Site Plan and Design Review
Staff Report and Recommendation

Community Development Department, Planning Division

REPORT DATE:	July 10, 2020
HEARING DATE:	July 20, 2020
LAND USE REQUEST:	Site plan approval and design review of a proposed 10-unit apartment building
FILE NUMBERS:	311-20-000108-PLNG & 311-18-000035-PLNG
PROPERTY LOCATION:	2838 19th Avenue
LEGAL DESCRIPTION:	Washington County Tax Lot 1S306AA06500
OWNER/APPLICANT:	Eiscastle Properties LLC PO Box 4116 Hillsboro, Oregon 97122
COMPREHENSIVE PLAN MAP AND ZONING MAP DESIGNATIONS:	Community Commercial (CC) Community Commercial (CC)
APPLICABLE STANDARDS AND CRITERIA:	City of Forest Grove Development Code §17.3.300 - .340 *Commercial and Mixed Use Zones* §17.7.045 *Fences* §17.7.200 et. seq. *Solid Waste and Recycling* §17.8.000 et. seq. *General Development Standards* City of Forest Grove Design Guideline Handbook Focus Area III *Multi-Unit Residential Focus Area*
REVIEWING STAFF:	James Reitz (AICP), Senior Planner
RECOMMENDATION:	Staff recommends approval with conditions

I. LAND USE HISTORY

The project site is a vacant lot. It had been previously occupied by a single-family home, which was demolished in 2005.

In 2019 the Planning Commission reviewed and approved an application for a 9-unit apartment building on this site. Since then the property has been sold. The new owners have submitted for review a similar - but different - site plan. The location and configuration of the car park (along the east and south property lines) would remain substantially unchanged (see the comparative site plans on p. 3). The differences include:

- 3-bedroom vs. 2-bedroom units
- 10 units vs. 9 units
- Garages instead of carports
- 2 buildings vs. 1 building
- Additional surface parking
- 3 stories vs. 2 stories

Because of these modifications, a new site plan and design review process is required.

Development Code (DC) §17.2.300 et. seq. *Design Review* requires review of new multi-family housing (defined as three or more units). That same section also requires that the Planning Commission review all projects with more than five units. The Commission can act on a request for design review after holding a public hearing pursuant to DC §17.1.600 et. seq. Type III Process.

The application was submitted on June 11, 2020. Public notice for this application was mailed to property owners and residents within 300 feet of the site on June 29, 2020 as required by DC §17.1.617. Notice of this request was also provided to the Plans Review Board, and published in the *News Times.*

Comments and conditions received from the Plans Review Board are listed in Exhibits C-F.

As of the writing of this report, no comments have been received from the public.

Note: This report addresses two concurrent review processes: site review and design review. Staff has examined the proposed site plan for compliance with the standards and specifications of Development Code Article 3 *Zoning Districts* and Article 8 *General Development Standards.* While the Commission's primary responsibility is to review the building and determine how well it complies with the provisions of Design Guideline Handbook *Multi-Unit Residential Focus Area,* it will also need to approve the site plan. Staff's analysis of how the application addresses the design guidelines is below, in Section II(13)(G).

II. PROJECT DESCRIPTION AND ANALYSIS

1. Description of Proposal: The proposal would result in the construction of 10 apartment units in 2 buildings. All would be 3-bedroom units. Each unit would have a single-car garage. There would be 11 surface parking stalls, for a total of 21 on-site spaces. The site would be completely built-out with this project.

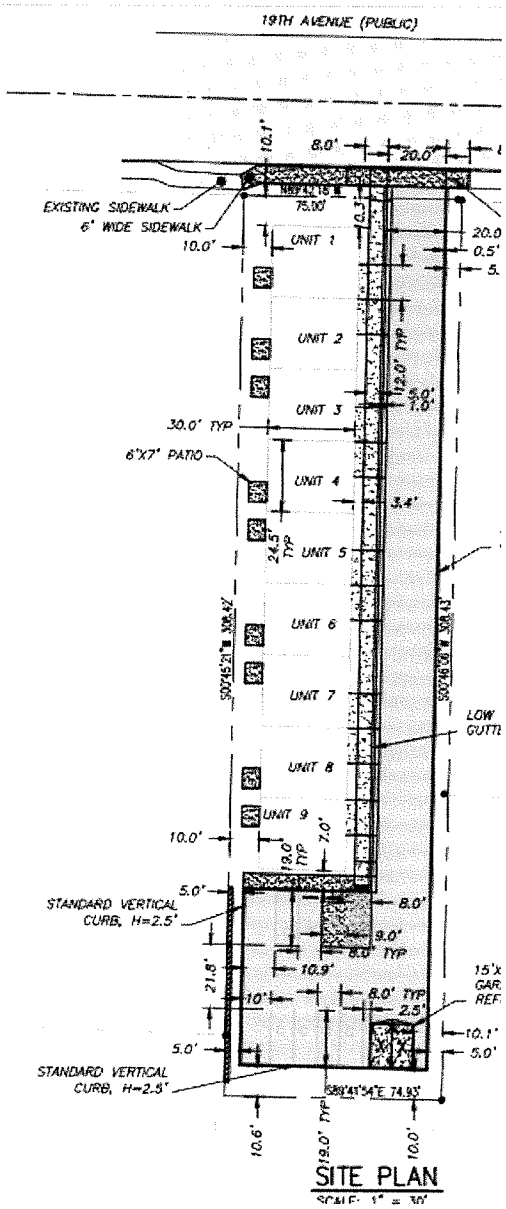
   Each building would be 3 stories tall. They would have lap siding on floors 1 and 2, while the 3rd floor would have shake siding on the interior units, and board and batten siding on the end units. The interior unit garage doors would have a row of windows

while the end-unit garages would have windows in a column. Front doors would be similarly differentiated. Windows would be installed in the front and rear (east and west) elevations, but no windows are proposed for the north or south elevations. The front (east) façade would be enhanced with architectural columns and masonry wainscoting.

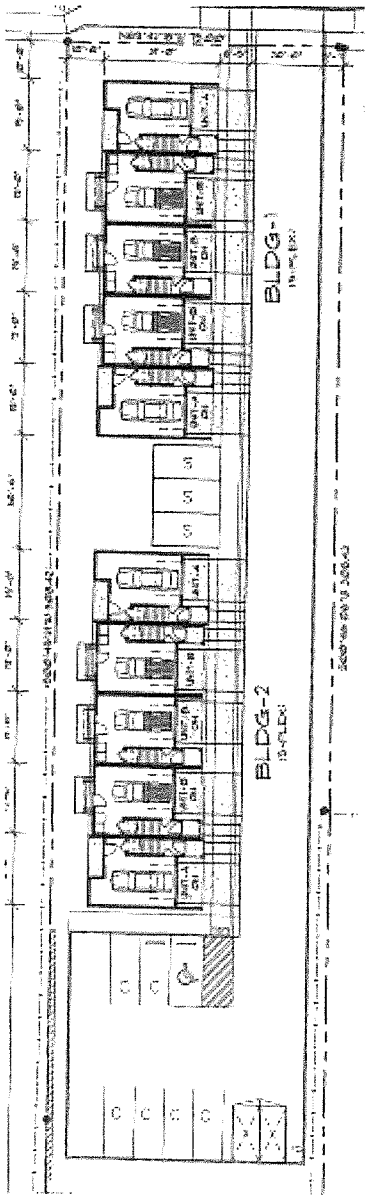
The buildings would be sited on the west side of the property, due to the location of a public utility easement along the east property line that must remain open and accessible. Surface parking and the trash enclosure would be located at the south end of the site; additional surface parking would be provided between the buildings.

A walkway would run parallel to the building and would connect the car park with all the units and the 19th Avenue sidewalk. Each unit would have a patio and a deck.

Below is the site plan approved in 2019 (on the left) and the proposed site plan.



Approved Site Plan



Proposed Site Plan

2. Site Examination: The project site is rectangular and vacant. It is virtually devoid of landscaping. The site slopes away (south) from 19th Avenue. A public sanitary sewer line and a public storm sewer line are located in an easement that abuts the east property line. Further discussion of the site's utilities follows in Public Services section below.

   The site is partially fenced. A 6-foot-tall chain link fence with vinyl slats has been erected along the west property line. To the south and east - abutting 2837 and 2907 19th Avenue respectively – is a 6-foot-tall wood good neighbor fence. The abutting properties are all developed with single-story residential structures.

Aerial View of Site and Vicinity

3. Existing Comprehensive Plan Designation and Zoning of Site and Area

LOCATION	COMPREHENSIVE PLAN DESIGNATION	ZONE DISTRICT	LAND USE
Site	Community Commercial (CC)	Community Commercial (CC)	Vacant
North	Community Commercial (CC)	Community Commercial (CC)	Shopping Center
South	Low Density Residential – Standard (LDR-B)	R-7 Single-Family Residential	Single-Family Residential
East	Community Commercial (CC)	Community Commercial (CC)	Single-Family Residential
West	Community Commercial (CC)	Community Commercial (CC)	Apartments

4. Building Setbacks and Height Requirements:

   - The site is located in the Community Commercial (CC) zone district. No front, side, or rear setbacks apply. The building would be located about 10 feet from the 19th Avenue right-of-way (north property line), 10 feet from the west property line, 75 feet from the south property line, and 35 feet from the east property line. The trash enclosure is proposed to be located about 5 feet from the east and 10 feet from the south property lines.
   - The height limit in the CC zone district is 45 feet. The height of the proposed apartment buildings would be about 31 feet 3 inches at the roof peak.

   As there are no setbacks required in the CC zone district, and the building height would be less than the maximum allowed, staff concludes that these provisions have been met.

5. Density: Site area is 0.53 acres. In the CC zone district, the minimum and maximum density is 16.22 to 30.00 DUA respectively. With 0.53 acres, the allowable density would be between 9 units (rounded up from 8.60) and 16 units (rounded up from 15.90). This application proposes 10 units. This criterion is satisfied.

6. Compatibility: The site abuts properties in various residential uses (see below for a vicinity and address map) -

   - 2828 19th Avenue (to the west) is developed with apartments. They appear to be located about 5 feet off the common property line.
   - 2902 19th Avenue (to the east) is developed with a single-family home. Because this site is also located in the CC zoning district, its eventual redevelopment with more intensive uses seems likely.
   - 2837 18th Avenue (to the south) is developed with a single-family home. It is located in the R-7 zoning district; no further development is likely.
   - 2907 18th Avenue (to the southeast) is developed with two duplexes. The area closest to the common property line is developed with a driveway and surface parking. The site is located in the R-7 zoning district; no further development would be permitted under current Development Code standards.

   - The boundary between the CC and R-7 zoning districts abuts the south property line and the southerly segments of the east and west property lines. DC §17.8.425 et. seq. *Buffering and Screening Standards* thus requires additional landscaping to minimize impacts on the adjacent single-family zone. Buffering

will be required along the south property line in compliance with Table 8-3(D)(3) i.e. a minimum 6-foot-tall wall and a 10-foot-wide landscape area. Staff is not recommending buffering along the west property line because the length of the segment would be incidental, nor along the east property line since it is already developed with apartments.

- Development of a vacant site with an apartment complex might result in off-site noise impacts. If noise issues do arise, FGC §91.030 et. seq. *Noise Regulations* regulates the intensity of allowable noise in both daytime and evening hours. FGC §91.034 *Maximum Permissible Sound Levels* caps the allowable volume in Noise Sensitive Areas (i.e., areas within residential and institutional zones) at 60 db during the daytime (7 a.m. to 10 p.m.) and 50 db at night (10 p.m. to 7 a.m.) Because the City has an existing ordinance in place to respond to potential noise complaints, staff concludes that there should be no significant neighborhood noise compatibility issues.
- On-building lights are proposed. The Development Code will require compliance with the provisions of DC §17.8.755(C*) Luminous Standards* and DC §17.8.755(D*) Lighting Standards for Multi-Unit Development.*

Summary and conclusion: With the requirement to install a landscape buffer along the south property line, the new apartment buildings would be compatible with surrounding development.

7. Traffic and Circulation: The site would be served by a single driveway, taking access from 19th Avenue. DC §17.8.120(C) regulates minimum driveway width for multi-family dwellings; for two-way traffic the minimum width required is 20 feet. The proposed driveway would be 20 feet wide, in compliance with the requirement.

   According to the ITE *Trip Generation Report 10th Edition*, each apartment unit would generate 6.65 Average Daily Trips (ADT). With 10 units, 66.50 trips per day would be expected. This number might be reduced because the site abuts 19th Avenue, which means the residents would have access to frequent transit service and thus might be driving less than the ITE report forecasts. In addition, because the site is located across the street from a shopping center anchored by a large grocery store, vehicular shopping trips for groceries may also be reduced. Because the site has access to transit, is located on an Arterial street, and the anticipated traffic generation has already been accounted for in the TSP, no approval conditions appear necessary.

8. Sidewalks and Pedestrian Walkways:

   - The existing 5-foot-wide curb-tight sidewalk along 19th Avenue is in disrepair and needs to be replaced. Current City standards stipulate a minimum 6-foot width for curb-tight sidewalks. The applicant will be required to install a City-standard sidewalk concurrent with this project.
   - A concrete pedestrian walkway is proposed along the east side of the building. It would connect the car park south of the building to the 19th Avenue sidewalk on the north. DC §17.8.115(4) requires a minimum walkway width of four feet; the proposed walkway would be at least five feet wide.

   Summary and conclusion: With the requirements noted above, pedestrian access requirements would be met.

9. Parking: DC §17.8.515 Table 8-5 *Parking Requirements* regulates the minimum number of parking stalls required (there are no maximums for residential uses). For

multi-family housing, 1.75 spaces are required for each 3-bedroom unit. With ten 3-bedroom units, 18 parking spaces would be required.

There are 21 parking spaces proposed on-site: 10 single-car garages and 11 surface stalls (including one ADA accessible space). With 75 feet of frontage onto 19th Avenue, less the 20-foot-wide driveway area, 2 on-street spaces would also be available adjacent to the site. DC §17.8.510(H) states that "Parking spaces available along the public street frontage or alleys are eligible in fulfilling parking requirements, except for single family dwellings and duplexes." Including the on-street spaces, 23 parking stalls would be available overall, which would exceed the minimum number of spaces required.

10. Environmental Quality: There is no City record of any prominent environmental conditions. Runoff from new impervious surfaces would be treated in the on-site water quality facility. Additional landscaping is proposed to be installed (see below) that may improve air quality and reduce glare and heat.

11. Open Space and Landscaping: DC §17.8.205 requires that all multi-family dwellings with 20 or more units provide a children's play area, surrounded by a fence at least 30 inches high. Because this complex would have only 10 units, these provisions would not apply.

    Proposed landscaping would be grass and native shrubs. The project will be required to comply with DC §17.8.415 *Landscaping General Standards* and DC §17.8.420(B) *Landscaping Required in the Community Commercial Zone*, in addition to the landscaping required in the buffer area as stipulated by DC §17.8.425 et. seq. *Buffering and Screening Standards* Table 8-3(D)(3) noted above.

12. Public Services: The application has been reviewed by the Building, Engineering, Fire, Light and Power, Police, and Public Works departments. Specific comments and conditions are listed in Exhibits C-F.

13. Site Development Approval Criteria: DC §17.2.450 *Site Development Review Criteria* are as follows:

    The Planning Commission shall review and approve, conditionally approve, or deny the site development plan based on the following criteria:

    A. The site development plan complies with all applicable standards of the base zoning district, any overlay district, and the applicable general development standards of Article 8.

       Finding: The site is located in the Community Commercial (CC) zone district. No front, side, or rear setbacks apply. The buildings would be located about 10 feet from the 19th Avenue right-of-way (north property line), 10 feet from the west property line, 75 feet from the south property line, and 35 feet from the east property line. The trash enclosure is proposed to be located about 5 feet from the east and about 10 feet from the south property lines.

       Finding: The height limit in the CC zone district is 45 feet. The height of the proposed apartment building would be about 31 feet 3 inches at the roof peak.

       Finding: Site area is 0.53 acres. In the CC zone district, the minimum and maximum density is 16.22 to 30.00 DUA respectively. With 0.53 acres, the

allowable density would be between 9 units (rounded up from 8.60) and 16 units (rounded up from 15.90). This application proposes 10 units.

Finding: The site would be served by a single driveway, taking access from 19th Avenue. DC §17.8.120(C) regulates minimum driveway width for multi-family dwellings; for two-way traffic the minimum width required is 20 feet. The proposed driveway would be 20 feet wide, in compliance with both the minimum and maximum driveway width requirements.

Finding: DC §17.8.515 Table 8-5 *Parking Requirements* regulates the minimum number of parking stalls required (there are no maximums for residential uses). For multi-family housing, 1.75 spaces are required for each 3-bedroom unit. With ten 3-bedroom units, 18 parking spaces would be required.

There are 21 parking spaces proposed on-site: 10 single-car garages and 11 surface stalls (including one ADA accessible space). With 75 feet of frontage onto 19th Avenue, less the 20-foot-wide driveway area, 2 on-street spaces would also be available adjacent to the site. DC §17.8.510(H) states that "Parking spaces available along the public street frontage or alleys are eligible in fulfilling parking requirements, except for single family dwellings and duplexes." Including the on-street spaces, 23 parking stalls would be available overall, which would exceed the minimum number of spaces required.

Summary and Conclusion: As the proposed density, setbacks, building heights, access and parking would meet or exceed Development Code standards, these provisions have been met.

B. The site development plan ensures reasonable compatibility with surrounding uses as it relates to the following factors:

1. Building mass and scale do not result in substantial visual and privacy impacts to nearby residential properties; and

   Finding: The site is located in the Community Commercial (CC) zoning district; no front, side, or rear setbacks apply except along the boundary between the CC and R-7 zoning districts. To comply with the provisions of DC §17.8.425 Table 8-3(D)(3), the applicant will be required to install a buffer along the site's south property line, including a 6-foot-tall wall and a landscape area at least 10 feet wide.

   Finding: The height limit in the CC zone district is 45 feet. The height of the proposed apartment buildings would be about 31 feet 3 inches at the roof peak.

   Finding: The design of the trash enclosure will have to comply with the provisions of DC §17.7.205 et. seq. *Solid Waste Recycling and Storage.* In addition, to minimize views into the enclosure from the second floor and above of adjacent buildings, a roof over the enclosure will be required.

   Summary and Conclusion: With the condition noted above, there should not be any substantial visual or privacy impacts on nearby residential properties.

2. Proposed structures, parking lots, outdoor use areas or other site improvements that could cause substantial off-site impacts such as noise, glare and

odors are oriented away from nearby residential uses and/or adequately mitigated through other design techniques.

Finding: As a residential project, off-site noise impacts are not anticipated. However, should noise become a complaint issue, the City does have in place a noise control ordinance that could be used to abate the nuisance.

Finding: The trash and recycling enclosure would be located at least 25 feet from the nearest house (located at 2837 18th Avenue). It would be further separated from this house by a 6-foot-tall wall and landscaping.

Finding: Site lighting shall be required comply with the provisions of DC §17.8.750(C) and (D).

Summary and Conclusion: Substantial off-site impacts such as noise, glare and odors are not anticipated as a result of this project.

C. The site development plan preserves or adequately mitigates impacts to unique or distinctive natural features including, but not limited to:

1. Significant on-site vegetation and trees;
2. Prominent topographic features; and
3. Sensitive natural resource areas such as wetlands, creek corridors and riparian areas.

Finding: No sensitive natural resource areas or prominent topographic features exist on the site. This criterion does not apply.

D. The site development plan preserves or adequately mitigates impacts to designated historic resources.

Finding: No designated historic resources are present on or adjacent to the site. This criterion does not apply.

E. The site development plan provides adequate right-of-way and improvements to abutting streets to meet the street standards of the City. This may include, but not be limited to, improvements to the right-of-way, sidewalks, bikeways, and other facilities needed because of anticipated vehicular and pedestrian traffic generation.

Finding: The existing 5-foot-wide curb-tight sidewalk along 19th Avenue is in disrepair and needs to be replaced. Current City standards stipulate a minimum 6-foot width for curb-tight sidewalks. The applicant will be required to install a City-standard sidewalk concurrent with this project. No additional right-of-way, bikeways or other facilities for vehicular and pedestrian traffic are needed.

Finding: According to the ITE *Trip Generation Report 10th Edition*, each apartment unit would generate 6.65 Average Daily Trips (ADT). With 10 units, 66.50 (rounded up to 67) trips per day would be expected. This number might be reduced because the site abuts 19th Avenue, which means the residents would have access to regularly-scheduled transit service and thus might be driving less than the ITE report forecasts. In addition, because the site is located across the street from a shopping center anchored by a large grocery store, vehicular shopping trips for groceries may also be reduced. Because the site has access to

transit, is located on an Arterial street, and the anticipated traffic generation has already been accounted for in the Transportation System Plan (TSP), no approval conditions appear necessary.

F. The site development plan promotes safe, attractive and usable pedestrian facilities that connect building entrances, public sidewalks, bicycle and auto parking spaces, transit facilities, and other parts of a site or abutting properties that may attract pedestrians.

Finding: DC §17.8.115(4) requires a minimum walkway width of 4 feet. A 5-foot-wide concrete pedestrian walkway would connect each unit to the car park and to the public sidewalk.

G. Design Review Criteria: Projects subject to design review by the Director (Type II) or the Design Review Commission (Type III) shall be evaluated based on the following:

A. The development standards of the applicable zoning district and any overlay district;
B. The general development standards of Article 8.
C. Departures from code requirements may be permitted as part of a Track 2 Design Review Process, when the following criteria are met:

1. The design guidelines contained in the applicable section of the "Design Guideline Handbook" are adequately addressed.
2. The applicant demonstrates that the overall development would result in a development that better meets the intent of the design guidelines than a design that simply meets the Code.

The Design Guideline Handbook Section III *Multi-Unit Residential Design Guidelines* has two options for design review: Track 1 *Development Standards* and Track 2 *Design Guidelines.* The following analyzes the application compared to Track 1 standards unless otherwise noted.

Site – Circulation

- *Continuous pedestrian connections required* – A pathway is proposed that would connect the building and car park with the public sidewalk.
- *Pathways at least 10 feet from dwellings* – Due to the narrow width of the lot, it is not possible to install a two-way driveway and perimeter landscaping and still maintain a 10-foot-wide separation between the building and the pathway.
- The *minimum pathway width of 5 feet* – The pathway would be 5 feet in width.

Site – Parking

- *Include 18-foot-wide landscape planter bays in parking areas > 10,000 square feet* – The proposed car park would not exceed 10,000 square feet in area, therefore, this provision does not apply.
- *Sidewalk system shall connect all front doors to the car park* – A walkway would be provided to connect all front doors to the car park.

Site – Pedestrian Environment

- *Residential front doors shall be setback at least 2 feet from the public sidewalk* – The building would not front a public sidewalk; this provision does not apply.
- *Primary entrance doors shall not be sliding glass, or solid metal without glazing* – Entry doors will be standard doors, with glazing.

- *Residential porch height < 4 feet* – No porches are proposed.
- *Residences with entry porches: porches shall be not be less than 40 square feet.* No entry porches are proposed.
- *Residences shall not be < 4 feet below grade* – The building will be erected at grade.

Site – Screening / Service Areas

- *All mechanical equipment shall be screened* – The apartment units will have standard residential-sized appliances located inside. Additional mechanical equipment will also be located within the building.
- *Service / refuse collection areas shall be not < 20 feet from the right-of-way* – The refuse collection area is proposed to be located more than 200 feet from the 19th Avenue right-of-way, near the south property line.
- *Refuse collection area to be screened from above* – Because the buildings would be 3 stories tall, a roofed enclosure will be required.
- *All rooftop mechanical equipment shall be screened* – None proposed; not applicable.

Site – Landscaping

At least 75% of required landscaped areas shall be planted; at most 25% of required landscaped areas shall be hardscaped – The site totals 0.53 acres, or 23,132 square feet. DC §17.8.205(D)(1) requires that 20% of the lot – excluding the car park and driveways – be maintained as open space. The non-car park area totals about 11,700 square feet. The applicant proposes to set aside 4,800 square feet (approximately 40%) as yard and open space. Additional area will be set aside to comply with Buffering and Screening standards. Landscaping would include trees, shrubs, groundcover, and turf.

Site – Crime Prevention Through Environmental Design

- *Plant materials by entries shall be < 5 feet in height by the entry* – No landscaping would be installed near the building entries.
- *Window areas facing common spaces, paths, and parking areas shall be at least 25 square feet each* – Window units vary in dimension. They would not face the common space and car park located south of the buildings or the car park between the buildings, nor would they face the street. To comply with this section, windows will be required to be installed in the building elevations facing the car parks and the street.
- *Entries shall be lighted* – All entries would be illuminated with one or more wall lights.
- *Gated residential areas are prohibited* – No gates are proposed.
- *Motion-activated lighting by the street is prohibited* – No motion-activated lights are proposed.

Site – Open Space

- *At least 25% of the lot (excluding parking areas) shall be landscaped* – Complies. The site totals 0.53 acres, or 23,132 square feet. The non-car park area totals about 11,700 square feet. The applicant proposes to set aside about 4,800 square feet (approximately 40%) as yard and open space. Additional area will be set aside to comply with Buffering and Screening standards. Landscaping would include trees, shrubs, groundcover, and turf.
- *Apartment complexes with six units or more shall provide 100 square feet of recreation space per unit* – No specific Development Code section includes this provision, nor is what constitutes "recreation space" defined. With 10 units, 1,000 square feet of recreation space would be necessary. As noted above, the site will

have about 4,800 square feet of yard and open space. Each unit will also have a back patio, and a 60-square-foot deck.

- *Apartment complexes with 21 or more units shall have a children's play area* – Not applicable, as this project would have only 10 units.
- *At least 50 square feet of private open space shall be provided per unit* – Each unit would have a patio, and a 60-square-foot deck.
- *Private open space shall be separated from common open space with landscaping, fencing, or grade changes (including balconies)* – The patios on the west side of the building would be separated from the common area on the south side and between the buildings.

Building – Massing and Form

- *Building dimensions > 150 feet shall have a minimum 3-foot off-set* – Not applicable, as each building would be less than 100 feet long and 30 feet deep.
- *Every two dwelling units shall be off-set from the next by at least 4 feet* – Due to the narrow lot width and space taken for the public utility easements, required two-way driveway and walkway, and the required perimeter landscaping, no offset is proposed. Because the lot is so narrow and constrained, no mitigation measures are proposed.
- *All habitable rooms shall have a window facing the car park and common areas* – Habitable rooms with windows would face the face the driveway but not the car parks, street, or common areas. The project will be required to provide windows in both buildings to provide this visibility.

Building – Compatibility

- *All buildings shall have a defined entry space of at least 16 square feet* – Entry spaces would be at least 25 square feet.

Building – Safety

- *Line-of-sight shall be maintained between the building entries and the sidewalk or car park* – Complies.

Building – Privacy

- *Building entries shall be at least 3 feet from sidewalks and walkways* – The distance from all entry doors to the walkway would be at least 5 feet.
- *Bedroom and bathroom windows shall be off-set at least 4 feet from windows on adjacent buildings (unless privacy glazing is used)* – Bathrooms would have no windows.

Site – Lighting

- *All unit entries and walkways shall be lighted* – All entry areas will be lit.
- *Light poles shall not exceed 18 feet in height* – required by DC §17.8.750(D) *Lighting Standards for Multi-Unit Development.* The project will be required to comply with the provisions of DC §17.8.750(C) and (D).
- *Concrete bases shall not exceed 8 inches in height* – required by DC §17.8.750(D). The project will be required to comply with this section.
- *Cut-off shields shall be installed* – Required by DC §17.8.750(D).
- *Plastic interior-lighted signs are prohibited* – Complies, as none are proposed.

Signs –

- *Residential nameplates allowed* – None proposed.

Conclusion: The overall intent of this section has been met.

III. ALTERNATIVES

The Planning Commission may approve as submitted, approve with conditions, continue deliberations to a date certain, or deny this request.

IV. RECOMMENDATION

Based on the information provided in the application and the findings above, staff recommends approval of the application for site design and design review for the proposed apartment building at 2838 19th Avenue, with the following condition:

1. All habitable rooms facing a car park or 19th Avenue shall have a window.

V. LIST OF EXHIBITS

The following exhibits were received, marked, and entered into the record as evidence for this application at the time this staff report was written. Exhibits received after the date of this report will be marked beginning with the next consecutive letter and will be entered into the record at the time the public hearing is opened, prior to oral testimony.

Exhibit A Site Plan and Design Review Application Materials

Exhibit B PowerPoint

Exhibit C Development Code Standards and Specifications

Exhibit D Engineering Department Special Conditions

Exhibit E Light and Power Department Conditions

Exhibit F Fire Department Conditions

EXHIBIT A

APPLICATION MATERIALS

THE FOREST GROVE APARTMENTS

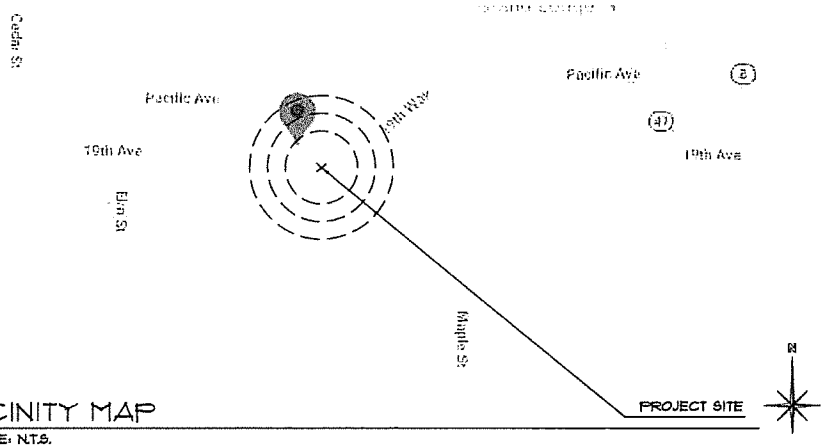
NEW APARTMENTS

FOREST GROVE, OREGON

DRAWING INDEX:

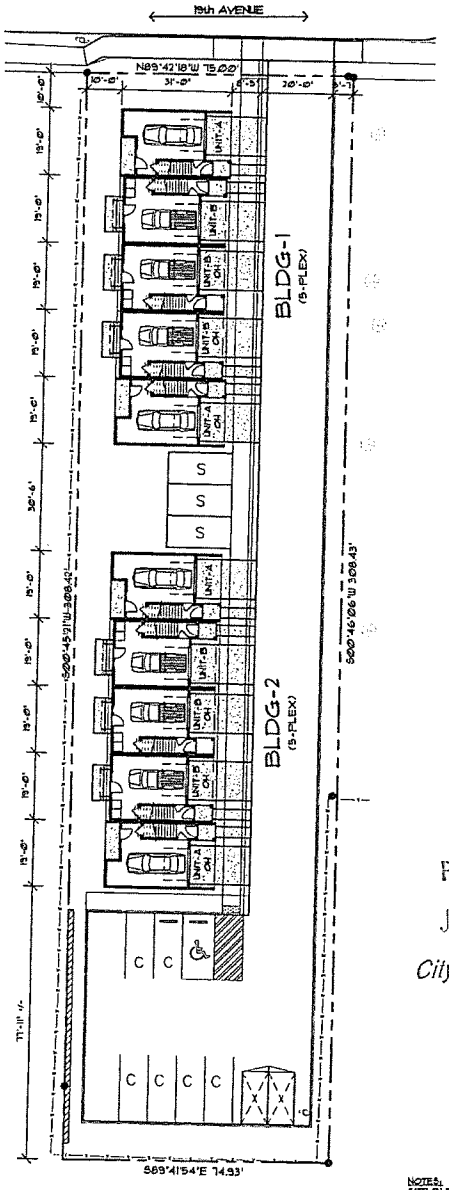
ARCHITECTURAL

A1	COVER SHEET, SITE BUILDING KEY PLAN
A2	UNIT-A FLOOR PLANS
A3	UNIT-B FLOOR PLANS
A4	EXTERIOR ELEVATIONS



VICINITY MAP

SCALE: N.T.S.



SITE BUILDING KEY PLAN

SCALE: 1" = 20'-0"

NOTES:
SITE BLD'G KEY PLAN FOR REFERENCE ONLY. FOR ACTUAL SITE CONDITIONS AND INFORMATION SEE CIVIL DWG'S.

RECEIVED
JUN 11 2020
City of Forest Grove

PRELIMINARY C
NOT FOR CONSTRU

PDR Designs
Building Design, Drafting, & Consulting
+ Commercial + Residential +

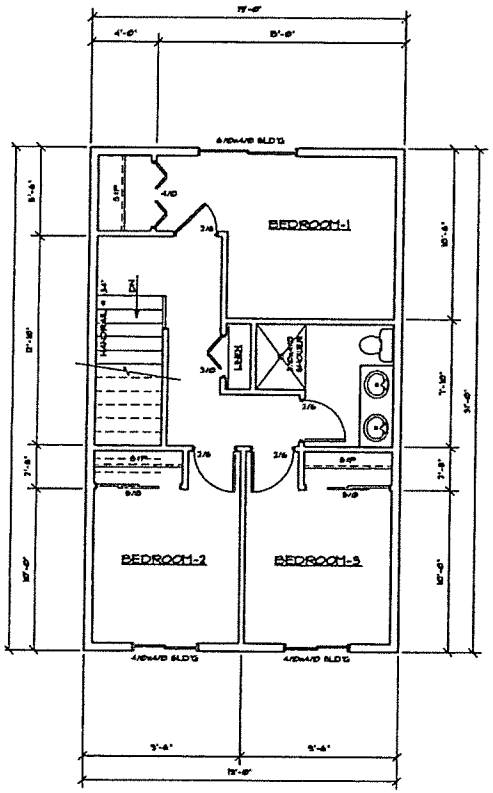
DATE 5-21-2020
DRAWING TITLE
DESIGNED BY: PDR
DRAWN BY: PDR
CHECKED BY: PDR

REVISIONS
NO. DATE DESCRIPTION

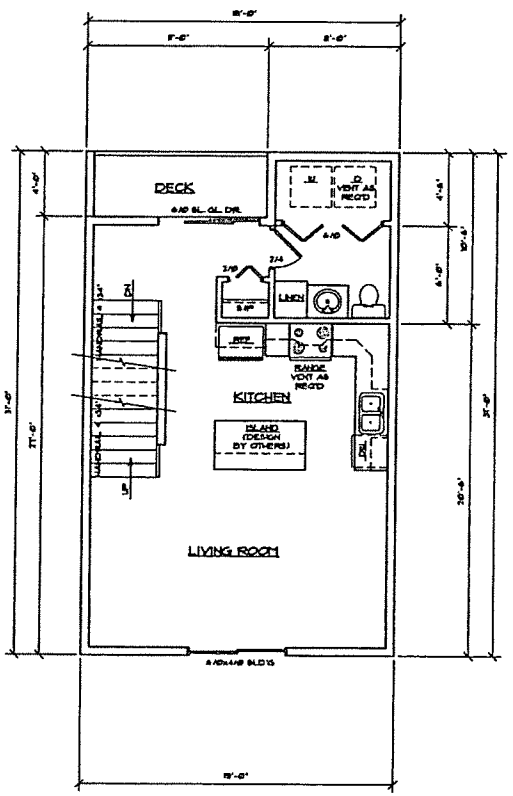
NEW TOWNHOMES:
FOREST GROVE APARTMENTS
19th AVE.

SHEET NO.
A1
OF: 4

PROJECT #: 2

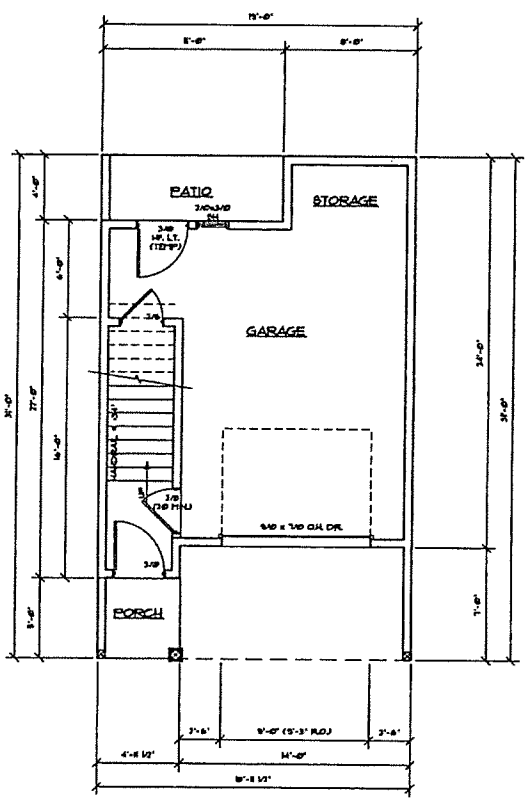


UPPER LEVEL FLOOR PLAN (UNIT-A)



MAIN LEVEL FLOOR PLAN (UNIT-A)

SCALE: 1/4" = 1'-0"



UNIT-A AREAS (SQ. FT.)	
LOWER LEVEL	+310
MAIN LEVEL	+535
UPPER LEVEL	+538
TOTAL	+1,074
GARAGE	+340

LOWER LEVEL FLOOR PLAN (UNIT-A)

SCALE: 1/4" = 1'-0"

PRELIMINARY ONLY
NOT FOR CONSTRUCTION

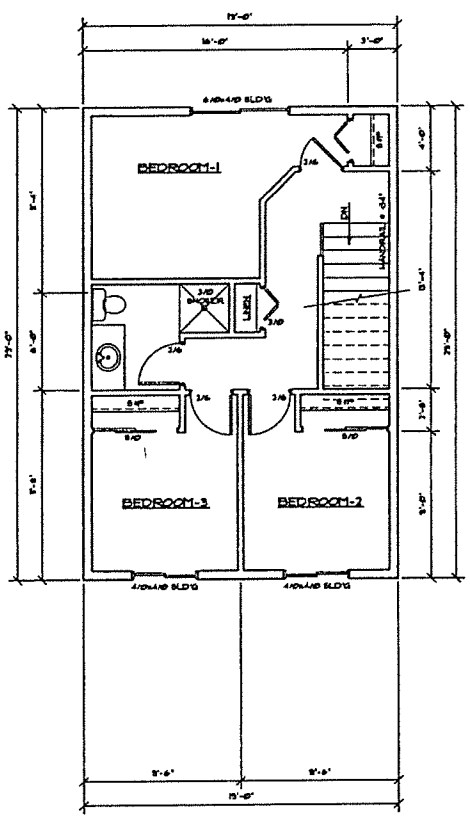
PDR Designs
Building Design, Drafting & Consulting
+ Commercial + Residential +
PO BOX 2966
Hillsboro, OR 97123
503-628-1175 (ph)
503-628-0275 (fax)

DATE:
DRAWING TITLE:
DRAWN BY:
CHECKED BY:
APPROVED BY:

REVISIONS		
NO.	DATE	DESCRIPTION

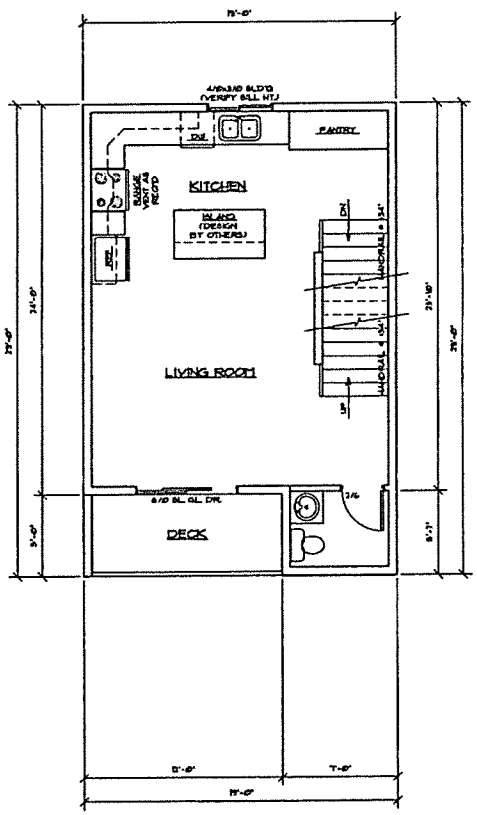
NEW TOWNHOMES:
FOREST GROVE APARTMENTS
19th AVE.
FOREST GROVE - OREGON

SHEET NO.
A2
OF: 4



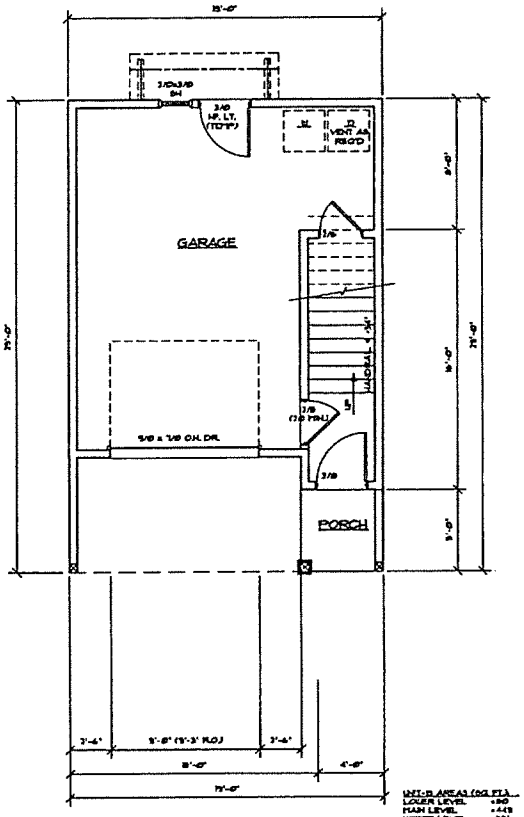
UPPER LEVEL FLOOR PLAN (UNIT-B)

SCALE: 1/4" = 1'-0"



MAIN LEVEL FLOOR PLAN (UNIT-B)

SCALE: 1/4" = 1'-0"



LOWER LEVEL FLOOR PLAN (UNIT-B)

SCALE: 1/4" = 1'-0"

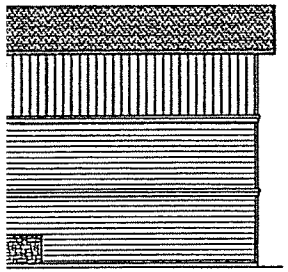
PRELIMINARY ONLY
NOT FOR CONSTRUCTION

PDR Designs
Building Design, Drafting, & Consulting
+ Commercial + Residential
PO BOX 2166
Hillsboro, OR 97123
503-466-4115 (ph)
503-439-8015 (fax)
pdrdesigns@comcast.net

REVISIONS		
NO.	DATE	DESCRIPTION

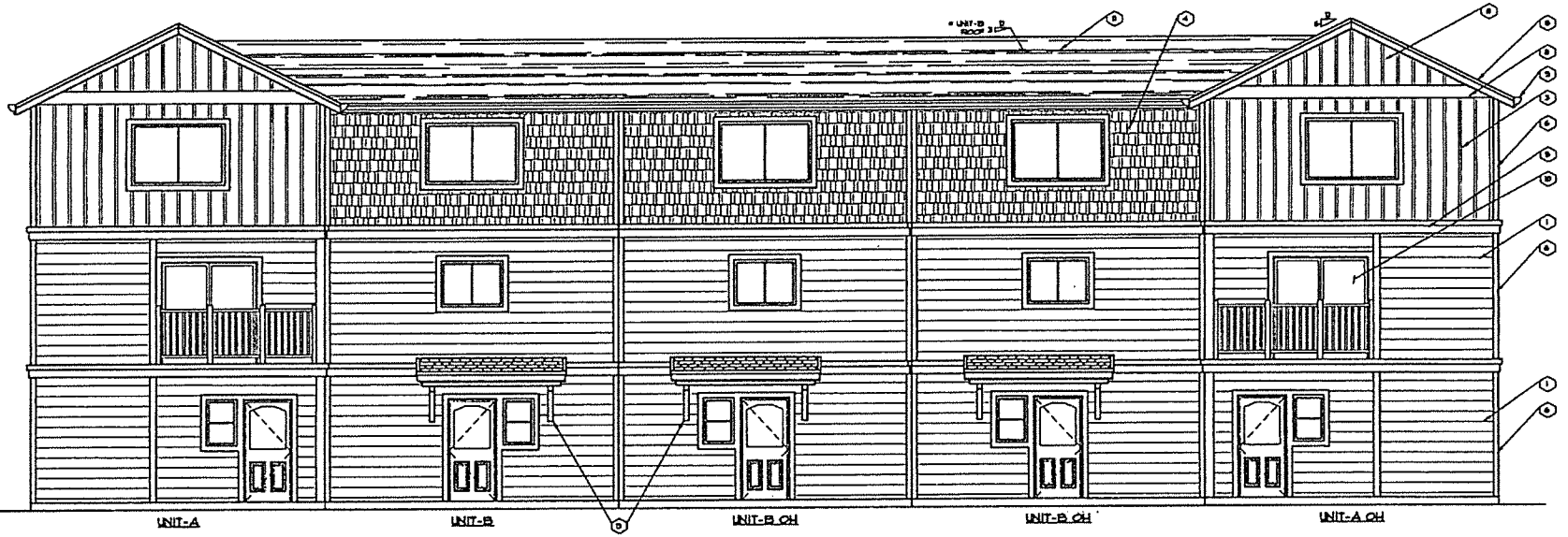
NEW TOWNHOMES:
FOREST GROVE APARTMENTS
19th AVE.
FOREST GROVE - OREGON

SHEET NO.
A3
OF: 4
PROJECT #: 20-15



IDE EXT. ELEVATION

ALE: 1/8" = 1'-0"



FRONT EXTERIOR ELEVATION (BUILDINGS 1 & 2)

SCALE: 1/4" = 1'-0"

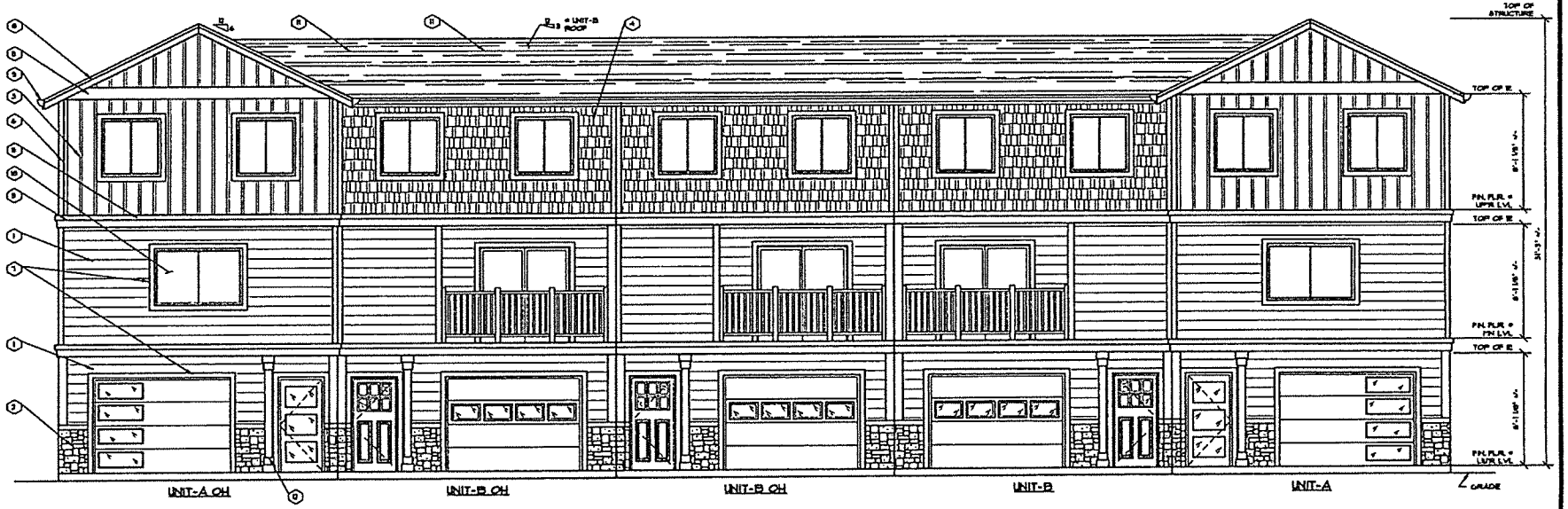
IT TYPE DESIGNATION:

IT-A2a

- UPPER CASE LETTER = UNIT PLAN
- NUMBER = ROOF SCHEME
- LOWER CASE LETTER = MATERIAL ACCENT SCHEME

EXTERIOR ELEVATION SCHEDULE:

1. LAP SIDING - 6" LAP
2. MASONRY WAINSCOT
3. BD. & BATT SIDING
4. SHAKE SIDING
5. BAND BOARD
6. CORNER BOARD
7. TRIM BOARD @ WINDOWS AND DOORS
8. FASCIA BOARD
9. METAL GUTTER W/ DOWN SPOUT SYSTEM
10. LOW-E VINYL WINDOWS W/ GRID ACCENTS AS OCCURS
11. COMPOSITION SHINGLES (5-TAB ARCH. STYLE)
12. WRAP POST W/ TRIM BOARDS @ CORNERS/ BASE/ & CAPITAL
13. BRACKETED ROOF SYSTEM



FRONT EXTERIOR ELEVATION (BUILDINGS 1 & 2)

EXHIBIT B

POWER POINT

FOREST GROVE OREGON

Eiscastle Apartments Site & Design Review

James Reitz, AICP
Senior Planner

07/20/20

Aerial View – Site & Vicinity

FOREST GROVE OREGON

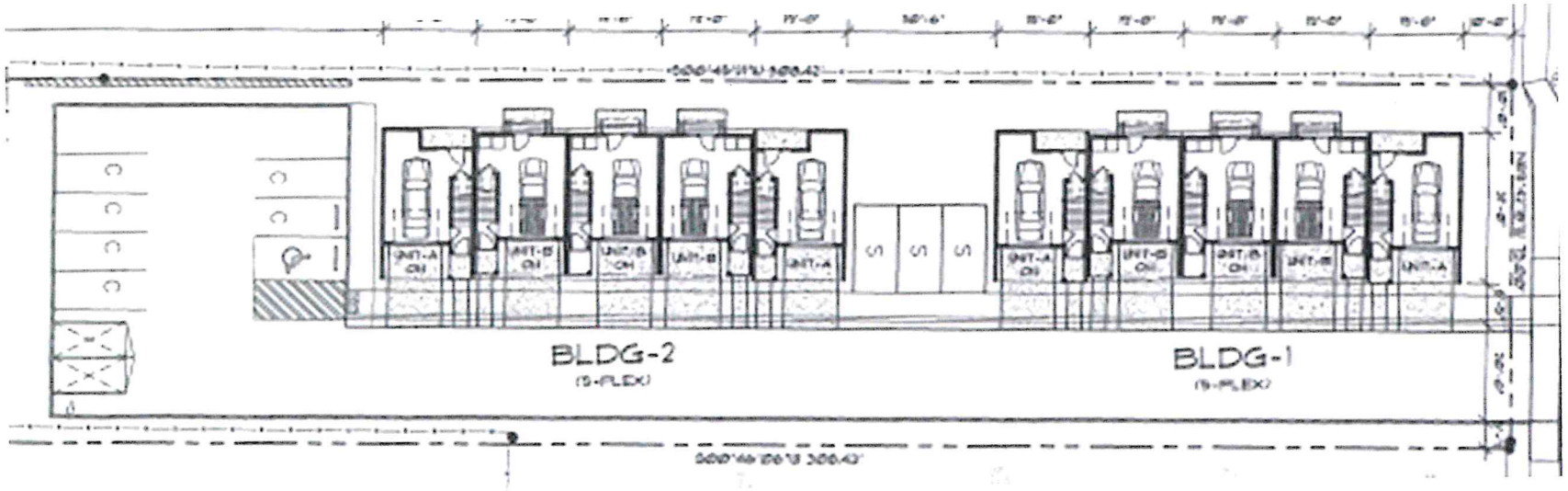
Oblique View

FOREST GROVE OREGON

Street View

FOREST GROVE OREGON

Site Plan



North

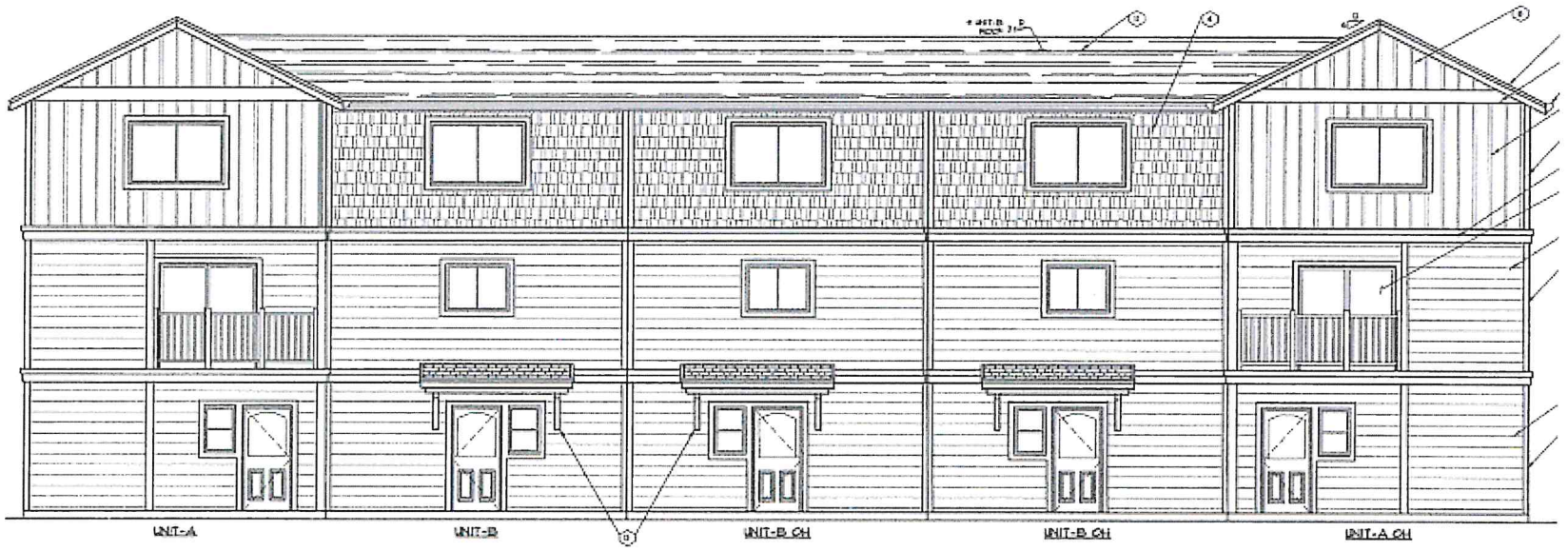
FOREST GROVE OREGON

Front Building Elevation

ONT EXTERIOR ELEVATION (BUILDINGS 1 & 2)

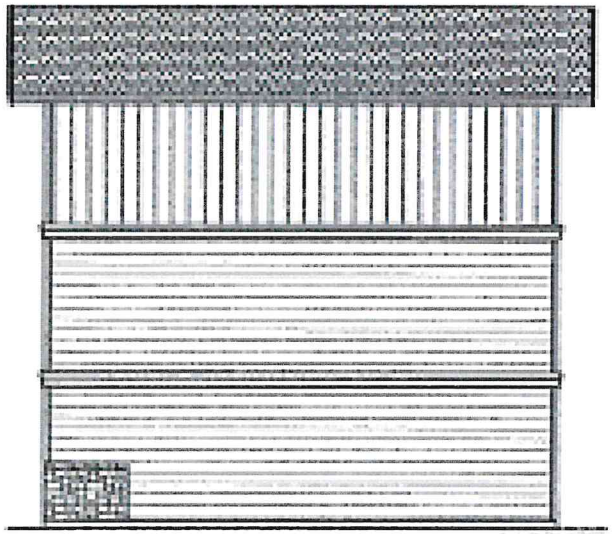
FOREST GROVE OREGON

Rear Building Elevation



FOREST GROVE OREGON

Side Building Elevation



UNIT-A

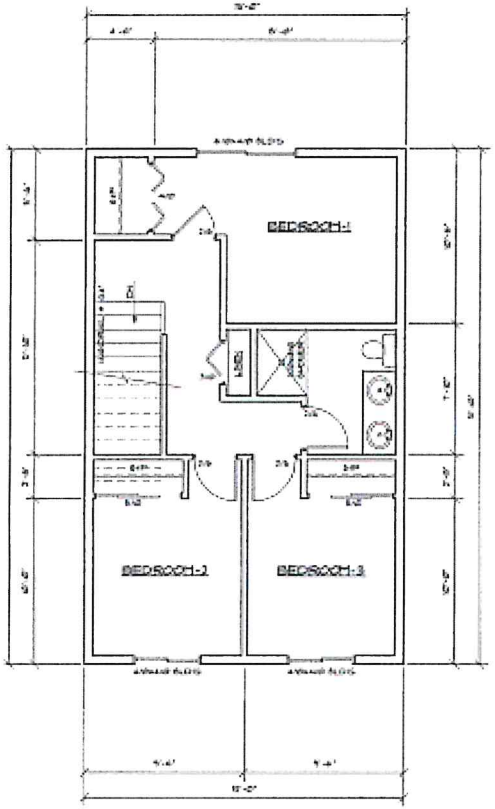
SIDE EXT. ELEVATION

EXTERIOR ELEVATION SCHEDULE:

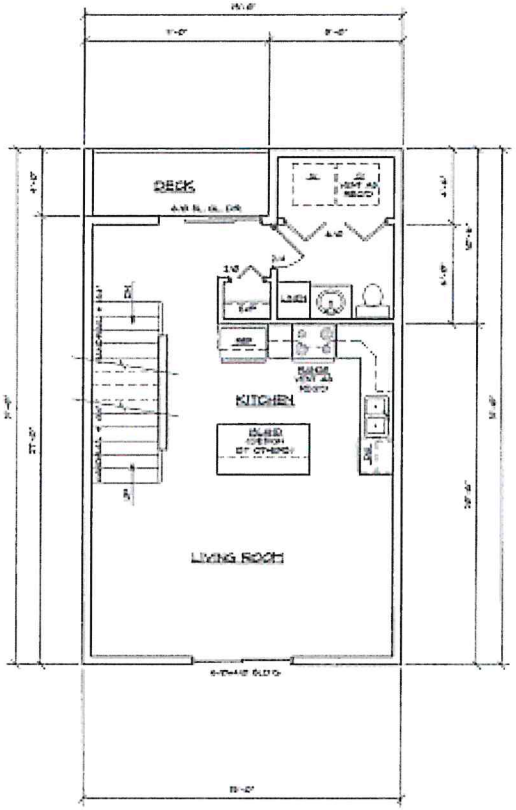
1. LAP SIDING - 6" LAP
2. MASONRY (VARIOUS)
3. BD. & BATT SIDING
4. SHAKE SIDING
5. BAND BOARD
6. CORNER BOARD
7. TRIM BOARD @ WINDOWS AND DOORS
8. FASCIA BOARD
9. METAL GUTTER W/ DOWN SPOUT SYSTEM
10. LOW E VINYL WINDOW W/ GRID ACCENTS AS OCCURS
11. COMPOSITION SHINGLES (3-TAB ARCH STYLE)
12. WRAP POST W/ TRIM BOARDS + CORNERS/ BASE/ CAPITAL
13. BRACKETED ROOF EYEBR

FOREST GROVE OREGON

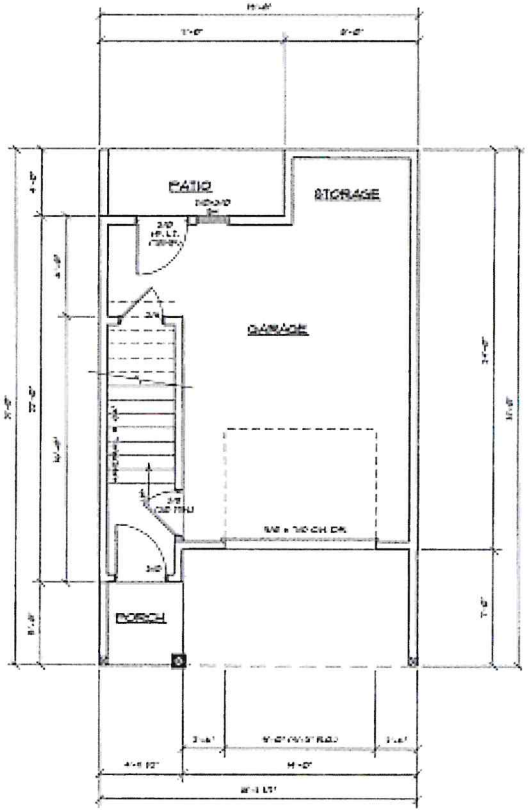
Floor Plans – Unit A



UPPER LEVEL FLOOR PLAN (UNIT-A)



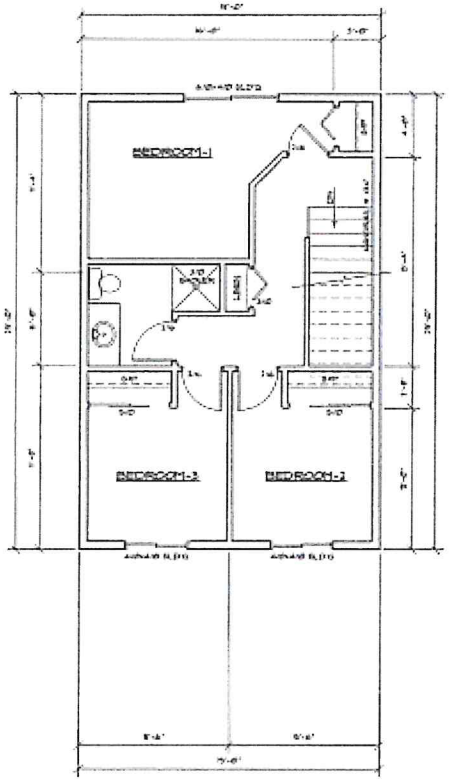
MAIN LEVEL FLOOR PLAN (UNIT-A)



LOWER LEVEL FLOOR PLAN (UNIT-A)

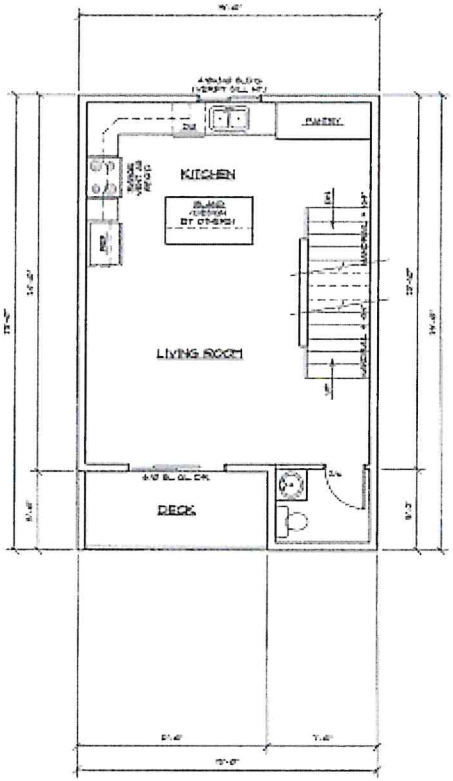
FOREST GROVE OREGON

Floor Plans – Unit B



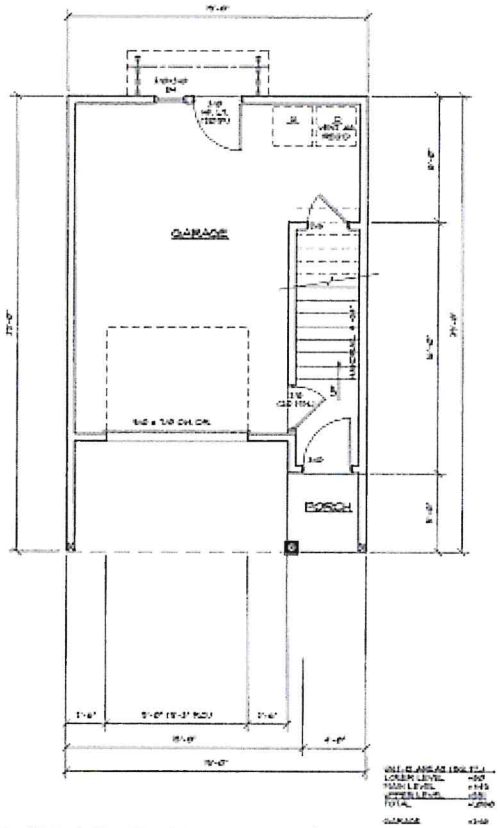
UPPER LEVEL FLOOR PLAN (UNIT-B)

SCALE: 1/4" = 1'-0"



MAIN LEVEL FLOOR PLAN (UNIT-B)

SCALE: 1/4" = 1'-0"



LOWER LEVEL FLOOR PLAN (UNIT-B)

SCALE: 1/4" = 1'-0"

FOREST GROVE OREGON

Recommendation

Staff recommends approval of the site plan and design review permit for the Eiscastle Apartments at 2838 19th Avenue with these conditions:

1. The applicant is bound to the project description and all representations made by the applicant during the application and decision-making proceeding.
2. The applicant shall comply with all applicable City building and development standards, including all dimensional standards and public works specifications.
3. All habitable rooms facing a car park or 19th Avenue shall have a window.

EXHIBIT C
DEVELOPMENT CODE STANDARDS AND SPECIFICATIONS

EXHIBIT D
ENGINEERING DEPARTMENT SPECIAL CONDITIONS

EXHIBIT E
LIGHT & POWER DEPARTMENT CONDITIONS

EXHIBIT F
FIRE DEPARTMENT CONDITIONS

EXHIBIT C - DEVELOPMENT CODE STANDARDS AND SPECIFICATIONS

1. The applicant is bound to the project description and all representations made by the applicant during the application and decision-making proceeding.
2. All plans submitted to date are considered conceptual only. Detailed plans and specifications must be submitted that demonstrate compliance with standards and regulations adopted by the City of Forest Grove and/or all other agencies that have jurisdiction.
3. Submit a geo-tech report of the site conditions. All foundations must incorporate geo-tech requirements.
4. A tree protection plan for off-site trees near common property lines shall be submitted and shall include the precise location and specifications of protective fencing. No compaction equipment or material storage shall be permitted within tree protection areas. This plan shall be approved by the Community Development Director prior to building permit issuance (DC §17.5.115 *Tree Protection Plan and Protection Requirements).*
5. Submit a landscape plan demonstrating compliance with DC §17.8.415 *Landscaping General Standards* and DC §17.8.420(B) *Landscaping Required in the Community Commercial Zone.* The landscape plan shall include a buffer along the south property line in compliance with DC Table 8-3(D)(3), and shall include a 6-foot-tall wall and a landscape area at least 10 feet wide.
6. All utility connections shall be underground (DC §17.8.645(A) *Underground Utilities).*
7. A centralized box unit mailbox is required, to be located in a well-lit area. The location and specifications should be confirmed with the Forest Grove Post Office prior to installation. If located in the public way, the location shall comply with FGC §90.01 et. seq. *Permitted Uses in the Public Way.* Installation shall occur prior to occupancy of the first unit DC §17.8.005(A)).
8. The recycling / waste storage facility shall be roofed (DC §17.7.205(C) *Design Standards).*
9. All utility connections shall be underground (DC §17.8.645(A) *Underground Utilities).*
10. All lighting shall comply with the provisions of DC §17.8.755(C) *Pedestrian Lighting Standards* and §17.8.755(D) *Lighting Standards for Multi-Unit Development.*

EXHIBIT D - ENGINEERING DEPARTMENT SPECIAL CONDITIONS

11. Construct a 6-foot-wide curb-tight sidewalk along 19th Avenue, keyed or dowelled into the curb to prevent settlement (FGC §151.001 et. seq.)
12. The applicant shall submit a storm water drainage plan to satisfy the provisions of the City's *Storm Water Master Plan* and Clean Water Services' *Design and Construction Standards for Sanitary Sewer and Surface Water Management.* This plan shall be reviewed and approved by the City's Engineering Department prior to building permit approval (DC §17.8.005 and §17.8.635).
13. The applicant shall provide to the City of Forest Grove a signed *Private Water Quality Facility Maintenance Agreement* for the private water quality facility (DC §17.8.005 and §17.8.635).
14. The applicant shall submit a sanitary sewer plan to satisfy the provisions of the City's Sanitary Master Plan. This plan shall be reviewed and approved by the City's Engineering Department prior to building permit approval (DC §17.8.005 and §17.8.625).

EXHIBIT E - LIGHT AND POWER DEPARTMENT CONDITIONS

15. Provide a 10-foot-wide public utility easement along 19th Avenue for the installation of electrical facilities (DC §17.8.615(A) *Easements).*
16. Provide a 5-foot easement along the West property line transitioning to a 10-foot easement between buildings. Easement locations may need to change depending on the final electrical design.
17. Submit a CAD file of the site plan showing all wet utilities.
18. Meter equipment and locations shall be confirmed with FGL&P prior to the start of the electrical design.
19. All lighting within the complex shall be customer-owned and designed by the developer.
20. The developer shall be responsible for providing and installing all vault and conduits.
21. A minimum distance of 8 feet shall be maintained between electrical transformers and any combustible structure, overhang, window or door. Consult FGL&P *Electric Service Requirements & Guidelines* §1.09 Clearances from Utility Equipment for additional clearances and information and also National Electric Safety Code (NESC) Rule 012C.

EXHIBIT F - FIRE DEPARTMENT CONDITIONS

22. Provide a fire hydrant placed near the driveway entrance, per FGC §153.07 Appendix C. The hydrant shall have two 2-1/2" ports with a steamer port adapted to a 4" Storz connection (FGC §153.07).
23. Provide one FDC for both buildings (OFC §912.2) That FDC shall be located remotely on 19th Avenue in the northwest corner of the property, with a 4" Storz adaptor angled towards the ground with a 30° to 45° elbow, accessible from the sidewalk. The Storz adaptor shall be located between 24 and 36 inches above standing grade.
24. Provide a Knox Box, keyed to Forest Grove Fire & Rescue, located on or near the Riser/Fire Alarm door for each building (OFC §506.1.2)
25. Provide "No Parking – Fire Lane" signs on both sides of the fire lane if it is 26 feet wide or less (OFC §503.3 & §D103.6.1).
26. Install an identification sign at the driveway. This sign shall include the address of the site. The address digits shall be at least six inches tall (FGC §150.098).
27. Individual unit numbers shall be at least 4 inches in height and contrast with the background (FGC §150.098).
28. The drive approach shall maintain a minimum 28-foot inside radius and 48-foot outside radius, with an angle of approach and departure not exceeding 8%.

FOREST GROVE OREGON
A place where families and businesses thrive

Comprehensive Plan Map and Zoning Map Amendments
Community Development Department
Planning Division

Report Date	June 13, 2020
Hearing Date	July 20, 2020
Proposal	Comprehensive Plan Map and Zoning Map amendments to re-designate certain City-owned parcels from Public/Institutional to Town Center Transition on both the Comprehensive Plan Map and Zoning Map, and one City-owned parcel from Public/Institutional to Town Center Core on the Comprehensive Plan Map.
File Number	311-20-000062-PLNG
Location	2102 Pacific Avenue (Police Dept. and Library); 1919 Ash Street (Fire Department); 1924 Council Street (City Hall); 1928 Council Street (Engineering Division Office); 1915 Main Street (Community Auditorium); 1925 Pacific Avenue (Central Town Center Parking Lot)
Legal Description	2102 Pacific Avenue (1S306BB10000); 1919 Ash Street (1S306BA06400) 1924 Council Street (1S306BB100000); 1928 Council Street (1S306BB09700); 1915 Main Street (1S306BB10100) 1925 Pacific Avenue (1S306BB01900)
Owner/Applicant	Owner and Applicant: City of Forest Grove
Comprehensive Plan Map and Zoning Map Designations	Current Comprehensive Plan Designation: Public/Institutional Current Zoning Designations: Institutional and Town Center Core
Applicable Standards and Criteria	▪ Oregon Statewide Land Use Planning Goal 2 (Land Use Planning), Goal 10 (Housing) and Goal 12 (Transportation) ▪ Metro Urban Growth Management Functional Plan Title 6 (Centers, Corridors, Station Communities, and Main Streets) ▪ Forest Grove Comprehensive Plan ▪ Development Code 17.2.770 (Zone Change Review Criteria)
Staff	Daniel Riordan, Senior Planner
Summary Recommendation	That the Planning Commission recommend City Council adopt ordinances to: 1. Amend the Comprehensive Plan Map to re-designate four City-owned parcels in the Town Center from Public/Institutional to Town Center Transition and the City's central downtown parking lot which is recommended for the Town Center Core Comprehensive Plan designation consistent with the zoning map ; and 2. Amend the zoning map to re-designate City-owned parcels from Institutional to Town Center Transition.

I. BACKGROUND

In 2009, the City adopted a new Development Code that, among other things, established the Town Center zones. The Town Center zones were created to implement the Forest Grove Town Center Plan and to reinforce the historic role of the downtown as a civic, financial, and business center for the City.

Concurrent with adoption of the 2009 Development Code a Design Guidelines Handbook was adopted. The Design Guideline Handbook includes standards and guidelines for the Town Center zones, Community Commercial zones, multifamily residential zones and the Forest Grove historic districts. The design guidelines and standards for the Town Center zones reflect the established storefront character of the downtown and strive to enhance the pedestrian environment for shoppers, employees, and residents. The design guidelines for the Town Center zone address specific design elements such as:

- Building orientation
- Pedestrian connections
- Building facades; and
- Signs.

The Design Guideline Handbook is available for viewing or downloading at:

https://codelibrary.amlegal.com/codes/forestgrove/latest/forestgrovedev_or/0-0-0-5796

Concurrent with adoption of the Development Code, the City applied the Institutional zone to some publicly owned facilities including some City-owned buildings, parks, public school sites and sewer and water treatment facilities. Several City-owned properties in the downtown were zoned Industrial. These properties include:

- Forest Grove Library and Police Department complex
- Forest Gove City and Rural Fire and Rescue Station No. 1
- City Hall
- City Engineering Division office building
- Community Auditorium and associated parking.

The City-owned parking lot west of Main Street and south of 21st Avenue was zoned Town Center Core but is designated Public on the Forest Grove Comprehensive Plan map. This parcel is proposed for a Comprehensive Plan Map amendment to make the Comprehensive Plan Map and Zoning Map consistent.

The Institutional zone is intended to serve larger institutional facilities such as campuses, public school sites and associated playgrounds, hospitals, corporation yards, sewer and water treatment facilities and cemeteries. As stated in the City's Development Code, smaller facilities can be found within other appropriate zone districts (Development Code §17.3.200 – Institutional Zone Purpose).

In contrast to the Town Center zones, the City's Design Handbook does not contain design guidelines to ensure uses fit site context. The Institutional zone, unlike the Town Center zones, does not encourage new projects to reinforce or enhance the desirable characteristics of the area.

Within downtown Forest Grove, City Hall, the Engineering office building, offices of the police and fire departments and library are zoned Institutional (INST). The fundamental consideration with this proposal is whether the Institutional zone is the most appropriate zone to apply to City-owned facilities located in the Town Center. As the City grows, new or remodeled public facilities will be necessary. Applying the Town Center Transition designation to these new or remodeled facilities provides a framework for considering site context in the Town Center independent of who owns the property.

Applying the Town Center Transition to City-owned facilities in the Town Center also ensures that City facilities are held to the same standards as privately owned buildings in the downtown. As a secondary benefit, the Town Center Transition zone provides greater opportunity or reuse of City-owned buildings for other purposes if City facilities are relocated in the future. This is addressed elsewhere in this memorandum.

II. ANALYSIS

The City owns several facilities located in the Forest Grove Town Center that are zoned Institutional. These facilities are modest in size and are consistent with the scale of other uses in the Town Center. This includes:

- Library (one story / 24,700 square feet)
- Police Station (one story / 12,900 square feet)
- Fire Station (two stories / 17,900 square feet)
- Engineering Division Building (single story / 3,900 square feet)
- City Hall (two stories / 8,400 square feet)
- Community Auditorium and associated parking (one story / 5,200 square feet)

The approximate land area affected by this proposal is 4.8 gross acres.

Figure 1 below shows the existing Comprehensive Plan map designations in the Town Center area. The properties colored dark blue are Public/Institutional sites and include:

- The downtown central parking lot located west of Main Street, east of A Street, south of 21st Avenue and north of Pacific Avenue. This property is proposed for re-designation on the Comprehensive Plan map as Town Center Core consistent with its current zoning designation of Town Center Core.

- Forest Grove Community School property located west of Main Street, east of A Street, south of Pacific Avenue and north of 19th Avenue. Since this property is not City-owned it is not included in this proposal.

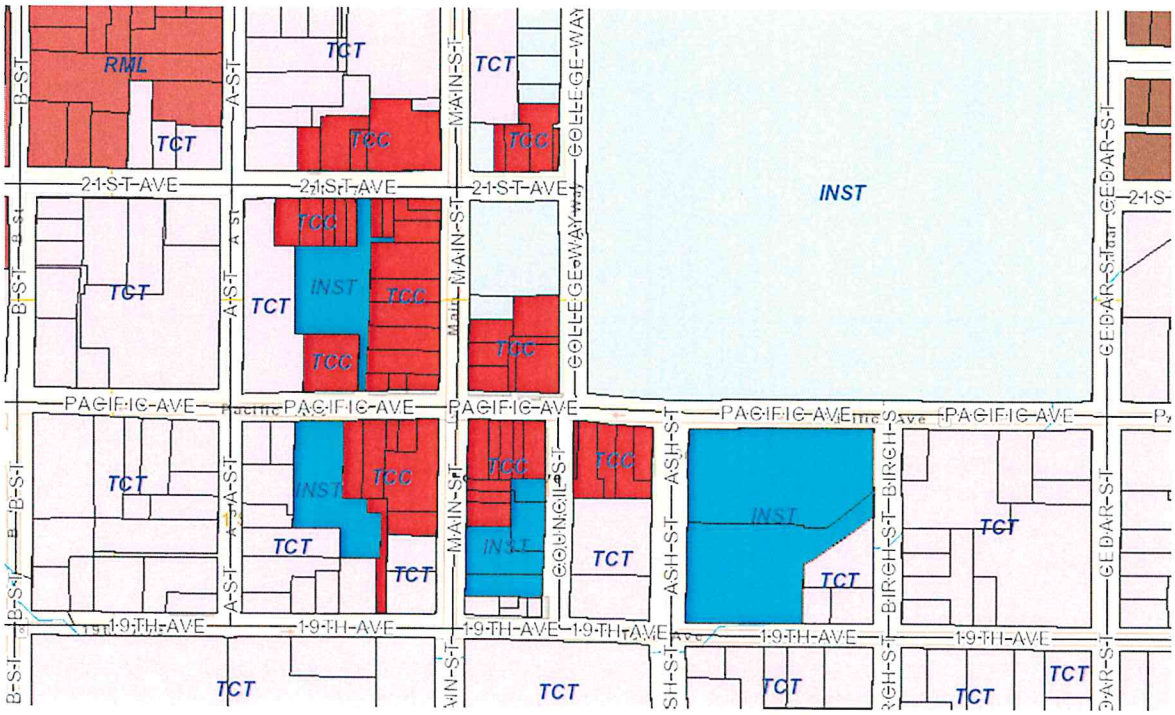
- City Hall, Engineering office building and Community Auditorium located west of Council Street, east of Main Street, south of Pacific Avenue and north of 19th Avenue. This property is proposed for re-designation to Town Center Transition.

- Police Department, Library and Fire Department complex located south of Pacific Avenue, north of 19th Avenue, west of Birch Street, and east of Ash Street. This property is proposed for re-designation as Town Center Transition.

The properties colored light blue are designated as Semi-Public institutional sites. These properties are <u>not</u> included in the proposed map amendments since they are not City-owned. The semi-public owned sites include:

- Property owned by Pacific University including property west of College Way.
- United Church of Christ (UCC) located south of 21st Avenue, west of College Way and east of Main Street.
- American Legion building located at the corner of Main Street and 21st Avenue.
- Holbrook Masonic Lodge property on Main Street south of the UCC.

Figure 1
Comprehensive Plan Designations



As noted above, the purpose of the Institutional zone is to implement the Public and Semi-Public/Institutional designations of the Comprehensive Plan. The Institutional Zone is intended to serve larger institutional facilities such as:

- Campuses
- Public school sites and associated playgrounds
- Hospitals
- Corporation yards
- Sewer and water treatment facilities
- Public parks and open space
- Other similar activities

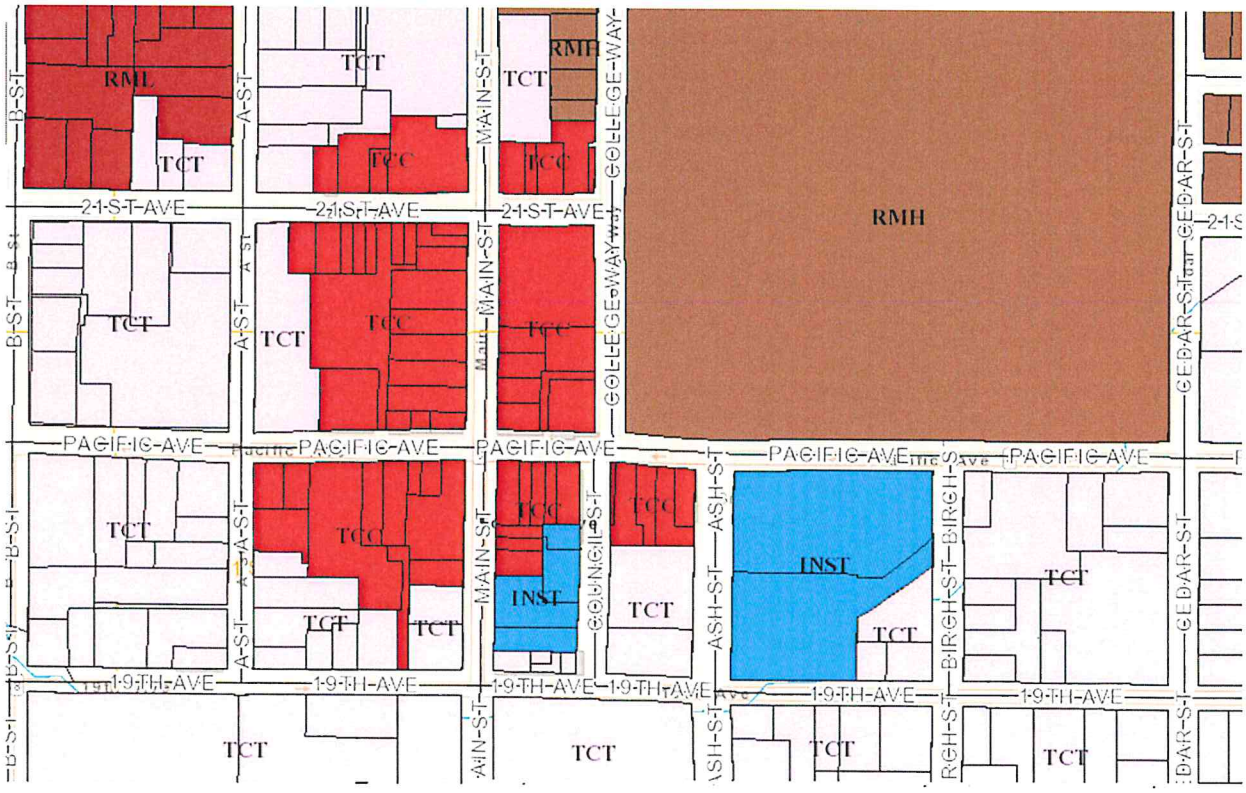
The Development Code in §17.3.200 states: smaller facilities can be found within other appropriate zone districts. However, the Development Code provides no guidance as to what constitutes a smaller facility. Therefore, the City Council, with input from the Planning Commission, has the discretion to make such a determination.

In contrast to the Institutional zone, the Town Center Transition zone was established to increase employment and housing opportunities near the Town Center Core. A mix, of retail, office, light industrial and residential uses are allowed in the Town Center Transition zone.

The Town Center Transition zone allows offices, cultural institutions, such as libraries, and emergency services such as police and fire stations as conditional uses. It can be said the City facilities in the Town Center are more indicative of the Town Center zoning designation rather than large facilities allowed in the Institutional zone such as campuses, hospitals, and sewer and water treatment facilities.

Figure 2 below shows the existing zoning designations in the Town Center area. The Town Center Core (TCC) is located adjacent to the Main Street and 21st Avenue. The surrounding area is zoned Town Center Transition (TCT) and Residential Multifamily High (RMH). The City-owned properties zoned Institutional (INST) are shown in blue.

Figure 2
Zoning Designations



If the recommended map amendments are adopted the properties shaded blue, above, and labeled as INST (Institutional) would become TCT (Town Center Transition).

Code Analysis (Attachments A & B)

A comparison of allowed uses in the Town Center and Institutional zones is attached for review (Attachment A – Use Tables). Both the Town Center Core and Town Center Transition zones allow for a variety of uses. Active uses such as retail are required on ground floors in the Town Center Core zone but not in the Town Center Transition zone. Both Town Center zones allow buildings up to four stories in height.

Generally, the Institutional zone does not allow any type of housing or retail uses. It should be noted that civic/institutional uses are permitted in the Town Center zones as either outright allowed uses or conditional uses. This is summarized in Table 1 below:

Table 1
Civic Uses
Town Center Zones vs. Institutional Zone

Use	Town Center Zones	Institutional Zone
Emergency Services including police and fire	Conditional Use permit required	Conditional Use permit required
Cultural Institutions including libraries	Permitted outright	Conditional use permit required
Government offices	Allowed outright under "Office" use category	Government offices allowed outright General office category allowed with conditional use permit.

Also attached as background information is a comparison of the development standards applicable to Town Center and Institutional zones (Attachment B – Development Standards). The development standards for the Town Center are based on the existing pattern of development in downtown Forest Grove. For example, the maximum front building setback in the Town Center zones is 15 feet reflecting the pedestrian orientation of the Town Center area. Building height is also limited to four stories in the Town Center zones.

In contrast to the Town Center zones, the Institutional zone allows building up to 75 feet in height. This is consistent with the intent of the Institutional zone to accommodate large facilities including campuses and hospitals.

Comprehensive Plan Map Amendment Review Considerations and Criteria (Attachment C)

Amendments to the Comprehensive Plan, including map amendments, are considered by the Planning Commission and City Council based on:

- Consistency with applicable Comprehensive Plan policies
- Consistency with the Metro Regional Framework Plan
- Consistency with the Metro Urban Growth Management Functional Plan; and
- Consistency with the Oregon Statewide Land Use Planning Goals.

The following Forest Grove Comprehensive Policies are applicable to this request:

- Land Use Implementation Action 1: The City of Forest Grove will adopt a land use concept that promotes the efficient use of land within the urban growth boundary.

- Land Use Implementation Action 2: The City of Forest Grove will support policies that promote the continued viability of the Forest Grove Town Center as the focal point of the community. Future comprehensive plan text and map amendments affecting land use should consider potential positive and negative impacts to the Forest Grove Town Center.

- Land Use Implementation Action 3: The City of Forest Grove will support policies that encourage locating complementary land uses in proximity to reduce demand on transportation systems and improve the overall quality of life of the community.

- Economic Development Policy 7.7: Retain the City's administrative offices in the Town Center.

- Economic Development Policy 7.12: Encourage uses in the Town Center to bring residents from throughout the City into the Town Center.

Attachment C includes findings of fact demonstrating conformance with the applicable Comprehensive Plan actions and policies listed above. The other policy consideration and criteria identified above are described below.

Zoning Map Amendment Review Criteria (Attachment D)

The criteria for a zoning map amendment are contained in the Development Code §17.2.770. The criteria include:

A. The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the Classification Table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and zoning pattern of the surrounding land.

B. The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director.

C. The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites within the vicinity.

D. The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.

E. Public facilities and services for water supply, sanitary waste disposal, stormwater disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based

on the projected service demands of the site and the ability of the public services to accommodate those demands.

F. The establishment of a zone district is not subject to the meeting of conditions.

Findings of fact addressing the criteria above are included in Attachment D.

Metro Urban Growth Management Plan Consistency (Attachment E)

The Metro Regional Framework Plan identifies Centers, Corridors, Main Streets and Station Communities throughout the region and recognizes them as the principal centers of urban life in the region. The Forest Grove downtown is designated as Metro Town Center.

The Metro Urban Growth Management Plan implements the Metro Regional Framework Plan. Since downtown Forest Grove is a Metro designated Town Center this proposal must comply with:

- Metro Urban Growth Management Plan Title 6: Centers, Corridors, Station Communities, and Main Streets.

Attachment E includes finding of fact demonstrating that the proposed map amendments comply with Title 6.

Oregon Statewide Planning Goals Consistency (Attachment F)

The Oregon Statewide Land Use Planning Goals applicable to this proposal include:

- Goal 2: Land Use Planning
  - Post Acknowledgment Plan Amendments
  - Major Revisions or Minor Changes in the Plan and Implementation Measures

- Goal 10: Housing
  - Needed housing

- Goal 12: Transportation
  - Transportation Planning Rule

This proposal is a minor change to the Forest Grove Comprehensive Plan Map and Zoning Map under Goal 2 above. This is addressed further in Attachment F.

Goal 12 applies since this proposal includes a comprehensive plan map amendment. Findings of fact demonstrating compliance with the applicable statewide planning goals are addressed further in Attachment F. The Transportation Planning Rule is also addressed below and in Attachment G.

Transportation Planning Rule (Attachment G)

The Oregon Transportation Planning Rule (OAR 660-012) applies to comprehensive plan amendments. This is to ensure that the existing and planned transportation system for all modes of travel is capable of handling the intensity of uses allowed by the proposed plan designation.

Under Oregon Administrative Rules (OAR 660-012), a plan or land use regulation amendment significantly affects a transportation facility if it would:

- Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan)
- Change standards implementing a functional classification system; or
- Result in:

    - Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility
    - Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or
    - Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

Findings of fact supporting Transportation Planning Rule compliance are attached (Attachment G)

III. DETAILED RECOMMENDATION

Based on the information contained or referred to in this report, including the findings of fact and conclusions contained in accompanying attachments, Staff recommends the Planning Commission recommend that City Council adopt an ordinance amending the Comprehensive Plan Map and Zoning Map as noted below:

Comprehensive Plan Map Amendments

- 1S306BB01900 - 1925 Pacific Avenue (Central Town Center Parking Lot): Public/Institutional to Town Center Core[1]
- 1S306BA05400 - 2102 Pacific Avenue (Police Department and Library): Public/Institutional to Town Center Transition
- 1S306BA06400 - 1919 Ash Street (Fire Department): Public/Institutional to Town Center Transition
- 1S306BB10000 - 1924 Council Street (City Hall): Public/Institutional to Town Center Transition
- 1S306BB09700 – 1928 Council Street (Engineering Division Office): Public/Institutional to Town Center Transition
- 1S306BB10100, 1S306BB10202 - 1915 Main Street (Community Auditorium): Public/Institutional to Town Center Transition

[1] 1925 Pacific Avenue is currently zoned Town Center Core

Zoning Map Amendments

- 1S306BA05400 - 2102 Pacific Avenue (Police Department and Library): Institutional to Town Center Transition
- 1S306BA06400 - 1919 Ash Street (Fire Department): Institutional to Town Center Transition
- 1S306BB10000 - 1924 Council Street (City Hall): Institutional to Town Center Transition
- 1S306BB09700 – 1928 Council Street (Engineering Division Office): Institutional to Town Center Transition
- 1S306BB10100, 1S306BB10202 - 1915 Main Street (Community Auditorium): Institutional to Town Center Transition

IV. ATTACHMENTS

A. Use Tables (Town Center and Institutional Zones)
B. Development Standards (Town Center and Institutional Zones)
C. Comprehensive Plan Findings
D. Zone Change Findings
E. Metro Urban Growth Management Plan Findings
F. Oregon Statewide Planning Goals Findings
G. Transportation Planning Rule Findings

ATTACHMENT A
Use Tables

Use Table			
P = Permitted L = Limited C = Conditional Use N = Not Permitted			
USE CATEGORY	***TC - Core***	***TC - Transition***	***INST***
RESIDENTIAL			
Household Living	L[1]	L[1]	N
Group Living	P[1]	P	N
Transitional Housing	N	C	C
Home Occupation	L[2]	L[2]	N
Bed and Breakfast	C[2]	P	N
HOUSING TYPES			
Single Units, Detached	N	N	--
Single Units, Attached	N	P	--
Accessory Units	N	N	--
Duplexes	N	P	--
Manufactured Dwellings	N	N	--
Manufactured Dwelling Park	N	N	--
Multi-Family Units	P	P	--
CIVIC/INSTITUTIONAL			
Basic Utilities	P	P	P
Major Utility Transmission Facilities	C	C	C
Colleges	C	C	C
Community Recreation	N	P	C
Cultural Institutions	P	P	C
Day Care	P	P	C
Emergency Services	C	C	C
Postal Services	C	P	C
Religious Institutions	C	P	C
Schools	C	C	C
Seasonal Shelters	L[16]	L[16]	--
Social/Fraternal Clubs/Lodges	C	P	N
Government Offices	--	--	P
COMMERCIAL			
Commercial Lodging	L[4]	L[4]	L
Eating and Drinking Establishments	P[5]	P[5]	N
Entertainment-Oriented:			N
- Major Event Entertainment	N	C	N
- Outdoor Entertainment	N	N	N
- Indoor Entertainment	P	P	N
General Retail:			

- Sales-Oriented	P	P	N
- Personal Services	P	P	N
- Repair-Oriented	P	P	N
- Bulk Sales	L[6]	L[6]	N
- Outdoor Sales	N	N	N
- Animal-Related	N	N	N
Medical Centers	N	C/P[7]	C
Motor Vehicle Related:			N
- Motor Vehicles Sale/Rental	N	C[13]	N
- Motor Vehicle Servicing/Repair	N	C[14]	N
- Motor Vehicle Fuel Sales	N	C[15]	N
Non-Accessory Parking	N	C	N
Office	L[3]	P	C
Self-Service Storage	N	N	N
INDUSTRIAL			
Industrial Services	N	N	N
Manufacturing and Production:			
- Light Industrial	N	C	N
- General Industrial	N	N	N
Call Centers	L[9]	L[9]	N
Railroad Yards	N	N	N
Research and Development	N	C	C
Warehouse/Freight Movement	N	N	N
Waste-Related	N	N	C
Wholesale Sales	N	N	N
OTHER			
Agriculture/Horticulture	N	N	C
Cemeteries	N	N	C
Detention Facilities	N	N	C
Mining	N	N	C
Wireless Communication Facilities	L[10]	L[10]	L
Information	L[11][12]	L[11]	N

Footnotes:
[1] New dwellings in the TCC zone are only permitted on or above the 2nd floor. There are no minimum density requirements when housing is part of a mixed-use building. In the TCT Zone new dwellings are permitted as "stand-alone" developments or as part of mixed-use developments but must meet density requirements.
[2] Home occupations are permitted as an accessory use to residential uses, subject to compliance with the home occupation standards in Article 7.
[3] Offices only permitted as part of a ground-floor retail or personal service use or as a stand-alone use above the first floor in the TC-Core zone.
[4] Recreational vehicle parks are prohibited in all districts.
[5] Drive through service is prohibited from restaurants in the TC-Core and TC-Transition zones.
[6] Bulk sales stores with a ground floor building footprint smaller than 10,000 square feet are permitted. All merchandise must be enclosed within a building. All other bulk sales are prohibited.

[7] Medical marijuana dispensaries and marijuana retailers are permitted consistent with the locational requirements of state law and in compliance with the requirements of § 17.8.1100 of this Code.
[8] Permitted where there are no off-premises impacts and no product is transported from the site. Centers with any offsite impacts or transport products from the site are to be located in either Light or General Industrial districts.
[9] Call Centers shall not be allowed on the ground floor in the TC-Core Zone District.
[10] Wireless communication facilities are regulated by the standards in Article 7.
[11] Permitted where there are no off-premise impacts.
[12] Information business is not allowed on the ground floor in the TC-Core Zone District.
[13] Motor Vehicle Sales/Rental uses may be allowed as a conditional use if conducted entirely indoors.
[14] Motor Vehicle Servicing/Repair uses existing as of 03/28/2016 are allowed to continue and may expand within the boundaries of the existing lots 1N4 36B-2900, 1N4 36B- 2901, and 1N4 36B-3000 with conditional use approval. All other Motor Vehicle Servicing/Repair uses are prohibited.
[15] Motor Vehicle Fuel Sales uses existing as of 03/28/2016 are allowed to continue and may expand within the boundaries of the existing lot 1S3 6BA-1300 with conditional use approval. All other Motor Vehicle Fuel Sales uses are prohibited.
[16] Seasonal Shelters must be located consistent with the provisions of §§ 17.2.900 et seq. and §§ 17.5.600 et seq. of this Code.

ATTACHMENT B
Development Standards

Town Center Zones

Table 3-13: Town Center Zones Dimensional Requirements		
STANDARD	***TCC***	***TCT***
Floor Area Ratio [1]		
- Minimum	1:1	0.5:1
- Maximum	4:1	4:1
Building Height (all parts)		
- Minimum	2 stories	16 feet
- Maximum	4 stories	4 stories
Residential Density [2]		
- Minimum	None	16.22 units/acre
- Maximum	40 units/acre [7]	40 units/acre [7]
Front Setback [3]		
- Minimum	0	0
- Maximum	15 feet	15 feet
Side and Rear Setback [4]	0	0
Parking [5]	Exempt	Exempt
Landscaping[6]	5% of lot	5% of lot

Footnotes:
[1] Floor area ratio is defined as the ratio of building square footage to site square footage. For example, a 5,000 square foot building is required on a 5,000 square foot site (FAR of 1:1); a 20,000 square foot building is allowed (FAR of 4:1).
[2] All densities are based on net acres.
[3] A larger front yard setback may be approved through Design Review if the setback area incorporates enhanced pedestrian spaces and amenities such as plazas, arcades, courtyards, outdoor cafes, widened sidewalks, benches, shelters, street furniture, public art or kiosks. No parking is allowed between a building and the public right-of-way.
[4] Side and rear yard setbacks may be required through Design Review when needed to provide a transition between zones or different land uses. The screening and buffering standards in Article 8 will be used as a guideline.
[5] Except for multi-family residential uses, off-street parking is not required in the Town Center Zones. When off-street parking is provided, it shall be located to the side or rear of buildings, in shared parking lots or in parking structures. Parking and/or maneuvering areas shall not be located between the front facade of the building and the street /sidewalk. Parking for multi-family residential uses shall be provided in accordance with Table 8-4 in § 17.8.515.
[6] Required landscaping in the Town Center zones may include planters, hanging baskets and architectural features such as benches and water fountains that are supportive of the Town Center pedestrian environment. Jointly improved landscaped areas are encouraged to facilitate continuity of landscape design.
[7] Residential density may be increased above the maximum in accordance with the density incentives in § 17.7.400. Minimum density does not apply to projects on sites which are less than one-half-acre in net area or which include a mix of uses.

Institutional Zone

Table 3-9: Dimensional Requirements	
STANDARD	
Minimum Lot Size	10,000 square feet
Minimum Lot Width	50 feet
Minimum Lot Depth	None
Minimum Setbacks [1]	
- Front	§ 17.3.220 C
- Interior Side	§ 17.3.220 C
- Corner (street side)	§ 17.3.220 C
- Rear	§ 17.3.220 C
Maximum Setback [2]	§ 17.3.220 C
Maximum Building Height	Where adjacent to residential zoned area: 1 foot in height for every 1 foot from property line; maximum of 75 feet. Where adjacent to commercial or industrial zoned area: 4 stories
Minimum Landscaped Area	20% of the site
Footnotes: [1] Side or rear yard setbacks may be required where the INST zone abuts a Residential zone. The need for a side or rear yard setback to provide privacy, access to sunlight and a transition between zones shall be evaluated in the Conditional Use and/or Design Review Process. [2] To ensure that new development is oriented to the street, maximum building setback standards may be established as part of the Conditional Use and or Design Review Process in the INST zone. [3] Height limitations shall not apply to flag poles and field lights provided that the Community Development Director finds that off-site light intrusion is limited to the extent feasible.	

ATTACHMENT C
COMPREHENSIVE PLAN ACTIONS AND POLICIES
AND
FINDINGS OF FACT AND CONCLUSIONS

Land Use Implementation Action 1: The City of Forest Grove will adopt a land use concept that promotes the efficient use of land within the urban growth boundary.

Finding: This request promotes the efficient use of land within the urban growth boundary by expanding the allowed uses on land owned by the City within the Forest Grove Town Center. This conclusion is supported by the fact that the Town Center Transition zone allows a variety of uses outright including residential/household living, cultural institutions, general retail, and office. In contrast, the Institutional zone does not allow residential/household living or general retail uses. Cultural institutions and office uses are permitted uses in the Institutional zone but only with conditional use approval. Therefore, re-designation the subject property from Institutional to Town Center Transition provides a greater opportunity efficient use of the property in the future.

Land Use Implementation Action 2: The City of Forest Grove will support policies that promote the continued viability of the Forest Grove Town Center as the focal point of the community. Future comprehensive plan and text and map amendments affecting land use should consider potential positive and negative impacts to the Forest Grove Town Center.

Finding: Retaining civic functions in the Town Center supports the continued viability of the Forest Grove Town Center as the focal point of the community. This is achieved by reinforcing the Town Center as the civic, administrative, and service focal point for the community. Civic uses in the Town Center also complements the array of services and businesses currently found in the Town Center.

Finding: No negative impacts associated with the proposed Comprehensive Plan Map and Zoning map amendments have been identified since existing civic functions occurring in the Town Center would be allowed to continue after adoption of the amendments.

Land Use Implementation Action 3: The City of Forest Grove will support policies that encourage locating complementary land uses in proximity to reduce demand on transportation systems and improve the overall quality of life of the community.

Finding: Re-designating the subject property Town Center Transition supports and encourages locating complementary land use in proximity for the following reasons. The Town Center transition zone is a mixed-use designation that allows a variety of activities including residential, retail, office, and civic uses. It is a stated policy of the Comprehensive Plan to retain City administrative offices downtown. City administrative functions are complementary to many other activities occurring in the Town Center including other services. Employment associated with City administrative functions supports general business activities including convenience shopping and restaurants within walking distance. This reduces demand on the transportation system and improves the overall quality of life of the community.

Economic Development Policy 7.7: Retain the City's administrative offices in the Town Center.

Finding: The proposed re-designation of the subject property provides the opportunity to retain the City's administrative offices for police and fire services in the Town Center. This is consistent with Economic Development Policy 7.7 which promotes retention of civic uses in the Town Center.

Economic Development Policy 7.12: Encourage uses in the Town Center to bring residents from throughout the City into the Town Center.

Finding: The proposed map amendments support Economic Development Policy 7.12 since the Town Center Transition designation allows for a variety of uses that bring residents from throughout the City into the Town Center. This includes retail and office uses and civic uses.

ATTACHMENT D
ZONE CHANGE REVIEW CRITERIA
AND
FINDINGS OF FACT AND CONCLUSIONS

The criteria for a zoning map amendment are contained in the Development Code §17.2.770. The criteria include:

A. **The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the Classification Table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and zoning pattern of the surrounding land.**

Finding: This proposal to re-zone the subject property from Institutional to Town Center Transition is accompanied by concurrent Comprehensive Plan amendments. The accompanying Comprehensive Plan map will re-designate City-owned property in the Town Center as Town Center Transition consistent with the proposed zoning designations. As a result, the proposed zoning changes will be consistent with the Comprehensive Plan map as amended.

Finding: The proposed Town Center Transition is the most appropriate zone for the subject properties for the following reasons:

1. The subject properties are in the Forest Grove Town Center and surrounded by the land zoned Town Center Transition. As a result, the Town Center Transition zone will be applied consistently in the Forest Grove Town regardless of whether the property is privately or publicly owned.

2. Re-designating the subject property Town Center Transition provides an opportunity to consider site context when considering development proposals. This will ensure new development is consistent with land use objectives for the Town Center including pedestrian orientation, building, scale and storefront character as identified in Development Code §17.3.400 (Town Center Zones Purpose) and 17.3.430(A) Town Center Zone Development Standards Purpose.

Finding: For the reasons stated above, The Town Center Transition zone is the most appropriate, taking into consideration the purposes of the Town Center Transition zone and zoning pattern of the surrounding land. The proposed amendments ensure land use regulations are applied consistently in the Town Center.

B. The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director.

Finding: The proposed change is consistent with following goal contained in the Comprehensive Plan for City administrative facilities and services:

- Administrative Services Goal 2: Retain City administrative services in the Forest Grove Town Center.

Finding: Re-zoning the subject property Town Center Transition supports Administrative Services Goal 2 by applying development standards that will allow the existing uses to continue and ensures that future remodeling or redevelopment of City-owned property considers site context and adheres to the adopted Town Center design guidelines or standards.

C. The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites within the vicinity.

Finding: The current uses of the subject property are allowed within the Town Center Transition zone as shown in the table below. The table shows the use of the City-owned property, type of use and use classification.

Use	Type	Use Classification
City Hall	Office	Permitted
Library	Cultural Institution	Permitted
Police Department	Office/Emergency Services	Permitted/Conditional
Fire Department	Office/Emergency Services	Permitted/Conditional
Community Auditorium	Office	Permitted

Finding: The subject property is in the Forest Grove Town Center. Buildings are either one- or two-stories, similar to other buildings on 19th Avenue, Birch Street, Pacific Avenue and Council Street which are located within one block of the subject property.

Finding: The subject property is developed, and the proposal does not include new construction. Therefore, consideration of lack of appropriately designated alternative sites within the vicinity does not apply.

D. The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.

Finding: The subject properties are developed, and the existing uses are allowed in the Town Center Transition zone as either permitted or conditional uses. No additional traffic is expected because of the zone change. Therefore, the proposed zone change will not reduce the level of service of transportation

facilities below the minimum accepted level of service identified in the 2014 Transportation System Plan which is Level of Service (LOS) D. The table below shows the 2035 PM Peak Hour Traffic Operations findings included in the 2014 Transportation System Plan. This demonstrates that there is sufficient capacity at nearby street intersections to accommodate traffic increases occurring in the Town Center from expected levels of development. Based on this data all intersections will operate at acceptable levels of service, delay, and volume to capacity.

2035 PM Peak Hour Traffic Operations

Intersection	Level of Service (LOS)	Delay (Seconds)	Volume to Capacity (V/C)
23rd Avenue / Main Street	A/C	15.6	0.31
19th Avenue / Council Street	A/B	13.5	0.15
Pacific Avenue / Main Street	A	8.5	0.56
Pacific Avenue / College Way	B	12.5	0.51

Finding: The subject properties are served by Pacific Avenue and 19th Avenue. Both streets are designated as arterial roadways on the Functional Classification Map contained in the Forest Grove Transportation System Plan. No additional traffic is expected because of the zone change. Therefore, the proposed zone change does not require changes to the roadway functional classifications adopted in the Forest Grove Transportation System Plan.

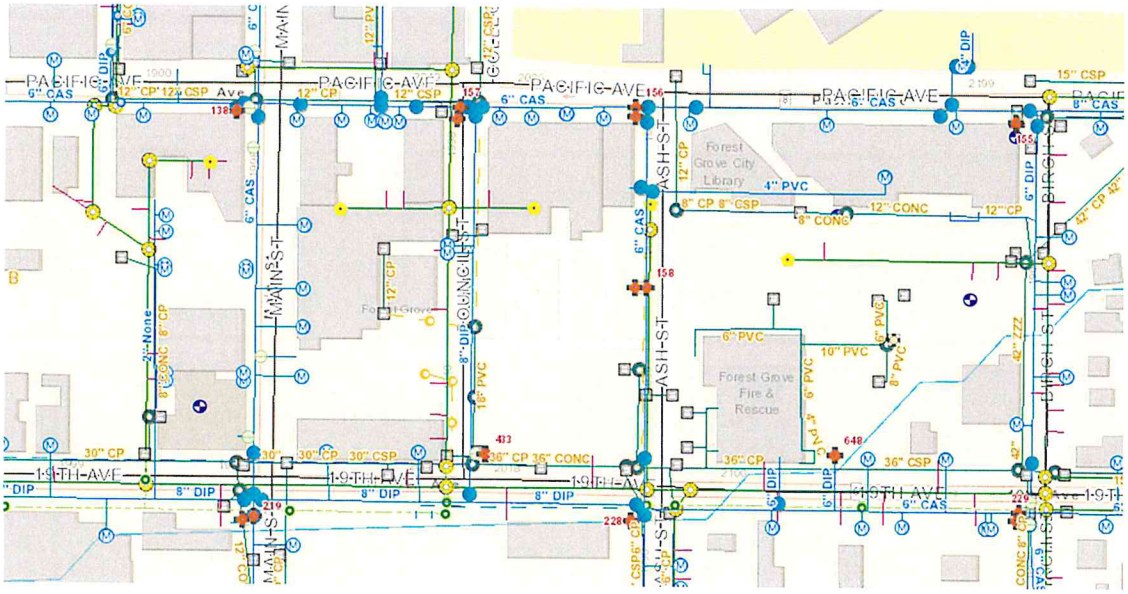
Finding: The subject properties are developed, and no additional traffic is anticipated. Therefore, the proposed zone change will have no impact on the operation of roadway facilities.

Finding: No additional traffic is expected as a result of the proposed zone change. Therefore, the proposed zone change will not impact transportation facilities. For this reason, a traffic impact study is not required.

Finding: For the reasons stated above this criterion is met.

E. **Public facilities and services for water supply, sanitary waste disposal, stormwater disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.**

Finding: The subject property is in the Forest Grove Town Center is served with water, sanitary waste disposal, stormwater disposal as shown on the image below. Police and Fire protection can support the uses allowed by the zone.



F. The establishment of a zone district is not subject to the meeting of conditions.

Finding: Properties for rezoning from Institutional (INST) to Town Center Transition (TCT) include:

- 1S306BA05400 - 2102 Pacific Avenue (Police Department and Library Complex)
- 1S306BA06400 - 1919 Ash Street (Fire Department)
- 1S306BB10000- 1924 Council Street (City Hall)
- 1S306BB09700 – 1928 Council Street (Engineering Division Office)
- 1S306BB10100, 1S306BB10202 - 1915 Main Street (Community Auditorium and Parking Lot)

Finding: Re-designating the City-owned property in the Town Center currently zoned Institutional to Town Center Transition is not subject to the meeting of conditions. Therefore, this criterion is met.

ATTACHMENT E
METRO URBAN GROWTH MANAGEMENT PLAN CONSISTENCY
FINDINGS OF FACT AND CONCLUSIONS

The following Metro Urban Growth Management Functional Plan requirements apply to this proposal:

§3.07.640 Activity Levels for Centers, Corridors, Station Communities and Main Streets

§3.07.640(a): Centers, Corridors, Station Communities and Main Streets need a critical number of residents and workers to be vibrant and successful. The following average number of residents and workers per acre is recommended for each:

(1) Central City – 250 persons
(2) Regional Centers – 60 persons
(3) Station Communities – 45 persons
(4) Corridors – 45 persons
(5) Town Centers – 40 persons
(6) Main Streets – 39 persons

Finding: Downtown Forest Grove is designated as a Town Center by Metro, on the Regional Framework Plan map.

Finding: Civic uses allowed in the Town Center zones supports §3.07.640(a) by bringing employment into the Forest Grove Town Center. This includes employment at City Hall, Police Department, Fire Station, and library. Total employment at these City facilities exceeds 100 persons. These employees contribute to the vibrancy of the Town Center by patronizing businesses including restaurants and shops.

§3.07.640(b): Centers, Corridors, Station Communities and Main Streets need a mix of uses to be vibrant and walkable. The following mix of uses is recommended for each:

(1) The amenities identified in the most current version of the State of the Centers: Investing in our Communities, such as grocery stores and restaurants.

(2) Institutional uses, including schools, colleges, universities, hospitals, medical offices and facilities.

(3) Civic uses, including government offices open to and serving the general public, libraries, city halls and public spaces.

Finding: Metro Urban Growth Management Functional Plan §3.07.640(b) states Centers, Corridors, Station Communities and Main Streets need a mix of uses to be vibrant and walkable. The following mix of uses is recommended for each as stated in §3.07.640(b)(3): Civic uses, including government offices open to and serving the general public, libraries, city halls and public spaces. The proposed map amendments support §3.07.640(b)(3) since the Town Center Transition allows for the continuation of civic uses, including government offices open to and serving the general public, libraries, city halls and public spaces. The Town Center Transition design guidelines and standards zone ensures these uses are developed to promote vibrant and walkable downtown area. For this reason, this proposed map amendments comply with §3.07.640(b).

ATTACHMENT F

OREGON STATEWIDE PLANNING GOALS
FINDINGS OF FACT AND CONCLUSIONS

Goal 2 (Land Use Planning): To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: Goal 2 requires that land use decisions be made in accordance with a comprehensive plan. The comprehensive plan establishes a framework for decisions and actions related to the use of land. Goal 2 defines major and minor revisions to the comprehensive plan. Major changes are those that have widespread and significant impact beyond the immediate area or a change affecting large areas or many different ownerships. Minor changes are those that do not have significant impact beyond the immediate area proposed for change. Minor changes should be based on information that serves as the factual basis for the change. The public need and justification for minor change should be established.

Finding: Oregon Administrative Rules defines "Minor Changes" as those which do not have significant effect beyond the immediate area of the change, should be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change should be established. Minor changes should not be made more frequently than once a year, if at all possible.

Finding: The proposed zone change affects certain properties in the Forest Grove Town Center owned by the City of Forest Grove and currently designated Institutional. The property includes City Hall, Forest Grove Police Department and library complex, Forest Grove Fire Station and publicly owned parking lots. Since the zone change affects City owned properties which are developed or used for parking there will be no impact beyond the immediate area of the change. The public need and justification for the change is to consistently apply adopted design standards and guidelines for the Town Center to all properties in the Town Center including those owned by the City.

Goal 10 (Housing): To provide for the housing needs of citizens of the state.

Finding: The Forest Grove Housing Needs Analysis Update (2019) shows a 20-year need for approximately 2,050 owner-occupied and 1,370 renter-occupied dwellings (Forest Grove Housing Needs Analysis (2019), Exhibits 3.3 to 3.5). The estimated housing mix that addresses future demand consists of approximately 1,988 single-family detached homes, 638 townhomes/duplexes, 702 multifamily apartment/condo units and 97 manufactured homes.

Finding: The Forest Grove Housing Needs Analysis indicates that Metro estimates that the Building Land Inventory in Forest Grove has the capacity of adding 4,823 to 4,882 net new housing units with the City's planning area (Urban Growth Boundary). The reconciliation of expected land capacity and projected 20-year housing demand, indicates that the level of low density (i.e. single-family detached housing) demand will approach buildout near the end of the twenty-year planning period. Estimated capacity for high density housing is approximately 2,091 units and demand is 958 leaving a remaining capacity for 1,141 units. Therefore, any increasing housing capacity resulting from re-designating the subject properties from Public to Town Center is not needed to meet estimated demand for high density housing during the planning period. Since the Town Center zones do not allow new

single-family detached dwellings the proposed re-designation will not increase potential capacity for low-density housing.

Finding: The Forest Grove Comprehensive Plan Map was last acknowledged by the Oregon Department of Land Conservation and Development in 2014 (DLCD Approval Order 001852). At that time the subject properties proposed for re-designation from Public to Town Center were designated Public on the Comprehensive Plan map as is the case today. Although no housing is proposed on the subject properties at this time, re-designating the sites from Public to Town Center increases the number of sites where housing is an allowed use. Opportunities for housing on the subject properties could be assessed after re-designation during the next Comprehensive Plan Periodic Review cycle or update to the Regional Buildable Land Inventory prepared by Metro in consultation with individual jurisdictions. This is consistent with Comprehensive Plan Housing Policy 1.4: Update the City's land use inventory at regular intervals to monitor the supply of buildable land.

Finding: Except for the City-owned public parking lot west of Main Street, between 21st Avenue and Pacific Avenue, the subject properties were not included the Portland Regional Buildable Land Inventory for needed housing. This is because the Institutional zone does not permit Household Living as an allowed use (Development Code §17.3.210 (Table 3-8: Institutional Zone Use Table). According to OAR 660-007-0045(2): "the buildable land inventory at each jurisdiction's choice shall either be based on land in a residential plan/zone designation within the jurisdiction at the time of periodic review or based on the jurisdiction's BLI at the time of acknowledgement as updated.

Finding: Forest Grove Comprehensive Plan Policy 1.2 states: "Evaluate requests for rezoning from non-residential to residential development zones based on the following factors:

A. Identified housing needs contained in an adopted Goal [10] analysis.
B. Ability to provide public facilities to the site in a cost-effective and efficient manner.
C. Potential of the site to support higher density development.
D. Site characteristics including topography; and
E. Land Use location policies of the Comprehensive Plan.

The proposed re-designation of the applicable subject properties from Public to Town Center is not a change from a non-residential to residential development zone designation since the Town Center plan designations are classified as commercial plan districts in the Forest Grove Comprehensive Plan (Page 48). Therefore, Policy 1.2 is not applicable to this re-designation action.

Goal 12 (Transportation): To provide and encourage a safe, convenient and economic transportation system.

Finding: Goal 12 is addressed in Attachment G (Transportation Planning Rule Findings of Facts and Conclusions).

Post-Acknowledgement Plan Amendments (OAR §660-018)

OAR §660-018-0010

(a) "A change" to an acknowledged comprehensive plan or land use regulation means an amendment to the plan or implementing land use regulations, including an amendment to the plan text or map. This term includes

additions and deletions to the acknowledged plan or regulations, the adoption of a new plan or regulation, or the repeal of an acknowledged plan or regulation.

(g) "Map Change" means a change in the designation or boundary of an area as shown on the comprehensive plan map, zoning map or both, including an area added to or removed from a comprehensive plan or zoning map.

Finding: If adopted, the proposed change to the Comprehensive Plan map and zoning map will result in a change to the acknowledged Forest Grove Comprehensive Plan.

Finding: The Forest Grove Comprehensive Plan was acknowledged by the Oregon Department of Land Conservation and Development by Order 001852.

Finding: The proposed map change does not affect any adopted land use regulations including regulations contained in the Forest Grove Development Code and Design Guideline Handbook.

Finding: For the reasons cited above, the proposed map changes comply with OAR 660-018.

OAR §660-018-0020

Notice of a Proposed Change to a Comprehensive Plan or Land Use Regulation

(1) Before a local government adopts a change to an acknowledged comprehensive plan or a land use regulation, unless circumstances described in OAR 660-018-0022 apply, the local government shall submit the proposed change to the department, including the information described in section (2) of this rule. The local government must submit the proposed change to the director at the department's Salem office at least 35 days before holding the first evidentiary hearing on adoption of the proposed change.

Finding: Notice of the first evidentiary hearing on the adoption of the proposed map changes was provided on May 6, 2020 which is more than 35 days prior to the first anticipated hearing before the Forest Grove Planning Commission scheduled on July 20, 2020.

Finding: Since the City provided notice of the proposed map changes more than 35 days prior to the first evidentiary hearing as noted above this proposal complies with OAR 660-018-0020.

ATTACHMENT G
TRANSPORTATION PLANNING RULE
FINDINGS OF FACT AND CONCLUSIONS

The Oregon Transportation Planning Rule (OAR 660-012) applies to comprehensive plan amendments. This is to ensure that the existing and planned transportation system for all modes of travel is capable of handling the intensity of uses allowed by the proposed plan designation.

A plan or land use regulation amendment significantly affects a transportation facility if it would:

- Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan).
- Change standards implementing a functional classification system.
- Result in:
    - Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility.
    - Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or
    - Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

Finding: The table below shows expected weekday, AM peak hour, and PM peak hour traffic generation for represented land uses allowed outright or with conditional use approval in the Institutional or Town Center Transition zones.

Average Vehicle Trip Ends
(Per 1,000 Square Feet Gross Floor Area)

Land Use	ITE Code	Weekday Average Daily Traffic (ADT)	Weekday AM Peak Hour Trips	Weekday PM Peak Hour Trips
Library	590	56.24	4.47	7.20
Single Tenant Office	715	11.65	1.8	1.74
Government Office	730	68.93	5.88	11.03
Automobile Parts Store	843	61.91	4.41	6.44
Walk-in Bank	911			12.13
Express Ship Store	920		8.10	12.27

Finding: Traffic generation associated with institutional uses is commensurate with uses allowed by the Town Center Transition zone. According to the Institute of Traffic Engineers Trip Generation Manual, 9th Edition, Volume 3, a library generates approximately 56.2 trips per 1,000 square feet of floor area on a typical weekday. This is commensurate with an automobile parts store as shown on the table above which is expected to generate about 62 trips per weekday per 1,000 square feet of gross floor area.

Finding: A government office, another institutional use, is expected to generate about 68.9 trips per 1,000 square feet of gross floor area on a typical weekday. This is also commensurate with an automobile parts store in terms of weekday average daily traffic. During the afternoon peak hour, the traffic impact for a government office is similar to a walk-in bank. A conclusion that can be drawn from this information is traffic generation for representative institutional uses is similar to the representative retail uses that have existed or currently exist in the Forest Grove Town Center.

Finding: Existing level of service for street intersections near the subject property during the afternoon peak period operates well above the City's acceptable Level of Service (LOS) D:

2035 PM Peak Hour Traffic Operations

Intersection	Level of Service (LOS)	Delay (Seconds)	Volume to Capacity (V/C)
23rd Avenue / Main Street	A/C	15.6	0.31
19th Avenue / Council Street	A/B	13.5	0.15
Pacific Avenue / Main Street	A	8.5	0.56
Pacific Avenue / College Way	B	12.5	0.51

Finding: As the table below shows the proposed amendment will not significantly affect the existing or planned transportation facility. The table shows there is sufficient capacity at intersections in the Town Center since the V/C ration is well below 1.0 with 1.0 indicating operations at capacity. In addition, LOS is well above LOS D for all intersections and delay is within acceptable limits.

Finding: Although the proposed zone changes from Institutional to Town Center Transition will allow additional land uses including residential and retail the site is located on the Pacific Avenue/19th Avenue couplet which has sufficient capacity for additional traffic. Estimated traffic volume as shown by Transportation System Plan, Figure 3-8 (Existing Daily Traffic Volumes) is approximately 6,700 vehicles per day. The adopted TSP shows on Figure on Figure 3-8, this volume has remained constant.

Finding: Based on information contained in Highway Capacity Manual, 6th edition, the four-lane couplet has a design capacity of about 36,800 vehicles per day. The Transportation System Plan indicates Pacific Avenue and 19th Avenue are classified as arterial roads and the proposed zone change will not change the function or capacity of either street. In addition, the proposed zone change will not change any standards implementing the functional classification system.

Finding: Traffic generation associated with institutional uses is commensurate with uses allowed by the Town Center Transition zone. According to the Institute of Traffic Engineers Trip Generation Manual, 9th edition a library generates approximately 56.2 trips per 1,000 square feet of floor area on a typical weekday. The Forest Grove Library is approximately 25,000 square feet. As such the library would be expected to generate about 1,405 trips per day. A government office, another institutional use, is expected to generate about 68.9 trips per 1,000 square feet on per weekday. For comparison, specialty retail allowed in the Town Center Transition zone, such as an arts and crafts store, is expected to generate about 56.5 trips per 1,000 square feet per weekday.

Finding: For the reasons stated above proposed Comprehensive Plan Map and Zoning Map change will not significantly affect transportation facilities and therefore the changes comply with the OAR 660-012-0060.

FOREST GROVE OREGON

A place where families and businesses thrive.

Date: July 20, 2020

To: Planning Commission

From: James Reitz (AICP), Senior Planner
Dan Riordan, Senior Planner
Bryan Pohl, Community Development Director

Re: Gales Creek NMU Work Session

BACKGROUND: Following rejection of the Dollar General project, staff was directed to develop alternatives for the Neighborhood Mixed Use (NMU) designated area located at the Thatcher Road / Gales Creek Road intersection, identified in the Development Code as the Gales Creek NMU (discussion of potential revisions to the Development Code NMU text will be the topic of a future memo and work session). The purpose of this work session is to discuss potential Development Code text and zoning map amendments that might better facilitate commercial development in that area.

The existing auto-repair buildings were constructed before the area was annexed to the city, but the area has been planned for a broader commercial mix since at least 1980. Under the 1980 Comprehensive Plan designation, this area was intended to become a Planned Shopping Center, which could have included "a neighborhood gas station, convenience grocery store, recreation center, laundry, restaurant, etc." The concept of a shopping center never came to fruition, as commercial uses of all types have gravitated toward the area generally along Pacific Avenue east of Hawthorne Street.

In 2016 the City adopted a broader concept for this area, one that would "support the development of (a) pedestrian-friendly mixed use neighborhood with a diversity in the mix of housing types and neighborhood-scale retail uses and services, offices, civic or recreational uses." In the NMU-zoned areas, non-residential uses would have to be located in a village center (which was not defined), and all site reviews processed as a planned development. That combination proved problematic for the 2019 attempt to construct a new commercial building in the Gales Creek NMU.

This memo considers two topics:

- Re-zoning a portion of the area as Neighborhood Commercial, and the balance as a residential zone.
- Potential text amendments to the CN zoning district standards.

Questions for the Commission to consider follow each section.

NEIGHBORHOOD MEETING: In January 2020, staff hosted an information-sharing meeting with the affected property owners in the Gales Creek NMU, to discuss what might come next. The consensus reached was that the NMU zoning provisions, and particularly the village center and planned development requirements, posed insurmountable hurdles to any new commercial development. The desire expressed by the attendees was for an approach that would allow additional commercial development, but with more specific standards and a more certain (i.e., less discretionary) review process.

The attendees further agreed that only those sites located closest to the intersection need to be reserved for commercial use; the balance could be residential. Possible residential housing types and density were not discussed.

CODE COMPARISON: The primary permitted uses in the Neighborhood Commercial (CN) and NMU zoning districts are largely the same. The significant differences are:

1. All types of residential are allowed in the NMU; only multi-family is allowed in the CN.
2. All commercial uses in the NMU have to be located in a village center.
3. Gas stations are not permitted in the NMU but are allowed in CN.
4. All projects in the NMU require planned development (Type III) review.

PERMITTED USES - CN	PERMITTED USES - NMU
Residential Uses – CN	**Residential Uses - NMU**
Residential allowed in mixed use development	Residential allowed
No minimum/maximum lot area for residential	Maximum 4K sf lot area for residential
SFR prohibited; only Multi-Family allowed	All residential allowed except manufactured homes/parks, ADUs
Day care OK	Day care OK in village center
Commercial Uses - CN	**Commercial Uses - NMU**
Restaurants – OK w/o drive-through	Allowed only in village center – could include drive-through
Indoor Entertainment - No	Allowed in village center
Retail – no marijuana	Marijuana OK in village center
Personal services OK	Personal services OK in village center
Repair OK	Repair OK in village center
Outdoor sales – plants only	All OK in village center
Animals – No	Animals – No
Car sales – No	Car sales - No
Car repair – No	Car repair - No (but existing OK to continue)
Car fueling – OK	Car fueling - No

The following table lists the dimensional requirements of the two districts. In the CN zoning district, specific dimensions must be met; in the NMU zoning district, every dimension except building height is variable, as would be expected in a planned development.

Dimensional Requirements - CN	Dimensional Requirements - NMU
Maximum floor area 2,000 sf; more sf OK with CU approval	No maximum (MUPD required)
Minimum lot area 5,000 sf	No minimum (MUPD required)
Minimum front setback 14 feet	No minimum (MUPD required)
Minimum side setback 5 feet	No minimum (MUPD required)
Minimum rear setback 15 feet	No minimum (MUPD required)
Maximum front setback 20 feet	No maximum (MUPD required)
Maximum bldg. height 35 feet	Up to 45 feet (MUPD required)
Minimum landscape 15%	No minimum (MUPD required)

Because the commercial floor area in the CN zoning district is limited to 2,000 square without conditional use permit approval, staff researched the floor areas of various small-scale commercial uses throughout the city to see which of those might be permissible in the CN district; the first list below is just of convenience markets:

- Thatcher Road Plaid Pantry 2,400 sf
- Sunset Market 1,190 sf
- Yew Street 7-11 2,400 sf
- Elm Street complex (inc. Plaid Pantry) 4,800 sf (market = 2,400 sf; plus two other tenants)

- Hello Market (19th Avenue) 2,199 sf (market = 1,099)
- ForestPlace market & laundromat 4,840 sf (market = 2,990 sf)
- Laurel/Pacific market/vet building 4,528 sf market = 2,400 sf)

Interestingly, the existing Plaid Pantrys and 7-11s each have 2,400 square feet; because they exceed 2,000 square feet, any new such store would require conditional use permit approval to be located in the CN zoning district.

Other smaller-scale commercial buildings throughout the city, the uses of which might be appropriate in a CN zone:

First Community Credit Union	2,252 sf	Taco Bell	2,250 sf
Liquor store	2,388 sf	Subway	1,736 sf
Papa Murphy's building	3,000 sf (2 tenants)	Jim's Automotive	6,240 sf (with mezzanine)
PacOak Dental/insurance bldg.	3,490 sf (2 tenants)	Brookwood Auto	7,140 sf

The floor areas of the existing commercial buildings located in the Gales Creek NMU area are listed below (note that all of these serve the greater community, not just the neighborhood). All are presently non-conforming uses, and have been since the area was annexed.

- Body shop @ 1213 Thatcher Rd 1,800 square feet
- Auto parts sales @ 1203 Gales Creek Rd 2,432 square feet
- Auto repair shop @ 1405 Thatcher Rd 1,200 square feet

TOTAL SF 5,432 square feet

In the CN zoning district, commercial uses larger than 2,000 square feet of floor area require a conditional use (Type III) permit. This is a unique provision in the Development Code for commercial uses. In all other commercial and town center districts, a building would need to have at least 3,000 square feet of floor area before a Type III process (for Design Review, not Conditional Use) would be required.

Conclusions:

1. The uses permitted in the CN and NMU zoning districts are very similar.
2. Convenience stores tend to have a floor area of between 2,400 – 3,000 square feet.
3. Other commercial uses such as banks, offices, and restaurants can have a comparable floor area.
4. The existing auto-centric businesses in the Gales Creek NMU average 1,810 square feet each. They serve a greater market area than just the immediate neighborhood.
5. Newer auto-related businesses tend to construct larger buildings (exceeding 5,000 square feet).
6. The NMU zone dimensional standards are all flexible, but applications are required to undergo a more rigorous review process with no assurance of success.
7. Commercial development in the NMU zone must locate in a village center, which is not defined nor is there a process identified to establish its location.

POTENTIAL DEVELOPMENT CODE TEXT AMENDMENTS: As can be seen above, there is not a lot of difference in the uses permitted in the CN and NMU zoning districts. The more significant differences are in the dimensional requirements and review processes. With that in mind, and the desire expressed by the property owners for a more definitive review process (versus the discretionary planned development review process) staff has developed the following list of potential text amendments for the CN zoning district i.e. these changes would regulate development in both CN zoning districts –

1. ***Allow new car repair buildings provided all activities are conducted indoors (repair and storage).*** The existing buildings draw from a large market area, not just the neighborhood. They would become permitted uses for the first time since annexation, and would be allowed to expand or be replaced provided that all activities were conducted indoors. Existing outdoor storage would be allowed to

continue until a building expansion was proposed or there was a change in use. Given that the existing buildings have not been remodeled in over 40 years, it is speculative as to when or if they would be.

2. **Allow car wash with fuel station.** This would further expand the auto-centric uses permitted in the zone.
3. **Increase allowable per building floor area to 3,500 square feet (up from 2,000 sf); OR**
4. **Adopt a floor area ratio (FAR) of 0.25 minimum and 0.40 maximum. For example:**

   - 1121 Gales Creek Road has a lot area of 33,977 square feet (the proposed Dollar General site was larger, because it would have included a lot line adjustment). Under this concept, the existing lot could be developed with a building of between 8,494 and 13,591 square feet. The proposed Dollar General building would have had a floor area of 9,100 square feet.
   - 1203 Gales Creek Road: lot area = 20,038 sf. Floor area of between 5,009 and 8,015 sf (existing = 2,432 sf).
   - 1213 Thatcher Road: lot area = 14,375 sf. Floor area of between 3,594 and 5,750 sf (existing = 1,800 sf).
   - 1405 Thatcher Road: lot area = 8,712 sf. Floor area of between 2,178 and 3,485 sf (existing = 1,200 sf).

   Rather than a specific maximum building floor area, using a FAR would allow a building to be sized proportionally to the lot upon which it sits: a larger lot would allow for a larger building. The maximum commercial square footage currently allowed in the Gales Creek NMU zoning district is 25,000 square feet. For the four parcels listed above, the maximum square building footage using a 0.40 FAR would total 30,841 square feet. More commercial floor area would be possible if additional land were designated CN.

5. **Change the allowed building height from 35 feet (potentially 2.5 to 3 stories) to 2 stories.** A reduction in height might be preferred if the properties to the west are zoned RML; if they are zoned RMH, the 35-foot building height would be appropriate.

6. **Reduce the minimum front yard setback from 14 feet to zero.** This would be the same front yard setback as in all other commercial and Town Center zoning districts.

7. **Reduce the maximum front yard setback from 20 feet to 14 feet.** This would be the same setback as the residential minimum setback. This would also eliminate the possibility of parking between the building and the street, thus making the commercial development more pedestrian-friendly. It might still allow enough space for a narrow (9-foot-wide) drive-through lane however.

8. **Reduce the minimum building side yard setback to zero if abutting another CN property.**
9. **Reduce the minimum rear yard setback to zero if abutting another CN property.** Due to minimum side and rear yard setbacks, buildings in the CN zoning district are currently required to be separated from one another, a unique and counter-productive standard for a commercial zoning district.

10. **Increase the minimum side yard setback to 10 feet if abutting a residential zone.**
11. **Decrease the minimum rear yard setback from 15 feet to 10 feet if abutting a residential zone.** These setbacks would equal the current minimum distance required for the landscape buffer by DC §17.8.425 Table 8-3.

    Reducing the side and rear yard setbacks in the CN zoning district would allow for more efficient use of a parcel, as buildings could be sited zero lot line. This could also enhance pedestrian accessibility as the distance between buildings would be reduced, and less likely to be separated by surface car parks.

Increasing the side and rear yard setbacks where abutting a residential zone would further separate more intensive commercial uses from nearby residences.

Conclusions:

1. The CN zone dimensional standards are clear and objective, and thus easy to understand and implement.
2. The CN zone setbacks require buildings to be separated, counter to contemporary commercial development practices.
3. The existing auto-centric businesses serve the Forest Grove market as a whole, not just the immediate neighborhood.
4. Whether the existing auto-centric businesses become permitted uses or remain non-conforming uses may be meaningless, as the existing buildings and uses may continue indefinitely.
5. The existing Gales Creek NMU businesses are auto-centric and are not neighborhood-oriented.
6. The existing Gales Creek NMU businesses are auto-centric and are not pedestrian friendly.
7. The neighborhood market area may be too small to support the construction of any new commercial buildings. Allowing larger buildings (> 2,000 sf) may encourage commercial development, but such uses would likely serve a larger market area.

Discussion Questions:

Unlike the CC and TC zoning district regulations which have been amended several times, those of the CN district have not undergone any kind of review in about four decades, and still reflect the suburban-style auto-centric commercial model of the 1970s.

1. Should the specific limit on commercial floor area (currently 2,000 sf) be continued, or should an alternate method be used? OR -
2. Should there be a cap on floor area at all?
3. Should the uses permitted be broader to provide more market choice? If yes, what should those additional uses be?
4. Should auto-centric uses be permitted? If yes, what should those uses be? Gas stations are permitted uses; should the prohibition on restaurant (e.g. coffee kiosk) drive-through service be continued?
5. Should the Commercial Neighborhood standards be amended to adopt more commercial-style standards such as minimal setbacks?

POTENTIAL COMPREHENSIVE AND ZONING MAP AMENDMENTS: In addition to the possible text amendments outlined above, map amendments to the Gales Creek NMU area should also be considered. At the meeting with the property owners, they expressed interest in retaining some kind of commercial zoning toward the east end of the area (those parcels closest to the intersection) and designating the balance for residential uses. No specific density or desired housing type was discussed. Possible options include:

1. **Re-zone the eastern Gales Creek NMU parcels to CN** (the existing Plaid Pantry at 2901 Thatcher Road is located in the CN zoning district; this concept would expand that zoning district to include additional parcels).
2. **Re-zone the balance of the NMU area to RMH** (in other words, enlarge the existing RMH designated area); OR
3. **Re-zone the remaining NMU area to RML; AND**
4. **Re-zone the current RMH area to RML**

The *Comprehensive Plan* Locational Requirements for the RML and RMH zoning districts are as follows (several are duplicates and are not listed; below are only those that are the most pertinent):

RML

1. Sites located within ¼ mile of planned or existing transit service. The site is on a GroveLink route. It is not on a TriMet route, nor is a TriMet route planned for the area.

RMH

1. Sites located within ¼ mile of planned or existing transit service. The site is on a GroveLink route. It is not on a TriMet route, nor is a TriMet route planned for the area.

2. Sites adjacent to existing or planned parks or open space. The site is located across Gales Creek Road from Talisman Park.

3. Sites within ¼ mile of designated employment areas. The site is not within a ¼ mile of a designated employment area.

4. Creation of nodes to facilitate transit extension. Creation of a commercial node at this intersection may facilitate a future transit extension, but that is purely speculative at this time.

The Comprehensive Plan Locational Requirements for the Commercial Neighborhood district is as follows:

The Commercial Neighborhood district is established to provide for small to medium sized shopping and service facilities in close proximity to residential neighborhoods. The Neighborhood Commercial district is intended to meet the daily convenience shopping and service needs of the immediate neighborhood. CN districts should be located on arterial or collector streets, preferably at an intersection. CN zones should be spaced at approximately one-half (1/2) mile intervals and each district should be limited to a total size of approximately five (5) acres. There are 0.8 acres of land designated Neighborhood Commercial on the comprehensive plan map. (The two existing convenience markets noted here are located at 2901 Thatcher Road and 2830 Sunset Drive).

The Development Code Neighborhood Commercial description is:

The NC zone is established to provide for small to medium sized shopping and service facilities adjacent to residential neighborhoods. The district is intended to meet the convenience shopping and service needs of the immediate neighborhood and to have minimal negative impacts on surrounding residential uses. CN zones should be located on arterial or collector streets, preferably at an intersection. CN zones should be spaced at approximately one-half (½) mile intervals and each zoned area should be limited to a total size of approximately two (2) acres.

The CN Locational Factors are-

1. Adjacent to residential areas. The site is surrounded by residential areas.

2. Within 1/8 mile of collector street or arterial street intersection. The site is located at an intersection of two arterial streets.

3. Maximum site size: 5 acres (CP) or 2 acres (DC). The four easternmost NMU parcels total 77,102 square feet, or 1.77 acres. Combined with the existing Plaid Pantry site of 0.52 acres, the grand total would be 2.29 acres.

Conclusions:

1. The existing commercial uses are of neighborhood-scale, but they are auto-centric and serve a larger market area.

2. The CN zone would be appropriate if the intent is to only provide neighborhood-scale development. However, the neighborhood market area may be too small to support the construction of any new commercial buildings.
3. Allowing larger commercial buildings (> 2,000 square feet) might encourage commercial development, but those uses would likely serve a larger market area.

DISCUSSION: There are two primary policy questions to be considered:

1. Should some of the Gales Creek NMU area be re-zoned to Neighborhood Commercial? It would appear based on the descriptions and Locational Requirements above that rezoning some of the area to Neighborhood Commercial could be appropriate, as they largely duplicate the uses already permitted in the NMU zoning district. However -

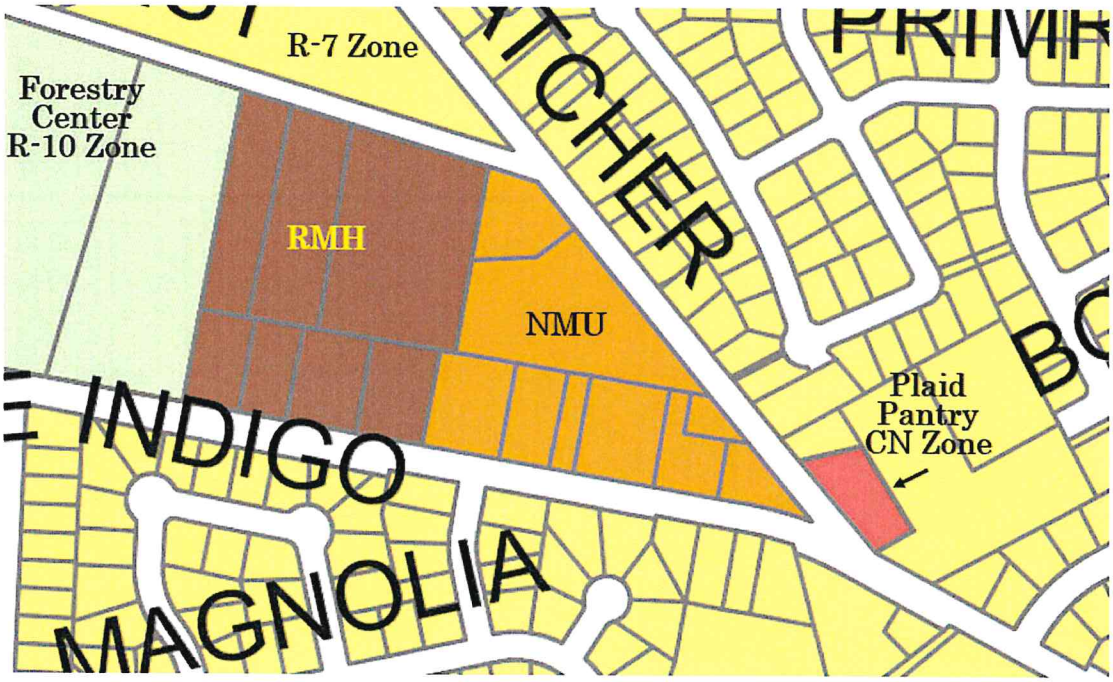
    a. There appears to be a very limited demand for neighborhood-scale commercial uses. It may be that the existing convenience market satisfies that demand.
    b. The existing auto repair uses serve a much greater market area than the "convenience shopping and service needs of the immediate neighborhood." Redevelopment of those sites to a different commercial use appear unlikely in the near term.
    c. The existing floor area cap of 2,000 square feet per building may be too limiting, thus discouraging any new commercial development of any kind.

2. What zone would be most appropriate for the balance of the property? An argument could be made for either the RML or RMH zoning district.

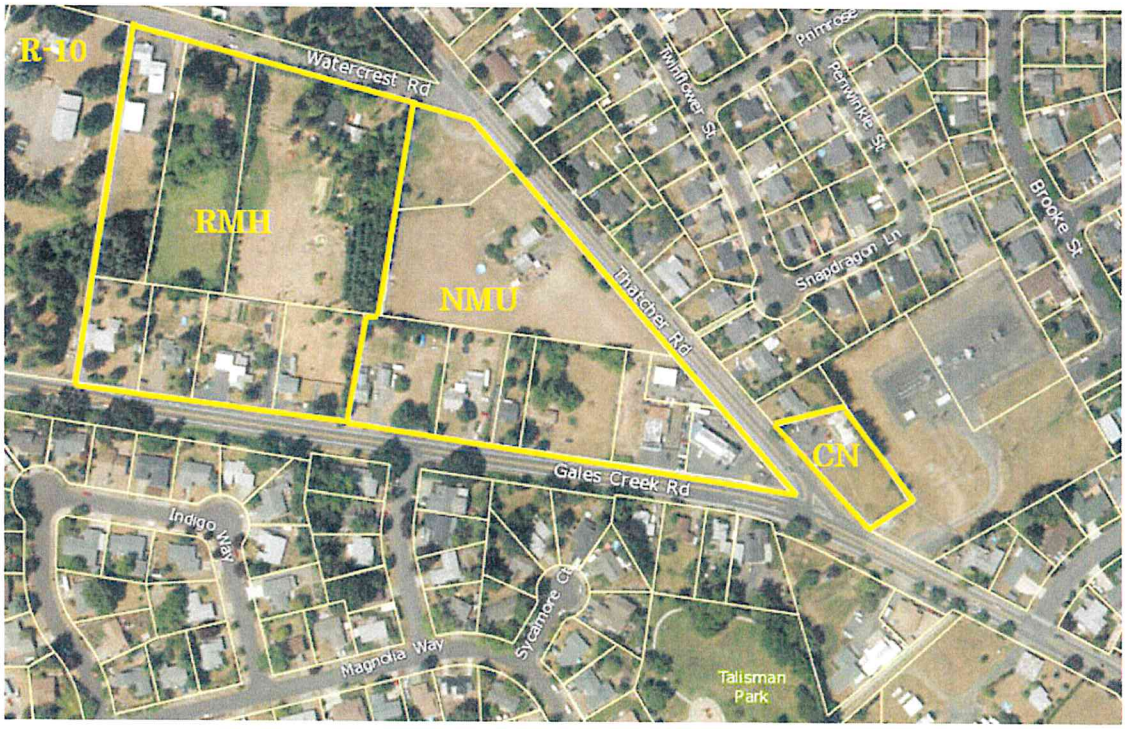
    a. An RML district would more likely result in the construction of single-family attached and detached homes, perhaps with some duplexes. Density would be at not more than 12.00 DUA and could be as little as 9.60 DUA. This density might be more acceptable to the neighborhood as it would more closely resemble existing residential development in the area, but this density might not be enough to facilitate development due to the expense of needed street improvements and utility extensions.
    b. An RMH district would more likely result in the construction of at least duplexes and perhaps apartments. Density would be up to 20.28 DUA but could be as little as 16.22 DUA. A larger number of units would provide a more robust market for the adjacent commercial uses, thus perhaps hastening their construction to the benefit of the west side as a whole. More units would also provide a greater opportunity for a developer to pay for needed street construction and utilities. However, even though some of this area is already designated RMH (and has been since 1980) and even though the area is served by two arterial streets, an RMH zone is not indicated based on the Locational Factors listed above, and might be less acceptable to the residents of the existing single-family neighborhoods nearby.

RECOMMENDATION: Following this meeting, draft text and map amendments will be developed as per the Commission's discussion. Depending on their extent, the draft will either be further reviewed and refined in another work session, or scheduled for public hearing.

Area Zoning



Aerial Photo



Thatcher Road LLC

Po Box 310

Tim0215@live.com

503-703-7112

Subject: Rezoning of the Thatcher Road triangle

This is in response to the staff report about the potential issues in new zoning for the triangle at the Northwest corner of Thatcher Road and the Gales Creek Highway. The staff report is an excellent summary of the history and the zoning issues at this location. It has many useful facts and possibilities as related to the zoning code of Forest Grove. We would like to expand on some of the report with information we have due to the failed effort to locate the Dollar General project on part of the site.

Most of our comments are related of the size of potential building uses at the location.

The opponents to the Dollar General project suggested they would be very happy if someone like Trader Joe's might locate on this site. Their stores are usually in the size range of 10,000 to 15,000 square feet. So if stores of that type are in fact something the opponents think might be useful adopting a zone that only allows buildings in the 2,000 to 2,500 foot range would preclude them entirely.

I have been advised by staff that the code does not allow the economics of users as a valid criteria. But I think the data we collected from the Dollar General Store is a valid source of information about what is possible at this general location. Here is the data we gathered.

The "fees" that would have been required by current development codes had the Dollar General proposed permit been given would have been $233,885.77. Let that sink in. They would have paid well over $200,000 in fees just to get a permit to build. Of those fees $162,216.60 would have been Traffic Impact Fees. Much testimony was about the lack of curbs, sidewalks and other safety issues where children have to walk to get to local schools. These impact fees are in fact the method that the City and Washington County use to build the needed safety features into locations like this, where 100 years of county development have left roads with no sidewalks and curbs. It is truly a chicken and egg dilemma. Without development, the chicken, no improvements, the egg, ever happen.

Also related are the offsite costs over the fees needed to develop at this location. The extension of Water, Sewer and Storm Sewer and street improvements at this site were estimated to be $165,000 additional in cost before any activity could be done on the site itself.

So in summary there would have been around $400,000 in costs before any building was built at the site. The point is that building smaller buildings in the range of 2,000 to 5,000 square feet does not allow the ability to cover costs like this. It will take buildings larger like a Trader Joe's or a Whole Foods or some other use that generates enough income, to pay off these costs.

Finally, the owners of most of the vacant land in the old Town Center-Mixed Use zone met with the planning officials. There was broad census that the owners want the area on the east side of the old zone including the current conforming commercial uses to be zoned commercial and the land more to the west to be zoned residential.

We would ask that the landowner's desires be considered and that buildings large enough to be financially viable be included in the zoning adopted. We think the staff suggestion of something like 40% of the area of the site be allowed as a building size limit makes some sense.

Sincerely,

Tim Schauermann
Thatcher Road LLC Member