4.1250.A.5.S3 standard; or
- Meet the 4.1250.A.5.G3 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: All public open spaces shall incorporate, at a minimum, the items listed in subsections (a) to (f).

Subsection (a) requires that at least 30 percent of the area shall be planted with trees, shrubs, groundcover, and perennial landscape plantings.

PROPOSAL: The proposal includes two primary public open spaces: the micro-plaza adjacent to NW Civic Drive and the TriMet right of way (the Civic Drive MAX platform), and the project's central plaza which includes the children's play area and a dog park. As proposed, the two areas will not meet the 30 percent landscaping standard. The micro-plaza will provide approximately 21 percent landscaping and the plaza will provide approximately 6 percent landscaping (live landscape material).

GUIDELINE: *Public open spaces shall be designed with strategies and features that encourage activity within the space.*

- Include a variety of public spaces, both hardscaped and landscaped, such as onsite plazas, interior courtyards, patios, terraces and gardens.*

RECOMMENDATION: The applicant's calculations for landscape area does not include the landscape planters surrounding the ground floor of each building and dwelling unit which form the perimeter of the plazas. Including those areas would increase the total percentage of landscaped area; however, the increase would not result in 30 percent total landscaped area.

Staff recognizes the challenge of providing sufficient live landscaping on top of the parking lot podium, given the other requirements and programming goals of the space, including an unimpeded fire lane, clear paths of travel for pedestrians, play structures, a large play area for children, and a dog park. Staff has worked with the applicant to identify opportunities for live landscape material; however, this is primarily accomplished through raised planters which do not provide usable space for residents.

Staff is supportive of the overall design and believes it meets the intent of the guideline for providing a variety of spaces and areas within the open space areas that allow both active and passive recreation. Staff will work with the applicant during the building permit process to try to identify other locations in the plaza area that could potentially accommodate landscaping.

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

4.1250.A.5.G8 and 4.1250.A.5.S8 - Children's Play Area: Size, Location and Elements.

ISSUE: The applicant must either:

- Meet the 4.1250.A.5.S8 standard; or
- Meet the 4.1250.A.5.G8 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.

- a. For sites with a gross site area of 20,000 square feet and greater, the play area shall be a minimum size of 500 square feet with minimum dimensions of 20 feet in length and width.
- b. The children's play area shall have a minimum of three types of play equipment. A landscape architect or playground recreation expert shall design the children's play area.
- c. The children's play area shall be centrally located where it is visible from 50 percent of the abutting units that front the space.
- d. The children's play area shall be enclosed by any combination of the following: a 2.5- to 3-foot high wall, planter, decorative fence; or by 18-inch benches or seats; or by other means acceptable to the Manager or Design Commission.

PROPOSAL: The applicant's proposal includes a 3,653 square-foot dedicated play area at the center of the site's central plaza. It will also include a 787 square-foot lawn mound. To comply with the standard, half the required total open space shall be required as children's play area. Therefore, 3,750 square feet of children's play area ($7500/2 = 3,750$) is required. In addition, three different types of play equipment are required. Based on the applicant's plan for the play area, both manufactured and natural play equipment will be provided, including boulders, logs, a turf mound, and climbing equipment. A portion of the play area will be enclosed by bench seating; however, a portion of the play area is ungated, allowing full access into the central plaza.

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. The play area shall be conveniently located where they are accessible and visible from numerous units and to avoid negative impacts on neighboring properties. The design of the play areas shall promote safety of outdoor common areas by ensuring they are clearly visible from a sufficient number of adjoining units to provide opportunities for surveillance.

RECOMMENDATION: The children's play area has evolved from one centrally located area, to more dispersed play areas, to the current iteration which shows a primary play area at the center of the plaza with a lawn mound serving as additional active space for children. The central location of the plaza limits

conflicts with vehicular traffic and allows for free play throughout the plaza for older children while allowing more supervised play for children in the play area. While the area is not completely fenced and gated, staff is supportive of the proposed plan as the location of the play area meets the guideline intent for creating a safe area that is visible from all parts of the site and potential conflicts with vehicles is minimal.

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

4.1250.A.6.G9 and 4.1250.A.6.S9 - Minimum Hardscape Shading, After 5 Years.

ISSUE: The applicant must either:

- Meet the 4.1250.A.6.S9 standard; or
- Meet the 4.1250.A.6.G9 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: After five years, a minimum of 30 percent of hardscaped areas onsite shall be shaded. Determination shall be based upon expected growth of the selected trees and calculated at noon on the summer solstice. Hardscape shading from buildings may be counted toward the total shading requirement.

PROPOSAL: The applicant's proposal demonstrates that approximately 17.4 percent of the site's hardscape (9,803 square feet/56,304 square feet) will be shaded by trees or buildings, which is short of the standard.

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

RECOMMENDATION: In the past, where sites provide a significant deficit of onsite shading, the Design Commission has allowed alternative strategies to reduce the heat island effect. Staff recognizes the challenges of providing larger trees on top of the parking garage podium; however, there may be alternative solutions to meet the intent of the guideline.

The United States Green Building Council (USGBC) recommends, as an option, that projects may utilize:

“...paving materials with a three-year aged solar reflectance (SR) value of at least 0.28. If three-year aged value information is not available, use materials with an initial SR of at least 0.33 at installation.”

A similar strategy requiring use of light-colored pavers in part of the parking lot was conditioned by the Design Commission for the Hood Apartments project (DRE 15-26000371) to achieve 30 percent coverage in combination with shading provided by trees; the applicant subsequently provided additional trees onsite to meet the standard.

Staff recommends a condition of approval that the project include hardscape materials for approximately 13 percent of the non-shaded hardscape area that meets the minimum USGBC standards for solar reflectance as described herein. Alternatively, the Design Commission may waive the standard.

Staff recommends that the Design Commission find the guideline is met with Condition of Approval #17c.

4.1250.A.6.G11 and 4.1250.A.6.S11 - Recycled Content in Hardscape Materials. The standard requires a minimum of 20 percent recycled content pavement or pavement base shall be provided for hardscape elements such as private drives, sidewalks, paths, parking areas, and courtyards.

A condition of approval is required to address the standard for use of 20 percent recycled content in onsite pavement or pavement base.

This standard is met with Condition of Approval #17d.

4.1250.A.6.G13 and 4.1250.A.6.S13 - Sustainable Site Furnishings. The standard requires site furnishings, such as play structures, fences, gazebos, trash receptacles, benches and tables shall be constructed with 20 percent sustainably harvested materials and recycled content materials, excluding plastics, or locally sourced materials (originating from within 500 miles of the site).

A condition of approval is required to address the standard for use of 20 percent sustainably harvested materials or locally sourced materials in site furnishings.

This standard is met with Condition of Approval #17e.

4.1250.A.6.G14 and 4.1250.A.6.S14 - Parking Area: Landscaping.

ISSUE: The applicant must either:

- Meet the 4.1250.A.6.S14 standard; or
- Meet the 4.1250.A.6.G14 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Parking Area Landscaping: All Areas:

Item (b). A minimum of one parking lot tree shall be planted for every six parking stalls in the parking area. Required trees in the parking area shall be selected from the City's Recommended Parking Lot Tree List.

PROPOSAL: The applicant's narrative for Parking Lot Trees (Section 9.1013) notes that the parking lot trees for the site's small southeastern at-grade parking lot will not comply with the standard for selection from the City's Recommended Parking Lot Tree List. Sheet 157 C57 - Enlarged Planting Plan and Sheet 151 C51 - Planting Schedule identify the proposed trees adjacent to the parking area as the

Western Serviceberry and American Yellowwood. Both of these species are categorized as buffer trees in the City's Approved Tree List, with a mature canopy spread of 20 feet and height of 20 feet. The standard (per Table 9.1013) requires a caliper size of 2 inches at planting, and mature canopy spread of 35 feet and height of 35 feet.

GUIDELINE: b. Canopy tree quantity and size. The standard of Section 4.1250.A.6.S14.b shall be met.

RECOMMENDATION: The applicant's narrative for trees notes that providing trees of recommended size presents a challenge due to space issues and placement of large trees on the parking lot podium. The proposed replacement trees will be planted at the correct caliper size but will be smaller in size at the time of maturity.

The intent of the standard and guideline are to improve site aesthetics and to provide shading of hard-surface asphalt areas (reduce the heat island effect). With the inclusion of a condition of approval requiring that a portion of site pavers meet the minimum USGBC standards for solar reflectance, as previously referenced in the findings and recommendation of 4.1250.A.6.G9 and 4.1250.A.6.S9 - Minimum Hardscape Shading, After 5 Years, the impact of smaller trees can be minimized. Due to site constraints, specifically the placement of trees on top of the parking podium, staff is supportive of the change in tree species and recommends that the Design Commission waive the standard.

Staff recommends that the Design Commission waive the standard.

4.1250.A.6.G17 and 4.1250.A.6.S17 - Landscape Maintenance. The standard requires compliance with requirements for landscape maintenance and installation prior to and after issuance of the Temporary Certificate of Occupancy and Certificate of Occupancy.

The standard is met with Conditions of Approval #6 and #20.

4.1250.A.6.G21 and 4.1250.A.6.S21 - Landscaping of Yard Setbacks.

ISSUE: The applicant must either:

- Meet the 4.1250.A.6.S21 standard; or
- Meet the 4.1250.A.6.G21 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: All yard setbacks shall be landscaped and shall have at least five deciduous shade trees per 100 linear feet.

- a. Yard trees shall be capable of at least 25 feet in height and spread at maturity and not be less than 10 feet in height and 2.5-inch in caliper size at the time of

planting. Where setbacks are less than 10 feet wide columnar species with a minimum mature height of 25 feet may be used.

- b. New evergreen trees may substitute for deciduous trees on a one-to-one basis, provided the trees are capable of at least 25 feet in height and are at least 8 feet in height at the time of planting.
- c. Existing regulated trees may be counted on a two-trees provided for one tree required basis. Existing trees to be counted shall be verified as healthy trees.

PROPOSAL: The applicant's narrative states that within the north setback area, for the 430-foot linear distance, 21 trees (meeting one of the options (a) or (b)) are required. Staff review of the plans confirms the standard is met and exceeded for the number of trees provided.

For the western property setback, the linear distance is 615 feet. The west setback area is built atop the parking podium and will also include stormwater planter areas. A total of 30 trees is required in this setback area. Per the narrative, 25 trees are provided and eight vine maples (classified as a bush) are also provided. Staff review of the planting plans, Sheets 154 C54 and 156 C56, identified only 13 tree species that satisfied the requirement for height and spread at maturity per option (a) and 10 vine maple shrubs.

GUIDELINE: *Setback landscape trees. The landscape plan shall provide sufficient vegetation including trees in the setback areas to create an attractive site and to buffer residential uses.*

RECOMMENDATION: The applicant's proposal for the western setback area is deficient by 17 deciduous trees of size and spread at maturity that would satisfy the standard; however, the area is sufficiently landscaped with shrubs and groundcover to satisfy the guideline requirement for creation of an attractive site. It should also be noted that the buildings of the new project will be setback approximately 15 feet from the property line, with the parking podium below being closer and enclosed through fencing along the property line. The closest occupied residential structure in the Columbia Trails Apartment complex is approximately 115 feet to the west of the shared property line for the majority of the site, with carports and garages located adjacent to the property line.

Within the vicinity of the setback area there may be additional areas where trees of sufficient size can be planted, specifically around the trash enclosure facility and in the wedge of property south of Building D that has not been included as part of the landscape plan. (This area is part of the overall site and is currently identified to house a transformer.)

As part of the landscaping for these areas, staff would recommend a condition of approval that the landscaping plans be updated to include deciduous or evergreen trees in these areas that satisfy the requirements of options (a) or (b). Approval of the revised landscape plan shall be at the discretion of the Manager.

Staff recommends that the Design Commission find the guideline is met with Condition of Approval #17f.

4.1250.A.7.G1 and 4.1250.A.7.S1 - Site Illumination and Photometric Plan.

ISSUE: The applicant must either:

- Meet the 4.1250.A.7.S1 standard; or
- Meet the 4.1250.A.7.G1 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: The following areas shall be illuminated during the hours of darkness: primary internal drives, parking areas, loading and unloading areas, open spaces, pedestrian walkways, and building entries. Per Table 4.1250.A.7 - Site Illumination Values, Open Spaces shall meet the following illumination level: 0.5 minimum with an average of 1.5. foot candles.

PROPOSAL: The applicant's proposal, as indicated in their supplemental narrative, will meet the standard for site lighting for the majority of the site. The applicant has proposed to provide lower lighting levels in the central plaza area than prescribed by the Code. The submitted Site Photometric plans (140 C40 - 143 C43) show lowered lighting levels around the children's play areas with foot candles of between 0.1 and 0.4 for portions of the play areas, plazas, and at the entry to the trash enclosure.

GUIDELINE: *The site shall be designed to achieve uniform illumination levels with a minimum glare to adjacent properties in order to create a comfortable and safe environment in harmony with the character of the surrounding area. (a) Lighting fixtures shall provide appropriate illumination levels for all areas of the site, creating inviting spaces, and enhancing the safety of the site during the hours of darkness. (b) Lighting fixtures shall not create negative impacts on surrounding properties or unnecessary glare within the site.*

RECOMMENDATION: Staff supports the applicant's proposal to meet the intent of the guideline by reducing lighting levels in the play areas while meeting or exceeding lighting levels for walkways and the majority of the open space through the site. The intent is to reduce glare into residential units which face the plaza, which could potentially create negative impacts on residents.

The applicant notes that given the number of units facing the plaza at ground level and above from three multi-story buildings, security of the plaza is enhanced through "eyes on the street" that reduces the necessity of high levels of lighting typically required of more isolated public and private spaces. However, staff recommends a condition of approval that the photometric plan be updated to provide illumination levels for the ground floor entries/patios of each unit facing the plaza and the driveway/woonerf. The plan shall also be

updated to reflect any changes to the layout of the plaza, specifically the applicant's proposal to modify the layout of the children's play area.

Staff recommends that the Design Commission find the guideline is met with Condition of Approval #17g.

4.1250.B.1.G2 and 4.1250.B.1.S2 - Upper Floor Articulation.

ISSUE: The applicant must either:

- Meet the 4.1250.B.1.S2 standard; or
- Meet the 4.1250.B.1.G2 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Buildings greater than four stories in height shall provide an upper-floor articulation strategy or strategies on facades visible from streets, primary internal drives, or pedestrian pathways. Buildings five to six stories tall shall provide at least one of the strategies listed (i)-(vi), with item (v) stating that no single wall plane shall be greater than four stories in height before a horizontal step back or cantilever of at least 2 feet is provided.

PROPOSAL: The proposal includes a similar approach to massing on the three tallest buildings with bays projecting at least 1-foot from the façade, establishing a rhythm on the external (street facing) and internal (plaza facing) facades that help create a cohesive architectural language through the site.

GUIDELINE: *Buildings shall maintain a sense of human scale through the use of design strategies that reduce the perceived mass of the upper levels. The greater the building height, the greater number and/or intensity of design strategies shall be used to minimize the building scale.*

RECOMMENDATION: The Design Commission reviewed the rooflines of Buildings B, E and F as part of the Optional Design Commission Consult on December 12, 2018. The primary focus was with regards to Building E/F's roofline (where it faced the Civic Drive MAX station). The Commission recommended removal of the sloped roof elements along the roofline and a setback at the upper floor. The Commission also requested to see some of the language from the other buildings carry over to Building E/F's roofline.

In response, the applicant incorporated the projecting bays present on Building B onto the other larger buildings, with the bay extending up to the fifth floor on the six-story Building B, and the fourth floor on the five-story Buildings E and F. This language was also incorporated into the design of the four-story Building D. The projecting bays help to break down the large masses of the façade, with the bays stopping before the top floor to help create a sense of a step back. Staff supports the applicant's guideline request as the design supports the goal of reducing the perceived mass of the upper levels of the buildings.

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

4.1250.B.1.G8 and 4.1250.B.1.S8 - Change in Wall Planes (Multifamily).

ISSUE: The applicant must either:

- Meet the 4.1250.B.1.S8 standard; or
- Meet the 4.1250.B.1.G8 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Multifamily: Facades visible from streets shall be divided into wall planes that reflect living unit modules. Wall planes over 750 square feet shall be divided into distinct planes. This can be achieved through one of the listed items, including (a) incorporating porches or decks into the wall plane; (b) recessing or projecting a portion of the building a minimum of 2 feet over 6 feet in width; or (c) another massing strategy as approved by the Manager or Design Commission.

PROPOSAL: The applicant's plans indicate that building facades facing the street in Building B will be divided into distinct planes that reflect living units. Facades will include bays every 10 to 14 feet along NW Civic Drive with depths of 1 to 1.5 feet. The articulated facades will highlight the living room for each dwelling unit in the bays.

GUIDELINE: *Changes in wall planes, layering, horizontal datums, vertical datums, building materials, color, or fenestration shall be incorporated to create simple and visually interesting buildings.*

RECOMMENDATION: The applicant's plans demonstrate that the wall planes of the multifamily component of Building B will be divided into wall planes that reflect living unit modules. However, the applicant is requesting discretion from the standard which requires a change in depth (recess or projection) of a minimum of 2 feet over 6 feet in width. The proposed 1 to 1.5-foot change in depth is less than the standard; however, the intent of the guideline is met with the changes in wall planes providing a simple but visually interesting façade on the building.

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

4.1250.B.2.G2 and 4.1250.B.2.S2 - Buildings with Flat Roofs. Buildings with flat roofs (slopes of 2:12 or less) shall utilize a white roof with a solar reflectance index (SRI) of 78 or greater, exclusive of space dedicated to mechanical equipment and other rooftop elements. The applicant's narrative states that roofing material will be thermoplastic polyolefin (TPO) with reflective surface to reduce the heat island effect. The narrative and plans do not specifically identify the solar reflectance index achieved by the TPO material. A condition requiring the applicant to submit cut sheets for the TPO roofing material demonstrating compliance with the standard is required.

The standard is met with Condition of Approval #18a.

4.1250.B.2.G3 and 4.1250.B.2.S3 - Buildings with Sloping Roofs. The applicant has identified the standard for buildings with sloping roofs as a discretionary request. However, the standard is only applicable to roofs with slopes greater than 2:12. The project does not include any roof structure which meets the threshold for applicability of the standard.

The standard is not applicable.

4.1250.B.3.G1 and 4.1250.B.3.S1 - Weather Protection. The submitted drawings do not clearly identify if all points of ingress into the various buildings for residents and customers provide a 4-foot deep weather protection (canopy, awning, overhang, or other approved feature). Floor plans submitted at building permit shall identify if an exterior doorway is intended for egress only. Where ingress is permitted, a 4-foot structural canopy or awning (non-cloth/fabric) or overhang shall be provided. The standard does not apply to secondary residential entries, such as at patios or balconies, or to back-of-house operations, such as mechanical rooms or fire rooms where residents and customers would not access.

The standard is met with Condition of Approval #18b.

4.1250.B.3.G5 and 4.1250.B.3.S5 - Entry on Primary Street Frontage.

ISSUE: The applicant must either:

- Meet the 4.1250.B.3.S5 standard; or
- Meet the 4.1250.B.3.G5 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: For commercial uses: entries shall be well-marked, articulated, and oriented to and facing the street. (c) On corner lots, buildings on the corner shall place an entry within 10 feet of the building corner.

PROPOSAL: The subject property has one corner with ground level commercial, located at the intersection of NW Civic Drive and NW 13th Street. The submitted plans demonstrate that the entry for the commercial use is located approximately 20 feet from the building corner on NW Civic Drive.

GUIDELINE: *Entries shall be oriented to and face the street and be regularly spaced to activate the length of the frontage. (c) Place the main entrance at a street corner where feasible.*

RECOMMENDATION: The project generally addresses the standard by being well-marked, articulated, and oriented toward the street. The project will meet the intent of the guideline by activating the street through inclusion of an outdoor dining area/beer garden at the corner of NW Civic Drive and NW 13th Street. The outdoor dining area is visible to pedestrians and vehicles passing by. Staff concurs with the applicant's findings that the intent of the guideline - to activate

the length of the frontage, creating activity - is being met, although the primary entry to the brew pub/restaurant area is set further back from the corner.

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

4.1250.B.3.G8 and 4.1250.B.3.S8 - Entries for Ground-floor Units (Multifamily).

ISSUE: The applicant must either:

- Meet the 4.1250.B.3.S8 standard; or
- Meet the 4.1250.B.3.G8 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Multifamily: All ground floor units which front a street shall have a primary entrance directly from the street.

Subsection (c). The entry shall have a direct connection from the sidewalk to the front door. The connection shall be a minimum of 5 feet wide, and abutting connections may be combined.

PROPOSAL: For ground floor units along NW 13th Street in Buildings C and D, Building C will provide secondary entries (from a patio) with direct connections to the street. A primary entrance for the two units is provided inside the building in shared access portals that provide access to the building's interior stairwells. For Building D, access to the interior units at the southern edge of the building adjacent to NW 13th Street will be via an internal corridor connecting to the building's lobby.

GUIDELINE: *Units at the street should have an inviting presence on and convenient access to the street. Walkways shall connect individual units with the sidewalk. Secondary entrances facing the street right of way shall present the same finished appearance as a primary entry.*

RECOMMENDATION: During the Optional Design Commission Consult in December 2018, it was acknowledged that the NW 13th Street frontage presented a challenge due to the proximity of back of house operations (trash collection, parking, and loading) across the street for the shopping center. The applicant responded by placing primary entries for ground floor units toward the interior of the site, through shared entry points, but maintaining secondary access points on the street, where appropriate.

For Building C, the proposal incorporates secondary patio entries designed to appear similar to primary entries with special pavers and landscape planters providing some level of privacy and a thoughtful transition between the public and private realms. Although not required by Code, the applicant may want to consider providing gates at these entries to provide additional security and privacy for residents.

For Building D, the ground floor units closest to NW 13th Street are provided access via the building's primary entry at the shared lobby, while other ground floor units facing the driveway/woonerf are provided a secondary entry at a private patio area.

Given the challenges presented by the surrounding uses and the curve of the street adjacent to the building, staff is supportive of the applicant's request to deviate from the standard. Further, the proposal for Building D will not comply with the guideline requirement for walkways connecting individual units to the sidewalk. As such, a waiver from the guideline will be required.

Staff recommends that the Design Commission waive the guideline.

4.1250.B.4.G2 and 4.1250.B.4.S2 - Through-Wall Heating/Cooling/Mechanical Equipment.

ISSUE: The applicant must either:

- Meet the 4.1250.B.4.S2 standard; or
- Meet the 4.1250.B.4.G2 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Packaged Terminal Air Conditioners (PTACs), Package Terminal Heat Pumps, and similar systems with individual through-wall heating/cooling that are visible, including from internal public or private areas, are not permitted.

PROPOSAL: The applicant's narrative identifies that Packaged Terminal Heat Pumps (PTHP) louvers will be present on Buildings B, C and D integrated into the window systems. For Buildings E and F, the applicant's narrative notes that PTHP louvers are not being proposed. Through-wall exhaust vents on all facades will be detailed to be flush with the exterior façade material and painted to match.

GUIDELINE: *Mechanical equipment and individual through-wall units shall not detract from building architecture or façade composition and shall be designed to minimize their visibility. Equipment shall not project beyond the adjacent finished wall plane and shall be screened and integrated into the building's overall architectural design, façade composition, and detailing.*

RECOMMENDATION: The applicant has provided a detail (Sheet 202 C102 0- Details Cladding) and a precedent image demonstrating how through-wall venting will be screened and designed to integrate into and be flush with the facade of the building. A detail of the integrated louver system for Buildings B, C, and D was not included in the submittal packet and will need to be reviewed as part of the building permit submittal.

Staff concurs with the applicant's narrative, based upon the detail and precedent image, that through-wall venting will be screened and integrated into the building design to reduce visibility. Ideally, no venting would be visible from the

street facing facades; however, when they are proposed, the Design Commission has acknowledged that detailing is important, including matching surrounding color and limiting protrusions from the façade to a minimum.

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

4.1250.B.4.G7 and 4.1250.B.4.S7 - Sustainable Building Elements. The standard requires energy conservation in building development shall be promoted through sustainable building techniques and design strategies. Developments with 30,000 square feet of floor area or greater are required to comply with a minimum of two items from the list provided in the standard's subsections. The applicant's narrative identifies that the project will comply with options (g) and (h). Option (g) requires that 20 percent of building materials be sourced from within 500 miles of the development site. Verification/documentation (including a signed letter from the architect, contractor or owner, identifying the origin of building materials) of compliance for option (g) shall be submitted with the building permit. Option (h) allows for an alternative sustainable design element as approved by the Manager or Design Commission.

The applicant has proposed to meet option (h) by achieving Earth Advantage certification for Buildings E and F. Documentation of application, specifically submittal of a preliminary points worksheet establishing the Earth Advantage Multifamily points for meeting the targeted certification level (Silver, Gold, or Platinum), shall be required with submittal of the building permit.

The applicant is also proposing inclusion of solar panels on the roofs of Buildings E and F. The requirements to meet option (c) requires that the solar panels shall comprise an area equivalent to 20 percent of the roof area or generate a minimum of 10 percent of the typical energy usage for the building. Given that there are five buildings onsite, the solar energy system will need to meet the standard for the entire site, not just the individual Buildings E and F. If the requirements in option (c) are met, it may be substituted for one of the other identified options.

The standard is met with Conditions of Approval #17a and #18c.

4.1250.B.4.G1 and 4.1250.B.4.S1 - Equipment Screening. The applicant's narrative states that roof top equipment will be under 6 feet in height and placed on the roof to limit visibility from ground level. However, elevator penthouses and stair enclosures may be visible if they extend above the roof line. Per the standard, appropriate screening for visible elements can require parapet walls or architecturally compatible fabricated enclosures such as panels or walls. A condition of approval is required to ensure that rooftop screening and enclosures are architecturally compatible with the building to which they are attached; this includes materials, patterns, and colors.

The standard also requires that ground level equipment shall be screened so that they are not visible from the public realm or internal public or private areas. This will include the woonerf, publicly accessible plaza, shared private space for tenants, and from public areas including the abutting streets and pathway adjacent to the TriMet right of way

(MAX station). Evergreen landscaping of a height and spacing at the time of planting that will screen the equipment, or opaque fencing or walls that screen the equipment may be employed. Landscaping plans shall be provided with building permit submittal demonstrating the location of ground level utilities/equipment and methods for screening.

The standards are met with Conditions of Approval #17h and #18d.

4.1250.B.4.G12 and 4.1250.B.4.S12 - Base and Top Treatments (Multifamily).

ISSUE: The applicant must either:

- Meet the 4.1250.B.4.S12 standard; or
- Meet the 4.1250.B.4.G12 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Multifamily: Except for single-story structures, building facades shall include design elements that establish a base and top. Base and top treatments shall be cohesive across facades and integrated with the architectural character of the building.

- a. The base and top treatments shall be located on a majority of the length of each building façade and shall wrap all visible building corners.
- b. The base height shall be from grade to a minimum of the top of the first floor and a maximum of the top of the second floor.
- c. The top of the base shall consist of a distinct, clearly visible physical transition between the base and the upper floors and include either a prominent change in materials or material treatment as well as a change in depth of no less than 8 inches.

PROPOSAL: The project generally meets the requirement for base and top treatments. However, for Building C, the three-story building adjacent to NW 13th Street, there is no distinction between the ground floor and upper floors in terms of change in material pattern or type, change in fenestration pattern or size, or change in facade depth.

GUIDELINE: *...buildings shall feature an architecturally distinct base and top. Base and top treatments should establish depth and interest in the façade and be integrated into the façade designs.*

RECOMMENDATION: The applicant's intent with the three-story Building C was to create a simpler form that could be viewed as providing a visual contrast to the other larger buildings onsite. Staff was supportive of deviating from the language of the other buildings as it created a unique edge to the site, maintaining an aesthetic quality that did not detract from the overall design of the project. The

applicant is requesting a waiver from the guideline in order to allow creativity in design.

Staff recommends that the Design Commission waive the guideline.

4.1250.B.5.G5 and 4.1250.B.5.S5 - Window Recesses. The standard requires that windows for the commercial portion of the building shall be recessed a minimum of 4 inches as measured from the exterior most window pane and the adjacent finish building plane. The applicant's narrative indicates that windows will be recessed approximately 3-7/8 inches and requests discretion. However, the plans demonstrate that at the commercial storefronts, windows will be set back from the abutting brick piers between 1.25 and 3 feet. From the concrete bulkheads, the windows are shown to be set back an average of 2 inches; however, the depth from the adjacent facade (measured from the brick piers) will exceed the standard.

The standard is met.

4.1250.B.5.G6 and 4.1250.B.5.S6 - Transparency, Primary Facades (Commercial).

ISSUE: The applicant must either:

- Meet the 4.1250.B.5.S6 standard; or
- Meet the 4.1250.B.5.G6 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Commercial: For each façade visible from a street or primary internal drive:

- a. A minimum of 60 percent of the ground floor façade area shall be clear, transparent glazing.

PROPOSAL: The project will include one building (Building B) with ground floor commercial facades visible from a street (NW Civic Drive and NW 13th Street). The primary street facing façade along NW Civic Drive will provide approximately 57.9 percent transparency at the ground floor.

GUIDELINE: *Facades visible from streets and primary internal drives shall provide high-levels of clear glazing to ensure articulation on the façade, daylighting of interior spaces, and visibility to the street. The greatest levels of transparency shall be at the street level and at entries.*

RECOMMENDATION: The proposal is less than 3 percent shy of meeting the standard. The ground floor of the building, adjacent to residential uses and the primary residential entry, contains significant levels of transparency to allow light into the building and to provide a visible connection between active interior spaces and pedestrians on the street.

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

4.1250.B.5.G15 and 4.1250.B.5.S15 - Transparency, Secondary Facades (Multifamily).

ISSUE: The applicant must either:

- Meet the 4.1250.B.5.S15 standard; or
- Meet the 4.1250.B.5.G15 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Multifamily: For each façade not visible from a street or primary internal drive, a minimum of 20 percent of the total façade area shall be clear, transparent glazing.

PROPOSAL: The project will meet the standard for glazing for the majority of facades; however, for the north facing facade of Building D (18.52 percent) and the west façade of Building F (10.1 percent), the standard will not be met

GUIDELINE: *Facades not visible from a street or primary internal drive shall provide sufficient transparency to ensure daylighting of interior spaces and visual interest on the façade but may provide lower levels of transparency than street-facing facades.*

RECOMMENDATION: The project will include sufficient transparency for the majority of non-street facing facades. Where it is not in compliance with the standard, the glazing percentage varies from the standard by less than 2 percent at Building D, or by 10 percent at Building F. The interior floor plan along the north side of Building D includes an interior stairwell, hallway, and recycling room. The hallway includes a window on the north façade, as does the unit at the northeast corner. In lieu of the additional windows on this façade, the applicant has provided additional building articulation with the building recessing in steps as it moves east to west.

The west façade of Building F is deficient in transparency by 10 percent. Similar to Building D, the interior floor plan shows this western portion of the building primarily occupied by a stair enclosure. Windows are provided on the two units per floor which have walls along the west façade; however, given the overall area of the west façade occupied by the stair enclosure and narrow returns of other wall planes as seen in the elevation (Sheet 197 C97 - Building F South and West Elevations), providing additional opportunities for windows is challenging. Staff recognizes the challenges of these narrower facades where back of house operations and stairwells are located. Given that they are interior facing to areas with reduced visibility from the public realm, staff is supportive of the levels of transparency as shown on the plans. These areas may also present future opportunities for large public art installations, such as murals.

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

4.1250.B.5.G19 and 4.1250.B.5.S19 - Sunshades (Multifamily).

ISSUE: The applicant must either:

- Meet the 4.1250.B.5.S19 standard; or
- Meet the 4.1250.B.5.G19 guideline; or
- The Design Commission may waive this guideline to achieve the flexibility necessary to support a particularly creative proposal.

STANDARD: Multifamily: Provide exterior, architectural sunshades for windows on the south and west building facades to effectively limit summer sun and to allow for winter sun penetration. Sunshades shall be permanent design features integrated into and compatible with the design of the building facades.

PROPOSAL: The applicant is proposing not to include sunshades on the building and has requested to use windows sourced from VPI with a Solar Heat Gain Coefficient of 0.27.

GUIDELINE: *Buildings shall be designed to conserve energy by optimizing solar orientation and maximizing passive solar access in winter months while minimizing solar heat gain in summer months.*

RECOMMENDATION: The applicant and Design Commission discussed the sunshade requirement at the Optional Design Commission Consult in December 2018. The applicant requested, and the Design Commission was supportive of, the preferred option to provide energy efficient windows in lieu of sunshades on south and west facing building facades. The applicant has specified the higher quality windows in their narrative, noting the windows sourced from VPI pass the Earth Advantage Energy requirement for energy efficiency. The applicant has stated that the VPI windows have an insulation value of 0.27, which reduces heat loss between the October to March heating season. It will also reduce solar heat gains during sunny summer days. The applicant notes that the windows will provide comparable energy conservation benefits to sunshades by reducing annual heating demand and summer peak cooling demand.

As noted earlier, staff recommends a condition of approval requiring the applicant to provide a preliminary points worksheet with building permit submittal establishing the Earth Advantage Multifamily points for meeting the targeted certification level, which includes verification of energy efficiency of windows (SHGC of 0.27).

Staff recommends that the Design Commission find the guideline is met with Condition of Approval #18c.

4.1250.B.8.G1 and 4.1250.B.8.S1 - Primary, Secondary, and Accent Materials.

ISSUE: The applicant must either:

- Meet the 4.1250.B.8.S1 standard; or
- Meet the 4.1250.B.8.G1 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. Accent materials are permitted on no greater than 5 percent of each façade as trims or accents.

PROPOSAL: For the multifamily buildings (Buildings C-F), the standard will be met with the majority of materials on each façade being a primary material (fiber cement panel/siding, brick, and glass). The facades of Building B, the mixed-use building, will be composed of fiber cement lap siding and fiber cement panels as the primary façade material for the upper floors - the residential component of the buildings. In mixed-use buildings, fiber reinforced cement siding and panels are identified as secondary materials.

The ground floors of the building, which will be primarily composed of commercial uses, will utilize fully dimensioned brick and glass storefront systems.

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

RECOMMENDATION: During the December 12, 2018 Optional Design Commission Consult, the Design Commission was supportive of the applicant's use of fiber cement panels and lap siding for the mixed-use building, noting that the fiber cement materials would be consistent with the material palette used on the other four buildings within the site. The applicant has provided materials samples, which generally demonstrate that the fiber cement siding is high quality, durable and attractive (typical of fiber cement used on other projects approved recently, including on the Civic Northwest project).

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

4.1250.B.4.G7 and 4.1250.B.4.S7 - Sustainable Building Elements. The standard requires that the applicant provide documentation specifying compliance with one of four sustainable development options. The applicant proposes to meet the standard for providing a minimum of 20 percent of building materials that are manufactured regionally within a radius of 500 miles of the site. A condition of approval requiring the applicant to submit documentation demonstrating compliance with the standard shall be required.

The standard is met with Condition of Approval #17i.

IV. RESPONSE TO PUBLIC NOTICE

A letter of support was received for the proposed project from the property owner, Metro, dated August 8, 2019. The letter included design comments from Metro's TOD Steering Committee, following review of the project at its July 2019 meeting with the applicant.

The letter of support (included as Exhibit C) made suggestions for a redesign of the play areas in the plaza to reduce potential conflicts between children playing, passive users of the site, and pedestrians transiting through the site; refinement of the internal facing resident patios to enhance resident privacy and control over the patio space; flexible seating options in the plaza that can be rearranged and moved; and additional programming of the open space for passive and recreational uses (e.g., outdoor grills, reading, bocce, mini-golf, and vegetable gardens).

Staff acknowledges the receipt of the letter, which has been shared with the applicant. In response to the comments, the applicant has proposed modifications to the private patios by adding low level screening and to the play areas in the plaza. The applicant has provided updated plans reflecting these changes.

V. AGENCY COMMENTS

ADDRESSING COMMENTS

FROM: Amanda Lunsford, Administrative Analyst

DATE: September 6, 2019

The project site is currently unaddressed and identified as State ID 1S3E04DC 500. The new assigned address that will be used by all future tenants will be released once the development application has been approved and the decision issued.

The applicant and/or representative may contact the Addressing Coordinator at 503-618-2235 to obtain the new address 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.

There are five separate buildings on the site for a total of 435 units of housing in a mixed-use development with retail component. Each building will be identified with an alpha character. The building letter is not a part of the address. Each apartment unit will be assigned a unique apartment number indicating its location in the building. Posting of the addresses on the building is regulated by the Gresham Emergency Services Department. Please refer to the Fire Department.

RECYCLING & SOLID WASTE

FROM: Shannon Martin, Recycling & Solid Waste Program Manager

DATE: August 26, 2019

The following conditions of approval are recommended in order to address requirements for safe and efficient access and operation of trash and recycling facilities onsite. These conditions address requirements from the City and trash hauler, as discussed with the applicant.

- Prior to building permit submittal, the developer and architect shall schedule a final review meeting with Gresham Sanitary, Development Planning, and the Solid Waste and Recycling design review staff. The plans will need to be updated with compactor details. Section 7.0212(B) provides guidance for compactors.
- The Building B Trash Room is too small to accommodate the generation of material for that building. Fifty percent of tenants will need to use the compactor enclosure. Demonstrate the number of 4-yard containers in the Building B trash room and staging locations for truck access.
- Provide more detail regarding the layout and operation of the proposed recycling rooms in each building in order to avoid collection of garbage that will contaminate recycling materials.

TRANSPORTATION PLANNING COMMENTS

FROM: Jay Higgins, Associate Transportation Planner

DATE: September 13, 2019

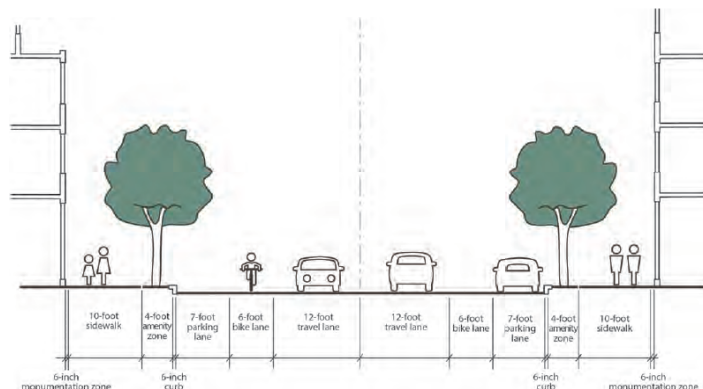
RIGHT OF WAY DEDICATION & FRONTAGE IMPROVEMENTS

NW Civic Drive is classified as a Major Collector and has a special cross-section of 80 feet as shown in the Civic Neighborhood Plan District (4.1243.B.). NW Civic Drive currently has 80 feet of right of way, and no dedication is required at this time.

NW Civic Drive’s special cross-section requires a 10-foot sidewalk, 4-foot amenity zone, 7-foot parking lane, 6-foot bike lane, and 12-foot travel lane to centerline. The applicant is proposing a 5-foot amenity zone and a 5-foot sidewalk behind the curb, with sidewalk connections to the building entrances. This is not an adequate width sidewalk for the main retail street in the Civic Neighborhood Plan District. The 10-foot sidewalk design is intended to handle higher amounts of pedestrian traffic and allow for occasional retail and café operation on the sidewalk. Given the proximity to the MAX station, the 10-foot sidewalk is needed for pedestrian circulation in a location that has high pedestrian demand and future possible pedestrian conflicts. The applicant will need to construct additional sidewalk between the building and the existing sidewalk per the cross-section from the Civic Neighborhood Plan District, as follows.

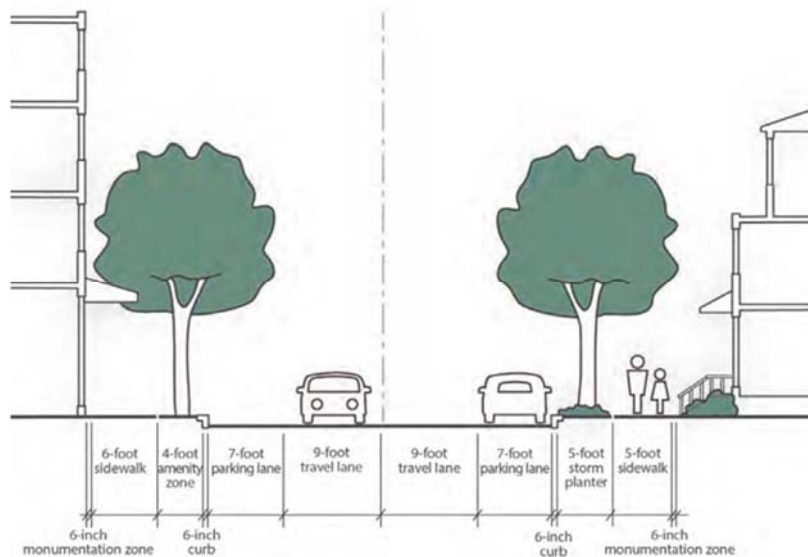
4.1243 Civic Neighborhood Street Type Standards, Continued
B. CIVIC DRIVE, CONTINUED

Diagram B.1: Civic Drive Street Type Cross Section



NW 13th Street is classified as a Civic Neighborhood Local Street by the Civic Neighborhood Plan District Design Manual. A Civic Neighborhood Local Street has a 58-foot right of way with 29 feet of right of way to centerline, as shown in the following drawing. The applicant is proposing a 21-foot dedication that would provide 27 feet of right of way to centerline, which matches the old standard in place before January 2019 when planning for this project began. The proposal includes a 10.5-foot sidewalk with tree wells, a 6-inch curb, and 16 feet of pavement to centerline. These dimensions are consistent with the 2018 standard and provide adequate pedestrian space on the sidewalk for a dense urban area and enough vehicle space for a 7-foot parking lane and a 9-foot travel lane, which is adequate for traffic circulation on a local street. As the City standards were updated during project development with the intent of simplifying the number of cross-sections and not due to deficient cross-section dimensions, the proposed cross-section is approved.

Civic Neighborhood Local Street - 2018 standard



ODOT RAIL ORDER

The project is adjacent to an active rail line, TriMet’s MAX, on the north property line and will increase pedestrian and vehicles trips over the rail crossing of NW Civic Drive, which is at the northeast corner of the project. ODOT has required a Rail Crossing Order be submitted by the City. The applicant will need to provide drawings of the proposed street frontage changes and information to the City for submission to ODOT. The City will work with the applicant to file the application in a timely manner and encourage ODOT’s prompt review. The applicant will be responsible for all improvements required by ODOT’s final Rail Crossing Order, whether constructed or as cash-in-lieu.

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 mid-rise apartment generates 5.44 trips per unit per day, for a total of 2,339.2 trips per day for the proposed development. The development has driveway access to NW 13th Street and 100 percent of trips will use NW 13th Street and an estimated 80 percent of trips will use NW Civic Drive. This provides a nexus between the proposed development and the required improvements.

First, a calculation for the total proportional exaction is created. NW Civic Drive is a Major Collector with a segment length of 1,442 feet and an assumed right of way value of \$10 per square-foot and \$1,509,202 in frontage improvements, for a total value of \$2,575,987. The average daily trips on a Major Collector are 5,838, of which the applicant's trips on NW Civic Drive are 16.03 percent of the total.

For the purposes of the analysis NW 13th Street is a Downtown Local Street which has the same right of way requirements and lane configuration as a Civic Neighborhood Local Street. A Downtown Local Street has an average segment length of 351 feet, with an assumed value of right of way at \$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 373.08 percent of the total. This provides a proportional exaction of \$2,179,128.

$$(373.08\% * \$473,430) + (373.08\% * \$473,430) = \$2,179,128$$

Then a calculation for the required improvements is created. The NW Civic Drive frontage is approximately 390 feet long. The required frontage improvements, an additional 5-feet of sidewalk, street trees and streetlights, have an assumed value of \$50,680.

The NW 13th Street frontage is approximately 360 feet long. The required dedication of 21 feet has an assumed value of \$10 per square-foot, for a dedication value of \$75,600. The required frontage improvements of a 10-foot sidewalk with tree wells and streetlights has an assumed value of \$97,034.

$$\$50,680 + (\$75,600 + \$97,034) = \$223,314$$

As the proportional exaction is \$2,179,128 and the total requirements are \$223,314 the analysis shows that all required dedication and improvements are proportional to the project's impact to the transportation system.

RECOMMENDATION

This application can be approved with the following conditions:

- Dedicate 21 feet to the NW 13th Street right of way.
- Construct the NW 13th Street frontage with a 6- or 6.5-foot sidewalk, a 4-foot amenity zone with street trees and streetlights, a 6-inch curb, and 16 feet of asphalt roadway to centerline.

- Construct the NW Civic Drive frontage with a 10-foot sidewalk exclusive of the existing amenity zone, and a minimum 4-foot amenity zone with tree wells and streetlights behind the curb.
- Reconstruct the existing mid-block curb ramp to current ADA standards.
- Rebuild the intersection of NW Civic Drive and NW 13th Street using pavers consistent with those originally used for the intersection.
- Provide materials for the ODOT Crossing Order application to the City, and construct ODOT approved safety enhancements stipulated by the Crossing Order.

ODOT COMMENTS

FROM: Marah Danielson, Development Review Planner

DATE: August 26, 2019

The site of this proposed land use action is adjacent to an ODOT regulated rail crossing, ODOT Crossing #43A-13.8. The rail crossing is a light rail line crossing NW Civic Drive. ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation.

COMMENTS/FINDINGS

A Rail Diagnostic Meeting has been held for the development of this site on August 2, 2018. [A copy of the notes was provided via email to staff.]

ODOT RECOMMENDED LOCAL CONDITIONS OF APPROVAL

Property Location Within Safe Stopping Distance of a Public Rail Crossing

A Crossing Order is required for any alterations within the safe stopping distance of the public rail crossing. The City of Gresham shall be the applicant for the Crossing Order. To alter means any change to the roadway or tracks at a crossing that materially affects use of the crossing by railroad equipment, vehicles, bicyclists, or pedestrians. Alterations include but are not limited to: changing the width of the roadways; installing or removing protective devices; creating an additional travel lane; and installing curbs, sidewalks, or bicycle facilities. Contact the ODOT Rail Crossing Specialist below [as provided in the submitted letter] for information on the Crossing Order application process.

Please send a copy of the Notice of Decision including conditions of approval to:

ODOT Region 1 Planning: ODOT_R1_DevRev@odot.state.or.us

Development Review
 123 NW Flanders St
 Portland, OR 97209

DEVELOPMENT ENGINEERING COMMENTS

FROM: Jessica Snodgrass

DATE: September 23, 2019

The project is located at the northwest corner of the intersection of NW Civic Drive and NW 13th Street, in the Civic Neighborhood Transit High Density (CNTH) Land Use District. The applicant proposes a new mixed-use development with five buildings, below grade structured parking beneath most of the site footprint and associated onsite and offsite utility and frontage improvements. The buildings will have a total of 435 new apartment units. The ground floor of the buildings fronting NW Civic Drive will have retail spaces, a beer garden, and a micro plaza.

The following comments are from Development Engineering and refer to the plans submitted by HHPR on June 14, 2019.

A5.000: GENERAL

Design and construction of all public facility improvements shall be in conformance with all applicable regulatory documents, including but not limited to the [Gresham Community Development Code \(GCDC\)](#), [Gresham Public Works Standards \(PWS\)](#), [Gresham Revised Code \(GRC\)](#), and the [Stormwater Management Manual \(SWMM\)](#) (with the exception of stormwater quality treatment and water quantity control requirements as per the below comments in Section A5.200). The applicant shall schedule and attend a pre-design meeting with Jessica Snodgrass, Development Engineering, at 503-618-2277 prior to submittal of construction plans for building permit review 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.

Approved 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 shall comply with City of Gresham survey standards. Plans shall 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/.

As-builts of the public facilities construction plans will be required prior to project 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/.

A5.100: SANITARY SEWER FACILITIES

Approved Point of Discharge & Sanitary Sewer Lateral Requirements

There is an existing 10-inch diameter sanitary sewer main in NW 13th Street that is available for discharge for this development. While there is a 6-inch diameter stub out to the site, the applicant has determined that they will need a 10-inch diameter lateral based on anticipated demands. The new 10-inch diameter lateral will need to connect to the existing main in NW 13th Street at a manhole, and the existing 6-inch diameter stub out will need to be abandoned at the main as proposed in the preliminary plans.

A5.200: SURFACE WATER MANAGEMENT SYSTEMS

Approved Point of Discharge & Master Planned Trunk Line Improvements

The site lies in the Fairview Creek Drainage Basin. There is an existing 66-inch diameter poured-in-place stormwater main that bifurcates the proposed development. Per the Master Plan Amendment for the Red Sunset Park and Central Core Storm Drain Trunk dated June 2012 and prepared by TetraTech, the existing stormwater conveyance system that serves the property exceeds the current capacity for the 50-year design storm event and must be upsized. Stormwater Trunk Line Segment 2 of the recommended Improvement Option 1A (which consists of construction of a 48-inch diameter main parallel to the existing 66-inch main across the proposed development property) is required to be constructed with the proposed development to manage the additional stormwater generated from the site and to fix the existing failure.

The applicant proposes to construct an 84-inch diameter stormwater trunk line in a realigned public utility easement corridor across the project site to replace both the existing 66-inch line and the master planned 48-inch line. Design and construction of the 84-inch stormwater trunk line in lieu of the master planned parallel 48-inch and 66-inch mains is conceptually acceptable provided the following conditions are met:

- a. The applicant shall grant a minimum 20-foot wide public utility easement over the realigned 84-inch stormwater main prior to building permit issuance. Where the existing public utility easements are no longer necessary on the development property, the existing public utility easements for the stormwater main across the property may be quitclaimed by the City after the new easement is in place.

The proposed 84-inch stormwater trunk line on the project site will be the approved point of discharge following the requisite onsite water quality treatment and detention measures. Design and construction of the 84-inch stormwater trunk line is anticipated to be System Development Charge (SDC) creditable as it satisfies conveyance requirements for the master planned parallel 48-inch and 66-inch mains.

The City will review the details for design of the proposed 84-inch stormwater trunk line reconstruction and realignment, including but not limited to the associated 120-inch manhole structures in more detail with construction plan submittal.

Access to the Public Stormwater Trunk Line & Encroachment in Public Utility Easement Area

The applicant proposes construction of an underground parking structure beneath the footprint of the project site and over the top of the proposed 84-inch diameter stormwater trunk line. Encroachment of the proposed parking structure below grade in the future public utility easement corridor is conceptually acceptable as proposed in the preliminary plan provided that:

- The applicant shall provide documentation for the City's review at the time of building permit and construction plan submittal that the City's vac-con truck and its hose line will be able to adequately access the trunk line through the aligned manhole openings in the post-tensioned (PT) deck and in the floor of the parking garage for future maintenance of the trunk line and the associated manhole structures.

At surface level, the preliminary plans show minor encroachment of the trash enclosure and generator enclosure in the future public stormwater utility easement corridor. The applicant has made an effort to limit these encroachments and make the larger 120-inch diameter manhole openings accessible for future City maintenance vehicle (vac-con truck) access. The westernmost 84-inch manhole proposed to be between Building D and the generator enclosure exceeds the standard 14-foot distance to manholes from the maintenance access road; however, the City approves this design modification request provided that the applicant understands that the trash and generator enclosures will need to be temporarily removed at the property owner's expense in the event that the City needs to access this manhole for routine maintenance.

No building foundations above the parking garage or columns within the parking garage may encroach into the proposed public stormwater utility easement corridor.

Water Quality & Quantity Control Requirements

As the proposed development will add or replace over 1,000 square feet of impervious area with new impervious area, water quality treatment and water quantity control (detention) requirements are required to be met.

Development projects are typically required to meet water quality treatment and detention requirements in place at the time of land use application submittal; however, due to the unique constraints of this project including but not limited to the subterranean parking structure beneath the site footprint and the large stormwater trunk line that crosses beneath and divides the site, staff has agreed to allow this project to meet water quality and detention requirements per the stormwater management standards in effect prior to January 1, 2019. For water quality treatment, requirements will be per the 2003 City of Gresham Water Quality Manual, and for detention, requirements will be per the 2006 City of Gresham Public Works Standards.

The City's water quality treatment criteria are proposed to be met through a combination of stormwater treatment planters (predominantly structural planters attached to the buildings at surface level) and mechanical treatment vaults at the parking garage level. Detention requirements prior to discharge to the 84-inch public stormwater trunk line on the project site

are proposed to be met with proprietary detention vaults at the parking garage level. All surface level drainage from the post-tensioned (PT) deck above the parking garage, from the detention structures within the garage, and the raised stormwater treatment planters at the surface level, are proposed to be collected by private vertical and horizontal pipes (under the MEP scope) and ultimately drain to private stormwater pipes below the parking garage pavement. These private stormwater pipes then outfall to public stormwater laterals that connect to the proposed 84-inch public stormwater trunk line that runs below the parking garage. The public stormwater lateral connections to the trunk line occurs at manholes. This hybrid approach utilizing both low impact development (LID)/green development practices and proprietary devices to meet treatment and detention requirements is preliminarily acceptable to the City.

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 property owner.

Because the installation of private onsite stormwater treatment facilities with maintenance requirements not explicitly stated in SWMM Section 6.3 is proposed (the proprietary filters on the City's approved list of devices and the detention vaults), the property owner shall 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. The operations and maintenance (O&M) agreement with an approved maintenance plan shall be recorded prior to building permit issuance and must include all elements of the system.

Final Stormwater Report

A final stormwater report as well as construction plans for the private water quality treatment and detention facilities shall be submitted for review at the time of building permit submittal. The final stormwater report shall address how the City's water quality treatment and detention requirements will be addressed for the proposed development site.

Please include an impervious area exhibit and/or tabulation of existing and proposed impervious area on the project site as part of the final stormwater report.

Source Control

As proposed in the preliminary plan, the proposed development's enclosure for solid waste storage containers will need to meet source control requirements in SWMM Section 5.5, including but not limited to providing a paved and covered garbage area that is hydraulically isolated (no stormwater allowed to enter or leave). The solid waste enclosure runoff from underneath the cover will need to drain to the proposed sanitary sewer system onsite before discharge to the proposed sanitary sewer lateral off the NW 13th Street sanitary sewer main.

Erosion Prevention and Sediment Control Requirements

Erosion and sedimentation control will need to comply with Appendix C of the SWMM and Section 9.0500 of the Development Code.

As the proposed land disturbance ultimately exceeds 1 acre, a NPDES 1200-C permit shall be obtained from the Oregon Department of Environmental Quality (DEQ) prior to building permit issuance. The permit application and information are available through the DEQ website at: www.Oregon.gov/DEQ/wq/wqpermits/Pages/Stormwater.aspx. Applications are processed directly through DEQ; the LUCS (Land Use Compatibility Statement) form is processed through the City of Gresham.

A5.300: WATER FACILITIES

Approved Point of Connection

The site lies in the Grant Butte service level with a static pressure of approximately 65 pounds per square inch (psi).

There is an existing 12-inch diameter water main in NW 13th Street and an existing 24-inch diameter water main in NW Civic Drive available to serve this site. There are two existing stub outs from the main in NW 13th Street: an 8-inch diameter stub near the southeast corner of the site and a 12-inch diameter stub near the southwest corner of the site.

Due to the configuration of the zero lot line buildings on this site, the configuration of the below grade parking structure at zero lot line over the majority of this site, and the location of the mechanical rooms at the parking garage level (where the utilities will come in to serve the site), the existing stubs are not able to be used for the site's domestic and fire service lines, though a new public fire hydrant is proposed to be tapped off the existing 8-inch stub in the preliminary plans to meet hydrant spacing requirements.

Domestic Service Line & Meter Requirements

The applicant proposes two domestic service lines to serve the site (a 4-inch service with a 3-inch meter and a 4-inch service with a 4-inch meter); however, the applicant has informed the City that the MEP designer for the project has since revised the water meter needs based on the need for additional fixtures and determined that a single 6-inch diameter water meter and 6-inch service line will be the most cost effective means to serve the site.

The anticipated 6-inch diameter service line and 6-inch meter are acceptable to the City. Based on the location of this service line on Building C's NW 13th Street frontage, the meter vault will need to be at grade in the proposed sidewalk to be constructed along NW 13th Street, and the required domestic backflow assembly will need to be installed directly behind the meter on the private side of the service in the mechanical room at the parking garage level. See the "Backflow Protection Requirements" section below for more detail regarding domestic, fire, and irrigation backflow requirements.

Backflow Protection Requirements

Approved backflow prevention assemblies shall be installed on the private side of all proposed domestic, fire, and irrigation services. If irrigation is teed off the domestic service, a second backflow assembly will be installed at the tee behind the domestic backflow assembly per Plumbing Code.

In addition, the type of backflow prevention assembly on the private side of the domestic service line shall be commensurate with the hazard posed to the public water system as determined by the City per the Oregon Administrative Rules (OAR). If a hazardous use is proposed or anticipated (including but not limited to the brewery tenant anticipated for Building B), a reduced pressure principle backflow assembly (RPBA) will be required on the domestic service line on the private side of the meter.

If the backflow assemblies on the domestic, fire, and irrigation service lines are installed at the parking garage level, the assemblies must be in a designated mechanical room with no access from the general public or residents. City staff must be allowed access to this room as necessary upon review of annual testing/reporting from the property management company.

Fire Flow Requirements

Preliminary modeling indicates available flows of 3,500 gallons per minute (gpm) from the existing fire hydrant on the south side of NW 13th Street just west of NW Civic Drive at a residual pressure of 50 psi.

The applicant proposes to install a new hydrant off the existing 8-inch stub out from the main in NW 13th Street and a hydrant on the new 8-inch dedicated fire line near the southeast corner of Building D to meet the development's fire flow requirements.

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

Service Installations and Abandonments

All proposed public water service and meter installations (up to the meter vault appurtenances) associated with this project will be installed by City Water crews. Any existing service stubs to this site that are not proposed to be utilized by this development shall be abandoned in place by City Water crews per the City's standard requirements.

The cost of the City's time and materials for service installations and abandonments will be assumed by the developer and a deposit for these costs will be due prior to building permit issuance.

A5.400: STREETS

See Transportation Planning's comments.

OTHER

If any portion of the below grade parking garage (including but not limited to associated supports and drain pipe) encroaches into the right of way on NW 13th Street and NW Civic Drive, an encroachment license shall be executed by the property owner and recorded prior to occupancy of any of the buildings. If other private facilities extend into the right of way, an encroachment permit or license may also be required for those facilities.

CHARGES AND FEES

System Development Charges (SDCs) and connection fees for transportation, parks, wastewater, water, and stormwater are payable to the City of Gresham prior to building permit issuance. SDCs can be estimated using the City's online calculator found at www.GreshamOregon.gov/SDC. Please check with Development Engineering for updated fees as the project progresses as connection and SDC rates are subject to change and are those in effect at the time of building permit application.

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 shall 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. The developer will be required to obtain a bond for 110 percent of the cost of all public facilities.

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

RECOMMENDED CONDITIONS OF APPROVAL

Development Engineering approval is based on the plans submitted by HHPR on June 14, 2019, provided the conditions of approval included in this Staff Report are fully addressed.

FIRE COMMENTS

FROM: Kyle Stuart, Gresham Fire

DATE: August 4, 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. A reduction of 75 percent will be applied to fire flow requirements with a full NFPA 13 sprinkler system. **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 a 10-inch permanent address placard will be required high on the building, facing the address street, per

Gresham Fire Addressing Policy. Work with the Building Department to make sure this meets the City policy. The 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. Without knowing the building construction types, a PUBLIC fire hydrant is required to be within 180 feet of the main entrance driveway. The furthest point on each building shall be no more than 400 feet from a hydrant. Private fire hydrants shall be installed along the entire length of the fire access road with spacing no more than 300 feet apart. Show on the building plans where the nearest existing and new hydrants are located. **OFC Appendix C and 507**
5. Each public or private fire hydrant used for fire flow for this property shall have a 5-inch **Storz** adapter with National Standard Threads installed on the 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 (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 height 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 one entire side of the building. Access with overhead powerlines or trees with potential to overgrow will not be approved. This will be required to be approved by the fire code official. **OFC App D-105.3**
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 can be emailed upon request. **OFC D 103.6**
13. Fire access roads must extend to within 150 feet of all portions of each building. **OFC 5**
14. These buildings are required to be provided with fire sprinklers throughout. **OFC 903**
15. A fire alarm system is required. **OFC 907, 903.4**
16. This building may require an Emergency Responder Radio Coverage booster system. The Fire Department will require the building be tested within 30 days. **OFC 510.1**

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 III Design Review E for the development of a mixed-use project with five buildings, providing 435 dwelling units and approximately 10,500 square feet of commercial space with associated site improvements including landscaping, a single-level subterranean parking structure, and publicly accessible plaza; and Type II Tree Removal for the removal of 50 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 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 Section 4.1250, which will be reviewed under a Type III procedure.

2. The applicant shall provide adequate public facilities and services including access, drainage, water and sanitary sewer, as applicable, per all applicable sections of Appendix 5 of the Gresham Community Development Code (GCDC), the Gresham Public Works Standards (PWS), and the Gresham Revised Code (GRC).
3. The applicant shall schedule and attend a pre-design meeting with Jessica Snodgrass, Development Engineering, at 503-618-2277 prior to submittal of construction plans for building permit review to discuss permit processes, technical requirements, design and construction schedules, and plan review processes.
4. Any project that includes construction of public facilities shall comply with City of Gresham survey standards. Plans shall reference the City of Gresham datum, NGVD 1929, 1947 adjustment.
5. The applicant and/or representative shall 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.

PRIOR TO BUILDING PERMIT

6. Prior to building permit issuance, the “owner” shall enter into and record a landscape maintenance agreement as approved by the City. The specific requirements of the agreement are also found in Section 4.1250.A.6.S17. The project planner will provide the landscape maintenance agreement template upon request.
7. Prior to building permit submittal, the developer and architect shall schedule a final review meeting with Gresham Sanitary, Development Planning, and the Solid Waste and Recycling design review staff. The plans will need to be updated with compactor details. Section 7.0212(B) provides guidance for compactors.
8. Provide a completed Street Tree In-Lieu Fee request form and, upon approval, provide payment for the one required street tree. The project planner will provide the application form upon request.
9. The applicant shall enter into a private stormwater facility operations and maintenance (O&M) agreement with the City prior to building permit issuance to ensure the implementation of a maintenance plan for the private stormwater treatment and detention facilities proposed onsite.
10. As the proposed land disturbance ultimately exceeds 1 acre, the applicant shall obtain a NPDES 1200-C permit from the Oregon Department of Environmental Quality (DEQ) prior to grading permit issuance or full building permit issuance, whichever comes first.

WITH BUILDING PERMIT

11. The applicant proposes to construct an 84-inch diameter stormwater trunk line in a realigned public utility easement corridor across the project site to replace both the existing 66-inch line and the master planned 48-inch line. Design and construction of the 84-inch stormwater trunk line in lieu of the master planned parallel 48-inch and 66-inch mains is conceptually acceptable provided the following conditions are met:
 - a. The applicant shall grant a minimum 20-foot wide public utility easement over the realigned 84-inch stormwater main prior to building permit issuance.
12. Encroachment of the proposed underground parking structure in the future public utility easement corridor of the proposed 84-inch stormwater trunk line is conceptually acceptable as proposed in the preliminary plan provided that:
 - a. The applicant shall provide documentation for the City's review at the time of building permit and construction plan submittal that the City's vac-con truck and its hose line will be able to adequately access the trunk line through the aligned manhole openings in the post-tensioned (PT) deck and in the floor of the parking garage for future maintenance of the trunk line and the associated manhole structures.
13. A final stormwater report as well as construction plans for the private water quality treatment and detention facilities shall be submitted for review with the building permit submittal. The final stormwater report shall contain calculations that show how the City's water quality and detention standards for the proposed development will be met.

14. TRANSPORTATION PLANNING

- a. Dedicate 21 feet to the NW 13th Street right of way.
- b. Construct the NW 13th Street frontage with a 6- or 6.5-foot sidewalk, a 4-foot amenity zone with street trees and streetlights, a 6-inch curb, and 16 feet of asphalt roadway to centerline.
- c. Construct the NW Civic Drive frontage with a 10-foot sidewalk exclusive of the existing amenity zone, and a minimum 4-foot amenity zone with tree wells and streetlights behind the curb.
- d. Reconstruct the existing mid-block curb ramp to current ADA standards.
- e. Rebuild the intersection of NW Civic Drive and NW 13th Street using pavers consistent with those originally used for the intersection.

15. RECYCLING & SOLID WASTE

- a. The Building B Trash Room is too small to accommodate the generation of material for that building. Fifty percent of tenants will need to use the compactor enclosure. Demonstrate the number of 4-yard containers in the Building B trash room and staging locations for truck access.

- b. Provide more detail regarding the layout and operation of the proposed recycling rooms in each building in order to avoid the collection of garbage that will contaminate recycling materials.
16. FIRE: 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. A reduction of 75 percent will be applied to fire flow requirements with a full NFPA 13 sprinkler system. 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 a 10-inch permanent address placard will be required high on the building, facing the address street, per Gresham Fire Addressing Policy. Work with the building department to make sure this meets the City policy. The 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. Without knowing the building construction types, a PUBLIC fire hydrant is required to be within 180 feet of the main entrance driveway. The furthest point on each building shall be no more than 400 feet from a hydrant. Private fire hydrants shall be installed along the entire length of the fire access road with spacing no more than 300 feet apart. Show on the building plans where the nearest existing and new hydrants are located. 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 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 (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 height 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 one entire side of the building. Access with overhead powerlines or trees with the potential to overgrow will not be approved. This will be required to be approved by the fire code official. OFC App D-105.3
- 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 can be emailed upon request. OFC D 103.6
- m. Fire access roads must extend to within 150 feet of all portions of each building. OFC 5
- n. These buildings are required to be provided with fire sprinklers throughout. OFC 903
- o. A fire alarm system is required. OFC 907, 903.4
- p. This building may require an Emergency Responder Radio Coverage booster system. The Fire Department will require the building be tested within 30 days. OFC 510.1

17. SITE PLAN

- a. Provide specifications for the proposed solar energy systems. Details of the system, including the height of the panels above the roof line, as well as screening information if associated rooftop equipment is being proposed shall be included on submitted plans.
- b. Provide an updated landscaping plan for the wedge of land at the corner of NW 13th Street and NW Overlook Avenue, adjacent to Building D, that includes ground cover, shrubs, and trees. The final landscape design is subject to Manager approval.
- c. The project shall include hardscape materials for approximately 13 percent of the non-shaded hardscape area that meets the minimum USGBC standards for solar reflectance (three-year aged solar reflectance (SR) value of at least 0.28 OR an initial SR of at least 0.33 at installation).
- d. The project shall provide a minimum of 20 percent recycled content pavement or pavement base for hardscape elements such as sidewalks, paths, parking areas, and courtyards. Documentation of the recycled content amount shall be provided.

- e. Site furnishing shall be constructed with 20 percent sustainably harvested materials or locally sourced materials (originating from within 500 miles of the site). A letter from the applicant shall be submitted with the building permit verifying compliance.
- f. Landscaping plans shall be updated to include additional deciduous or evergreen trees adjacent to the setback area along the west side of the property, specifically in the wedge south of Building D and in the area around the trash enclosure, that satisfy the requirements of options (a) or (b) of the standard. Approval of the revised landscape plan shall be at the discretion of the Manager.
- g. The photometric plan shall be updated to provide illumination levels for the ground floor entries/patios of each unit facing the plaza and the driveway/woonerf. The plan shall also be updated to reflect any changes to the layout of the plaza, specifically the proposed update to the children's play area and layout of mounds.
- h. Landscaping plans shall be provided with building permit submittal demonstrating the location of ground level utilities/equipment and methods for screening.
- i. The applicant shall submit documentation demonstrating that a minimum of 20 percent of building materials are manufactured regionally within a radius of 500 miles of the site.

18. BUILDING

- a. All flat roofs demonstrating a slope of 2:12 or less shall utilize a white roof with a solar reflectance index (SRI) of 78 or greater. With building permit submittal, the applicant shall provide material cut sheets from the manufacturer demonstrating the roofing material complies with the standard for solar reflectance.
- b. At all building entries for residents and customers, where ingress and egress are permitted, a minimum 4-foot structural canopy, awning (non-cloth), or overhang shall be provided.
- c. The applicant shall provide documentation of application for the Earth Advantage certification, specifically submittal of a preliminary points worksheet establishing the Earth Advantage Multifamily points for meeting the targeted certification level (Silver, Gold, or Platinum).
- d. Rooftop screening and enclosures shall be architecturally compatible with the building to which they are attached; this includes materials, patterns, and colors.

19. Property Location Within Safe Stopping Distance of a Public Rail Crossing. A Crossing Order is required for any alterations within the safe stopping distance of the public rail crossing. The City of Gresham shall be the applicant for the Crossing Order. To alter means any change to the roadway or tracks at a crossing that materially affects use of the crossing by railroad equipment, vehicles, bicyclists or pedestrians. Alterations include but are not limited to: changing the width of the roadways; installing or removing protective devices; creating an additional travel lane; and installing curbs, sidewalks, or bicycle facilities. Contact the ODOT Rail Crossing Specialist for information on the Crossing Order application process.

PRIOR TO OCCUPANCY

20. 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.
21. All existing public water service stubs to the site not proposed to be used by this development shall be abandoned in place by the City at the developer's expense (paid prior to building permit issuance).
22. Approved backflow prevention assemblies shall be installed on the private side of all proposed domestic, fire, and irrigation services. The type of backflow prevention assembly on the private side of the domestic service line shall be commensurate with the hazard posed to the public water system as determined by the City per the Oregon Administrative Rules (OAR). If a hazardous use is proposed or anticipated (including but not limited to the brewery tenant anticipated for Building B), a reduced pressure principle backflow assembly (RPBA) will be required on the domestic service line on the private side of the meter. If the backflow assemblies on the domestic, fire, and irrigation service lines are installed at the parking garage level, the assemblies shall be in a designated mechanical room with no access from the general public or residents.
23. If any portion of the below grade parking garage (including but not limited to associated supports and drain pipe) encroaches into the right of way on NW 13th Street and NW Civic Drive, an encroachment license shall be executed by the property owner and recorded prior to occupancy of any of the buildings onsite.

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.