



Site Plan and Design Review Staff Report and Recommendation

Community Development Department, Planning Division

REPORT DATE:	June 12, 2017
HEARING DATE:	June 19, 2017
LAND USE REQUEST:	Site plan approval and design review of Stonewood Center, a proposed commercial and office complex consisting of four buildings totaling 45,280-square-feet, a restaurant with drive-through, parking and landscaping
FILE NUMBER:	311-16-000197-PLNG
PROPERTY LOCATION:	3650 Pacific Avenue
LEGAL DESCRIPTION:	Washington County Tax Lots 1S305AB00501 & 1S305AB00504
OWNER/APPLICANT(S):	<u>Applicant/Property Owner:</u> A. C. "Buzz" Avery, 27752 County Lane, Laguna Niguel, CA 92677 <u>Applicant's Representatives:</u> • Barry Newdelman Associates Architects, 2340 SE Tamarack Avenue, Portland, Oregon 97214 • Jeff Bolden, Multi-Tech Engineering Inc., 1155 13th Street SE, Salem, Oregon 97302
COMPREHENSIVE PLAN MAP AND ZONING MAP DESIGNATIONS:	Community Commercial (CC) Community Commercial (CC)
APPLICABLE STANDARDS AND CRITERIA:	City of Forest Grove Development Code ☐ §10.3.300 - .340 <i>Commercial and Mixed Use Zones</i> ☐ §10.7.200 et. seq. <i>Solid Waste and Recycling</i> ☐ §10.8.000 et. seq. <i>General Development Standards</i> City of Forest Grove Design Guideline Handbook ☐ Focus Area II <i>Commercial Corridor Focus Area</i>
REVIEWING STAFF:	James Reitz (AICP) Senior Planner
RECOMMENDATION:	Staff recommends that the Planning Commission approve the revised site plan, landscape plan, and building elevations, with conditions

I. LAND USE HISTORY

This hearing was opened on May 1, 2017 and was continued to June 19, 2017. During the interim, the Planning Commission directed the applicant to prepare a response to a number of issues, concerns and proposed approval conditions described in the May 1 staff report, including:

1. A revised parking analysis to more accurately estimate the parking demand for the complex;
2. Revisions to the Pacific Avenue façade of Building 1 to provide more visual interest;
3. Revisions to the parking plan to improve accessibility by using perpendicular stalls instead of angled stalls;
4. Revisions to the pedestrian access plan to provide connections to both Pacific Avenue and Fir Road;
5. A revision to the site plan to relocate the drive-through;
6. Revisions to the landscape plan to provide more trees within and adjacent to the pedestrian areas;
7. Revision to the site plan to relocate one trash enclosure; and
8. Revision to the site plan to note roofing over the trash enclosures.

Responses to the above were submitted on June 6 and June 12, 2017. As of the writing of this report, no additional comments have been received from the public.

II. PROJECT REVISIONS

1. Parking Demand: Lancaster Engineering has prepared an analysis of the anticipated parking demand for a shopping center (see Exhibit A). The analysis describes weekday, Friday, and weekend day peak parking demand. The analysis uses data derived from Shopping Centers (ITE Code 820). Because the shopping centers studied are considerably larger than the proposed complex, staff questioned whether the analysis should have used data from Specialty Retail Centers instead (ITE Code 814). The response was that Specialty Retail Centers *"cannot be used for projections of parking demand because that land use category does not exist in the ITE Parking Generation manual. We have data regarding trip generation for this land use, but nothing for parking generation. Accordingly, the most applicable parking generation numbers are for Shopping Centers (ITE 820)."*

The analysis also uses a different ITE Code for offices (701) than the City uses for traffic generation (710). The explanation provided is that *"This is again a difference between the ITE Trip Generation Manual categories and the ITE Parking Generation categories. Land use code 701 from the Parking Generation manual is an amalgamation of five different land use categories from the ITE Trip Generation Manual. These are:*

*710 General Office Building
714 Corporate Headquarters Building
715 Single-Tenant Office Building
750 Office Park
760 Research and Development Center*

From the Parking Generation manual description for land use code 701, Office Building: "In reviewing the statistics for office parking demand, it was found that five

of the basic office land uses had virtually no difference in parking demand characteristics. The following section merges these land uses together for analysis purposes. Analysts should continue to record the specific ITE land use category for the data that they submit."

Staff is satisfied with both of these explanations.

Since the car park would be shared, peak parking demand for weekdays, Fridays and weekend days was derived based on the floor areas of the proposed retail and office uses in combination with the floor area of Ace Hardware (see Exhibit A p. 1 for a list of the square footages of each use). Because of the nature of a generic shopping center, "Retail" includes the proposed retail uses, Ace Hardware, and the coffee shop/drive-through.

Use	Weekday Demand	Friday Demand	Weekend Day Demand
Retail	127 Vehicles	146 Vehicles	143 Vehicles
Office	33	33	3-30
TOTAL	160	179	146-176

An additional analysis examined the specific uses proposed for this project. This analysis concluded that the weekday parking demand would be 166 vehicles; 179 vehicles on a Friday; and weekend day of 147-174 vehicles, depending on how actively the offices were used.

Parking supply would be 186 spaces, based on Sheet SP-1 (see Exhibit B). Depending on the day of the week, there would be a cushion of between 7 and 26 spaces available during the hours of peak demand; more spaces would be available during non-peak hours. Three additional spaces could be created if the bike racks were relocated out of the car park into the pedestrian areas closer to the buildings.

Based on the parking demand summarized above, it does not appear that the project needs to apply either the 10% reduction allowed by DC §10.8.520(A) for sites adjacent to transit lines (which could reduce the supply from 186 to 167 spaces), or the 25% reduction allowed by §10.8.520(B)(2)(a) for complementary uses (which could reduce the supply to 140 spaces). Given that there might in fact be an *oversupply* of parking, the Planning Commission might want to consider a **condition** to reduce the number of spaces.

2. Revisions to Building 1 to provide architectural enhancements along the Pacific Avenue façade: Proposed siding materials include HardiePanel, HardiePlank Lap Siding, and stone panel veneers. The HardiePanel siding can be specified in smooth or stucco finish and can be pre-painted in one of 25 colors, or custom painted. HardiePlank Lap Siding has a variety of finishes including smooth, beaded smooth, and colonial smooth, in addition to the rough-sawn or faux wood grain finish frequently seen in residential applications. It too can be pre-painted in one of 25 colors, or custom-painted. Further detailing would be provided through the use of reveals, trim boards and color (see Exhibit C).

The façade would be painted a variety of colors. Exhibit C provides three color scheme options (note that the colors may not be "true" due to printer variation). However, the material provides a direction the Commission may want to consider.

Staff concludes that the number of materials combined with the number of potential finishes and colors would provide sufficient architectural detailing. Staff would recommend that the Commission either:

- a. Provide **direction** on the three color schemes provided, either by selecting one option or a modification to the options provided; or
 - b. Add a **condition** for the Director to approve the particular color scheme prior to approval of the building permit.
3. Car Park Revisions to Improve Accessibility: The site plan has been redesigned to incorporate perpendicular parking stalls instead of angled stalls. Perpendicular stalls are more accessible since they can be accessed by vehicles travelling in either direction.
4. Site Plan Revisions to Improve Pedestrian Access: The site plan has been revised to include walkways at both the east and west ends of Building 1. These walkways would connect with the Pacific Avenue sidewalk. A walkway connection from Buildings 2-4 to Fir Road still needs to be included in the site plan, and staff has proposed a **condition** to do so.
5. Site Plan Revision to Relocate the Drive-Through: The site plan has been revised to relocate the drive-through from the east end of Building 1 to the west end. The new location would eliminate conflicts with traffic movement and stacking at the Pacific Avenue driveway.
6. Landscape Plan Revisions include:
 - a. More trees adjacent to the pedestrian areas. Pacific Dogwood trees are proposed along the south side of Building 1 and the north side of Buildings 2-4. This is a native species which should perform well in this climate. Pacific Dogwoods can reach a height and width of 40 feet and 25 feet respectively, although a shorter height is anticipated due to limited planting areas (only 5 x 5 feet). They would be an appropriately-scaled tree for installation near one- and two-story buildings. Their root zones would be protected from soil compaction by tree grates.
 - b. Nine columnar Hornbeams are proposed along Pacific Avenue. These trees could be expected to reach a height of about 25 feet, which would be appropriate given their location near the overhead utility lines located along the street.
 - c. Sourwood trees are proposed in place of several of the Sargent cherry trees included in the original landscape plan. Sourwood trees grow to a height of 25-30 feet, with a 20-foot-wide spread. Nineteen sourwoods are proposed in and around the car park (identified as T2 on the landscape plan). Staff believes these trees are spaced too closely together and would not achieve the desired dimensions. Furthermore, because of their limited spread (only 20 feet) they would offer virtually no car park shade. Staff is therefore recommending these **conditions**:
 - i. The landscape plan shall be revised to include large canopy trees (examples include several varieties of maple, oak, elm and zelkova).
 - ii. Large canopy trees shall be dispersed around the car park in order to provide maximum shade.
 - iii. Two additional landscape islands with an east-west orientation shall be included in the central parking area, one each between the pedestrian walkway and the east and west landscape islands. To provide a sufficient

root zone for large canopy trees, the two additional islands shall have a minimum length of 16 feet and a minimum width of 6 feet.

- iv. The bike racks proposed to be located at the southwest corner of Building 1 shall be relocated, and the adjacent landscape island shall be enlarged accordingly. The three sourwood trees proposed around the bike racks shall be replaced by one large canopy tree.
- v. Four of the sourwood trees proposed in the central landscape islands shall be replaced with large canopy trees, one in each island.

- 7. Site Plan Revision to Relocate the Trash and Recycling Enclosure: The enclosure proposed by the northwest corner of Building 1 has been shifted south, farther away from Pacific Avenue. It would be located south of the drive-through lane, and further screened from view by a row of Dwarf Burning Bush, a shrub which can reach 6-8 feet in height.
- 8. Provide Roofing over the Trash Enclosures: To minimize weather and wildlife intrusions as well as to provide more visual screening, both enclosures would be roofed. The roof style (shed or gabled) has not yet been designed.

III. ALTERNATIVES

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

IV. RECOMMENDATION

Staff recommends approval of the Stonewood Center site plan, landscape plan, and building design, based on the revised plans and application materials submitted June 6 and June 12, 2017, subject to the following conditions:

GENERAL

- 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 must comply with all applicable City and CWS building and development standards, including all dimensional standards and public works specifications.

UTILITIES

- 3. All utility connections shall be underground (DC §10.8.645(A) *Underground Utilities*).
- 4. An updated storm drainage report shall be required. The storm drainage system shall be updated as needed to comply with current CWS standards and specifications.
- 5. Provide a fire hydrant at or near the northeast corner of Building 2.
- 6. An additional electrical feed shall be installed from Pacific Avenue. Additional easements may be necessary in order to provide service through the Ace Hardware and/or Forestplace Apartments sites to this project.
- 7. Pad mount transformer locations will need to be determined.

PARKING, ACCESS AND CIRCULATION

- 8. The applicant shall comply with all *Conditions of Approval* listed in the ODOT review letter dated April 5, 2017.

PEDESTRIAN CONNECTIONS

9. Provide a walkway connection from the Fir Road sidewalk to the walkway on the north side of Buildings 2-4. This walkway shall have an unobstructed width of at least 5 feet.
10. Expand the walkway on the south side of Building 1 and the north side of Buildings 2-4 by at least 1.50 feet, for a minimum width of 16.50 feet. No wheel stops shall be required in these areas.

BUILDING DESIGN

11. Provide at least 25% transparency of Building 1's Pacific Avenue façade end unit tenant spaces, as well as at least 25% of Building 1's east and west facades. The 25% requirement shall be measured below the interior ceiling line.
12. Require additional façade enhancements facing Pacific Avenue be submitted for review and, as approved by staff, be incorporated in the final building design. Such enhancements, as approved by the Community Development Director, shall be the use of brick and other alternative materials, use of additional colors and the continuation of the awnings proposed for the opposite side of the building of the building.
13. Each building shall be identified with digits at least 8 inches tall that contrasts with the background. Individual unit (suite) numbers shall be at least 6 inches in height and contrast with the background.
14. The south elevation of Buildings 2-4 shall be treated with an anti-graffiti coating to create a non-stick surface to repel paint and permanent markers.
15. All ground level and roof-top mechanical equipment shall be screened from view with landscaping, fencing and or walls. The height of the screen shall equal or exceed the height of the equipment, and include screening from views from above when visible from adjacent inhabited buildings.

LANDSCAPE PLAN

16. Tree spacing in landscape islands shall generally comply with the provisions of DC §10.5.120(4). Tree spacing shall also be adjusted as needed to minimize conflicts with car park area lighting.
17. The landscape plan shall be revised to include large canopy trees (examples include several varieties of maple, oak, elm and zelkova).
18. Large canopy trees shall be dispersed around the car park in order to provide maximum shade.
19. Two additional landscape islands shall be included in the central parking area, one each between the pedestrian walkway and the east and west landscape islands. To provide a sufficient root zone for large canopy trees, the two additional islands shall have a minimum length of 16 feet and a minimum width of 6 feet.
20. The bike racks proposed to be located at the southwest corner of Building 1 shall be relocated, and the adjacent landscape island shall be enlarged accordingly. The three sourwood trees proposed around the bike racks shall be replaced by one large canopy tree.
21. Four of the sourwood trees proposed in the central landscape islands shall be replaced with large canopy trees, one in each island.
22. Revisions to the landscape plan shall be reviewed and approved by City staff prior to installation.

OTHER

23. Fence height along the south property line shall not exceed four feet.
24. All lighting shall comply with the provisions of DC §10.8.755(C) *Pedestrian Lighting Standards* and §10.8.755(E) *Lighting Standards for Commercial Development*.

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 Parking Memorandum prepared by Lancaster Engineering
- Exhibit B Revised Site and Landscape Plans
- Exhibit C Revised Building Elevations and Architectural Renderings

EXHIBIT A

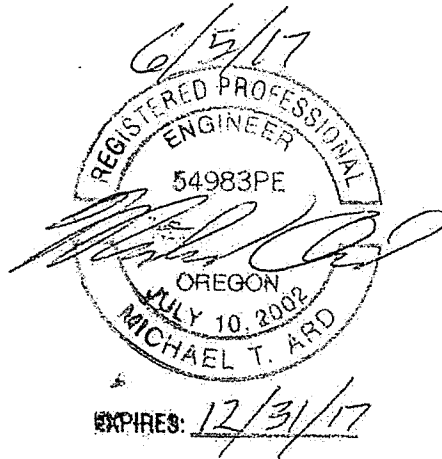
Parking Memorandum

prepared by

Lancaster Engineering

Parking Memorandum

To: Buzz Avery, B&K Construction
From: Michael Ard, PE
Date: June 5, 2017
Subject: Stonewood Center Parking Demand Analysis



A stylized logo consisting of the letters "Le" in a cursive, handwritten style.

LANCASTER
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This memorandum is written to describe the projected peak parking demands associated with the proposed Stonewood Center facilities at 3680 Pacific Avenue in Forest Grove, Oregon. The purpose of the analysis is to provide information regarding anticipated parking demands in order to inform a decision by the Forest Grove Planning Commission regarding a proposed parking reduction.

Site Description

The subject property is located in the southeast quadrant of the intersection of Pacific Avenue at Highway 47. An existing Ace Hardware store is located immediately west of the proposed development, and will share parking with the proposed uses.

As proposed, the subject property will have 190 parking spaces and will accommodate the following uses:

- 15,384 square foot hardware store (existing)
- 4,100 square foot paint store
- 2,400 square foot coffee shop
- 29,552 square feet of misc. retail space
- 11,794 square feet of office space

Under City of Forest Grove standards, the minimum parking required for the proposed development is calculated based on 3.7 parking spaces per thousand square feet for the retail areas, and 2.7 parking spaces per thousand square feet for the office uses. With an overall retail floor area of 51,436 square feet and 11,794 square feet of office space, this equates to 222 parking spaces. Since the site is adjacent to transit, a 10 percent reduction applies to the minimum parking standard, reducing the minimum required parking to 200 spaces. With supporting evidence, additional reductions to the minimum parking standards are allowable, with a maximum overall reduction of 25 percent. Accordingly, the maximum permissible reduction in parking would be to 167 parking spaces. The requested parking reduction would result in providing 85 percent of the calculated minimum rather than the 90 percent allowed outright by the code.

June 5, 2017
Page 2 of 6

Parking Demand Considerations

The peak parking demands associated with the proposed uses vary by time of day and day of week. These variations give rise to different peak parking demands. Generally, the peak parking demands of retail and office uses occur during the day, and have sufficient overlap that it is difficult to project peak hourly demands more accurately than by simply adding the expected peak demands of the various uses on the site. However, daily parking demands do show some meaningful variation between the uses, since office uses generally experience reduced parking demands on weekends, while retail uses generally experience higher parking demands on weekends. Therefore, in order to accurately assess the peak parking demands of the site, a detailed projected of peak parking demands was prepared for both weekday and weekend conditions.

Parking demand data for the various site uses was taken from *PARKING GENERATION, 4th Edition*, published by the Institute of Transportation Engineers. Some limited parking demand data is available for the “Hardware/Paint Store” and “Coffee/Donut Shop with Drive-Through Window” land uses; however, the data sets for these uses consist of only 1-2 observations from similar sites, and accordingly cannot be used with confidence. In order to ensure that the data used has sufficient supporting observations to ensure a credible analysis, the parking demands were therefore projected using more the more generic “Shopping Center” and “Office Building” land use categories. The additional information provided by the ITE manual for the specific land uses proposed is also included for reference in order to provide the most complete and accurate information available while ensuring that the analysis remains reliable.

Although both the “Shopping Center” and “Office Building” land uses use floor area as the independent variable for calculations of projected parking demands, it should be noted that the “Shopping Center” land use references the GLA (Gross Leasable Area), while the “Office Building” land use references the GFA (Gross Floor Area). This means that for the retail uses, common spaces such as hallways, stairs, lobbies, restrooms and other common spaces that are not directly leased to building tenants are excluded from the floor area prior to calculating the projected peak parking demands.

Overall, the site will include 49,708 square feet of gross leasable area for retail uses, which were analyzed using land use code 820, *Shopping Center*, and 11,794 square feet of gross floor area for office uses, which were analyzed using data for land use code 701, *Office Building*.

Weekday Parking Demands

Weekday peak parking demands for retail uses average 2.55 vehicles per thousand square feet of gross leasable floor area. Accordingly, the peak parking demand associated with the retail portion of the site was calculated to be 127 vehicles.

Weekday peak parking demands for office uses average 2.84 vehicles per thousand square feet of gross floor area. Accordingly, based on the 11,794 square feet of proposed office space the peak parking demand associated with the office portion of the site was calculated to be 33 vehicles.



June 5, 2017
Page 3 of 6

Overall, the subject property is projected to have a weekday peak parking demand of 160 vehicles. The available on-site parking supply of 190 spaces would therefore be projected to be 84% full under peak parking demand conditions during a weekday.

In addition to this analysis, a second analysis was conducted using the limited data available for the specific uses proposed on the site. This second analysis was conducted to determine whether the specific land uses proposed would be expected to have parking demands that are higher or lower than for generic retail uses on the site.

This additional analysis was conducted assuming 11,794 square feet of office building, 19,484 square feet of hardware/paint store uses (including both the existing 15,834 sf Ace Hardware store and the proposed 4,100 sf paint store), a 2,400 square foot coffee shop with drive-through window, and 27,932 square feet of misc. retail (shopping center) uses within the site. Based on this mix of uses, the weekday peak parking demand was projected to be 166 parking spaces.

In general, the peak parking demands of a hardware/paint store are lower than for typical retail uses, with a projected peak parking demand of 1.8 vehicles per thousand square feet of gross leasable area. The peak parking demands associated with the coffee shop use are higher than for typical retail, however, with a peak demand of 10.4 vehicles per thousand square feet of gross floor area. Overall, the peak projected parking demands for the specific land uses proposed is comparable to the demand projected based on the more generic "Shopping Center" land use category, and sufficient parking supply is projected to be available using either calculation methodology.

Friday Parking Demands

Friday peak parking demands for retail uses average 2.94 vehicles per thousand square feet of gross leasable floor area. Accordingly, the peak parking demand associated with the retail portion of the site was calculated to be 146 vehicles.

It should be noted that the actual parking demands associated with office uses are slightly lower for Fridays than for mid-week days due to the fact that office employees often schedule vacation time and flex time to increase the effective length of weekends. However, Friday peak parking demands for the office uses were conservatively assumed to match those of other weekdays. Accordingly, based on the 11,794 square feet of proposed office space the peak parking demand associated with the office portion of the site was calculated to be 33 vehicles.

Overall, the subject property is projected to have a Friday peak parking demand of 179 vehicles. The available on-site parking supply of 190 spaces would therefore be projected to be 94% full under peak parking demand conditions during a Friday.



June 5, 2017
Page 4 of 6

A second analysis was conducted using the limited data available for the specific uses proposed on the site. This second analysis was conducted to determine whether the specific land uses proposed would be expected to have parking demands that are higher or lower than for generic retail uses on the site.

This additional analysis was conducted assuming 11,794 square feet of office building, 19,484 square feet of hardware/paint store uses (including both the existing 15,834 sf Ace Hardware store and the proposed 4,100 sf paint store), a 2,400 square foot coffee shop with drive-through window, and 27,932 square feet of misc. retail (shopping center) uses within the site. Based on this mix of uses, the Friday peak parking demand was projected to be 177 parking spaces.

Overall, the peak projected parking demands for the specific land uses proposed is comparable to the demand projected based on the more generic "Shopping Center" land use category, and sufficient parking supply is projected to be available using either calculation methodology.

Weekend Parking Demands

Weekend parking demands were projected using Saturday parking observation data for the proposed land uses.

Saturday peak parking demands for retail uses average 2.87 vehicles per thousand square feet of gross leasable floor area. Accordingly, the peak parking demand associated with the retail portion of the site was calculated to be 143 vehicles.

Saturday peak parking demands for office uses are not widely available, since parking demand observations are not generally conducted during off-peak periods for respective land uses. Most commercial office buildings do very little business on weekends, with parking demands limited to a few staff members as well as building maintenance, security, and housekeeping. However, some office uses remain open on weekends and maintain relatively high parking demands over this period. Based on observation of office uses, the peak parking demands on weekends ranged from less than 10 percent of weekday peak parking demands to almost 90 percent of the weekday peak parking demands. The vast majority of office uses would be projected to have parking demands on the low end of this range. For the subject property, the potential office peak parking demands that occur on weekends would be expected to fall between 3 and 30 vehicles, with actual parking demands likely to be at the low end of this range estimate.

Overall, the subject property is projected to have a Saturday/weekend peak parking demand of 146 vehicles. The available on-site parking supply of 190 spaces would therefore be projected to be 77% full under peak parking demand conditions on weekends. Even if the office uses on the site remain in active use and attract parking demands of 90 percent of weekday levels during the weekend, the total peak parking demand projected for the site would be 173 vehicles, and adequate parking will be available for the projected peak demands.

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Again, a second analysis was conducted using the limited data available for the specific uses proposed on the site to determine whether the specific land uses proposed would be expected to have Saturday parking demands that are higher or lower than for generic retail uses on the site.

Again, this additional analysis was conducted assuming 11,794 square feet of office building, 19,484 square feet of hardware/paint store uses (including both the existing 15,834 sf Ace Hardware store and the proposed 4,100 sf paint store), a 2,400 square foot coffee shop with drive-through window, and 27,932 square feet of misc. retail (shopping center) uses within the site. Based on this mix of uses, the likely Saturday peak parking demand was projected to be 147 vehicles. Alternatively, a peak parking demand of up to 174 vehicles could be experienced if the office use remains active during the weekend.

On a Saturday, the peak parking demands of a hardware/paint store are again lower than for typical retail uses, with a projected peak parking demand of 2.19 vehicles per thousand square feet of gross leasable area. The Saturday peak parking demands associated with the coffee shop remain higher than for typical retail, however, with peak demand of 8.63 vehicles per thousand square feet of gross floor area. Overall, the peak projected parking demands for the specific land uses proposed are again comparable to the demand projected based on the more generic “Shopping Center” land use category, and sufficient parking supply is projected to be available using either calculation methodology.

Parking Demand Summary

The projected peak parking demands for the proposed development are summarized in the following table.

PARKING GENERATION SUMMARY				
Stonewood Center				
Calculation Method #1	Size	Weekday	Friday	Saturday
Shopping Center	49,708 sf	127	146	143
Office Building	11,794 sf	33	33	3 - 30
Total		160	179	146 - 173
Calculation Method #2	Size	Weekday	Friday	Saturday
Shopping Center	27,932 sf	71	82	80
	19,484 sf	37	37	43
	2,400 sf	25	25	21
Office Building	11,794 sf	33	33	3 - 30
Total		166	177	147 - 174

It should be noted that the above analysis takes no reduction for transit use. Based on the fact that the site is adjacent to transit, it is reasonable to expect that actual parking demands will be slightly reduced from these

June 5, 2017
Page 6 of 6

levels. Based on the detailed analysis, all projected parking demands fall within the available parking supply of 190 spaces. Additionally, based on the mix of office and retail uses on the site, internal trip demands of 2 percent are expected (consisting of visitors patronizing more than one use on the site), further reducing the actual peak parking demands.

Conclusions

Based on the detailed analysis, the proposed development was conservatively projected to result in a peak parking demand of 179 vehicles (Friday peak conditions). This projected peak parking demand leaves 11 parking spaces vacant within the site. Actual parking demands are likely to be lower due to the actual mix of uses on the site, the fact that some site patrons will visit more than one use on the site, the fact that the site is adjacent to convenient transit, and the fact that office parking demands are generally slightly reduced on Fridays.

The requested parking reduction falls well within the maximum limitation of 25 percent overall reduction from the parking minimums described in the City of Forest Grove's development code. Since the proposed development includes sufficient parking for the proposed uses the minimum parking standard can be reduced from the 200 spaces required per the code (with 10% reduction for adjacent transit) to the requested 190 spaces.

APPENDIX

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PARKING GENERATION CALCULATIONS

Land Use: Shopping Center
Land Use Code: 820
Variable: 1,000 sq.ft. Gross Leasable Area
Variable Value: 49.708

Non-Friday Weekday (Non-December)

Peak Period 11:00 a.m. - 3:00 p.m.
Number of Study Sites 24
Avg. Size of Study Sites 357.7 ksf G.L.A.
Avg. Peak Period Parking Demand 2.55 vehicles per ksf
Standard Deviation 0.93
Coefficient of Variation 37%
Range 1.33-5.58 vehicles per ksf
85th Percentile Rate: 3.16 vehicles per ksf
33rd Percentile Rate: 2.2 vehicles per ksf

Peak Parking Demand	127
85th Percentile Parking Demand	157

Source: PARKING GENERATION, Fourth Edition

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PARKING GENERATION CALCULATIONS

Land Use: Shopping Center
Land Use Code: 820
Variable: 1,000 sq.ft. Gross Leasable Area
Variable Value: 49.708

Friday Weekday (Non-December)

Peak Period	1:00 p.m. - 2:00 p.m.	
Number of Study Sites	17	
Avg. Size of Study Sites	275	ksf G.L.A.
Avg. Peak Period Parking Demand	2.94	vehicles per ksf
Standard Deviation	0.87	
Coefficient of Variation	30%	
Range	1.32-4.66	vehicles per ksf
85th Percentile Rate:	3.9	vehicles per ksf
33rd Percentile Rate:	2.61	vehicles per ksf

Peak Parking Demand	146
85th Percentile Parking Demand	194

Source: PARKING GENERATION, Fourth Edition

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PARKING GENERATION CALCULATIONS

Land Use: Shopping Center
Land Use Code: 820
Variable: 1,000 sq.ft. Gross Leasable Area
Variable Value: 49.708

Saturday Non-December

Peak Period	1:00 p.m. - 2:00 p.m.	
Number of Study Sites	26	
Avg. Size of Study Sites	458	ksf G.L.A.
Avg. Peak Period Parking Demand	2.87	vehicles per ksf
Standard Deviation	0.7	
Coefficient of Variation	24%	
Range	1.73-4.82	vehicles per ksf
85th Percentile Rate:	3.4	vehicles per ksf
33rd Percentile Rate:	2.46	vehicles per ksf

Peak Parking Demand	143
85th Percentile Parking Demand	169

Source: PARKING GENERATION, Fourth Edition

2e

PARKING GENERATION CALCULATIONS

Land Use: Office Building
Land Use Code: 701
Location: Suburban
Variable: 1,000 sq. ft. GFA
Variable Value: 11.794

Weekday

Peak Periods 9:00 AM to 4:00 PM

Number of Study Sites	176	
Avg. Size of Study Sites	136,000	sq. ft. GFA
Avg. Peak Period Parking Demand	2.84	vehicles per ksf GFA
Standard Deviation	0.73	
Coefficient of Variation	26%	
Range	0.86 - 5.58	vehicles per ksf GFA
85th Percentile Rate:	3.45	vehicles per ksf GFA
33rd Percentile Rate:	2.56	vehicles per ksf GFA

Peak Parking Demand	33
85th Percentile Parking Demand	41

Source: PARKING GENERATION, Fourth Edition

16

PARKING GENERATION CALCULATIONS

Land Use: Shopping Center
Land Use Code: 820
Variable: 1,000 sq.ft. Gross Leasable Area
Variable Value: 27.932

Non-Friday Weekday (Non-December)

Peak Period 11:00 a.m. - 3:00 p.m.
Number of Study Sites 24
Avg. Size of Study Sites 357.7 ksf G.L.A.
Avg. Peak Period Parking Demand 2.55 vehicles per ksf
Standard Deviation 0.93
Coefficient of Variation 37%
Range 1.33-5.58 vehicles per ksf
85th Percentile Rate: 3.16 vehicles per ksf
33rd Percentile Rate: 2.2 vehicles per ksf

Peak Parking Demand	71
85th Percentile Parking Demand	88

Source: PARKING GENERATION, Fourth Edition

1e

PARKING GENERATION CALCULATIONS

Land Use: Shopping Center
Land Use Code: 820
Variable: 1,000 sq.ft. Gross Leasable Area
Variable Value: 27.932

Friday Weekday (Non-December)

Peak Period	1:00 p.m. - 2:00 p.m.	
Number of Study Sites	17	
Avg. Size of Study Sites	275	ksf G.L.A.
Avg. Peak Period Parking Demand	2.94	vehicles per ksf
Standard Deviation	0.87	
Coefficient of Variation	30%	
Range	1.32-4.66	vehicles per ksf
85th Percentile Rate:	3.9	vehicles per ksf
33rd Percentile Rate:	2.61	vehicles per ksf

Peak Parking Demand	82
85th Percentile Parking Demand	109

Source: PARKING GENERATION, Fourth Edition

1e

PARKING GENERATION CALCULATIONS

Land Use: Shopping Center
Land Use Code: 820
Variable: 1,000 sq.ft. Gross Leasable Area
Variable Value: 27.932

Saturday Non-December

Peak Period	1:00 p.m. - 2:00 p.m.	
Number of Study Sites	26	
Avg. Size of Study Sites	458	ksf G.L.A.
Avg. Peak Period Parking Demand	2.87	vehicles per ksf
Standard Deviation	0.7	
Coefficient of Variation	24%	
Range	1.73-4.82	vehicles per ksf
85th Percentile Rate:	3.4	vehicles per ksf
33rd Percentile Rate:	2.46	vehicles per ksf

Peak Parking Demand	80
85th Percentile Parking Demand	95

Source: PARKING GENERATION, Fourth Edition

1e

PARKING GENERATION CALCULATIONS

Land Use: Hardware/Paint Store
Land Use Code: 816
Variable: 1,000 sq.ft. Gross Leasable Area
Variable Value: 19.484

Weekday

Peak Period	4:00 pm - 5:00 pm	
Number of Study Sites	1	
Avg. Size of Study Sites	20	ksf G.L.A.
Avg. Peak Period Parking Demand	1.90	vehicles per ksf
Standard Deviation	N/A	
Coefficient of Variation	N/A	
Range	1.9	vehicles per ksf
85th Percentile Rate:	N/A	vehicles per ksf
33rd Percentile Rate:	N/A	vehicles per ksf

Peak Parking Demand	37
85th Percentile Parking Demand	N/A

Source: PARKING GENERATION, Fourth Edition

1e

PARKING GENERATION CALCULATIONS

Land Use: Hardware/Paint Store
Land Use Code: 816
Variable: 1,000 sq.ft. Gross Leasable Area
Variable Value: 19.484

Saturday

Peak Period	12:00 pm - 1:00 pm	
Number of Study Sites	2	
Avg. Size of Study Sites	12	ksf G.L.A.
Avg. Peak Period Parking Demand	2.19	vehicles per ksf
Standard Deviation	N/A	
Coefficient of Variation	N/A	
Range	1.5-2.87	vehicles per ksf
85th Percentile Rate:	N/A	vehicles per ksf
33rd Percentile Rate:	N/A	vehicles per ksf

Peak Parking Demand	43
85th Percentile Parking Demand	N/A

Source: PARKING GENERATION, Fourth Edition

Le

PARKING GENERATION CALCULATIONS

Land Use: Coffee/Donut Shop with Drive-Through Window
Land Use Code: 937

Variable: Square Feet
Variable Value: 2.4

Weekday

Peak Periods 7-9 am, 11:00 am - 2:00 pm

Number of Study Sites	16	
Avg. Size of Study Sites	1900	sqft
Avg. Peak Period Parking Demand	10.4	vehicles per 1,000 sqft GFA
Standard Deviation	9.37	
Coefficient of Variation	90%	
Range	2.96-37.50	vehicles per 1,000 sqft GFA
85th Percentile Rate:	18.97	vehicles per 1,000 sqft GFA
33rd Percentile Rate:	5.39	vehicles per 1,000 sqft GFA

Peak Parking Demand	25
85th Percentile Parking Demand	46

Source: PARKING GENERATION, Fourth Edition

1e

PARKING GENERATION CALCULATIONS

Land Use: Coffee/Donut Shop with Drive-Through Window
Land Use Code: 937

Variable: Square Feet
Variable Value: 2.4

Saturday

Peak Periods 8:00 - 9:00 am, 12:00 - 1:00 pm

Number of Study Sites	2	
Avg. Size of Study Sites	1325	sqft
Avg. Peak Period Parking Demand	8.63	vehicles per 1,000 sqft GFA
Standard Deviation	N/A	
Coefficient of Variation	N/A	
Range	5.41-11.85	vehicles per 1,000 sqft GFA
85th Percentile Rate:	N/A	vehicles per 1,000 sqft GFA
33rd Percentile Rate:	N/A	vehicles per 1,000 sqft GFA

Peak Parking Demand	21
85th Percentile Parking Demand	N/A

Source: PARKING GENERATION, Fourth Edition

Le

PARKING GENERATION CALCULATIONS

Land Use: Office Building
Land Use Code: 701
Location: Suburban
Variable: 1,000 sq. ft. GFA
Variable Value: 11.794

Weekday

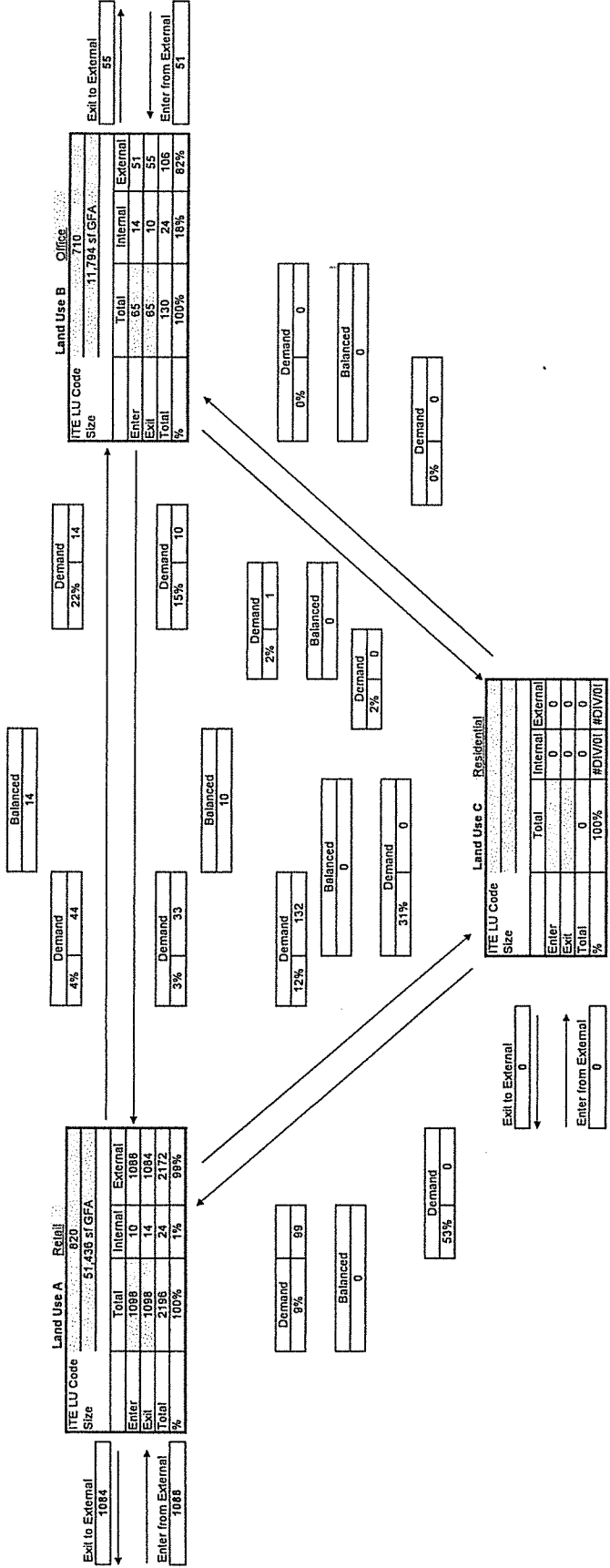
Peak Periods 9:00 AM to 4:00 PM

Number of Study Sites	176	
Avg. Size of Study Sites	136,000	sq. ft. GFA
Avg. Peak Period Parking Demand	2.84	vehicles per ksf GFA
Standard Deviation	0.73	
Coefficient of Variation	26%	
Range	0.86 - 5.58	vehicles per ksf GFA
85th Percentile Rate:	3.45	vehicles per ksf GFA
33rd Percentile Rate:	2.56	vehicles per ksf GFA

Peak Parking Demand	33
85th Percentile Parking Demand	41

Source: PARKING GENERATION, Fourth Edition

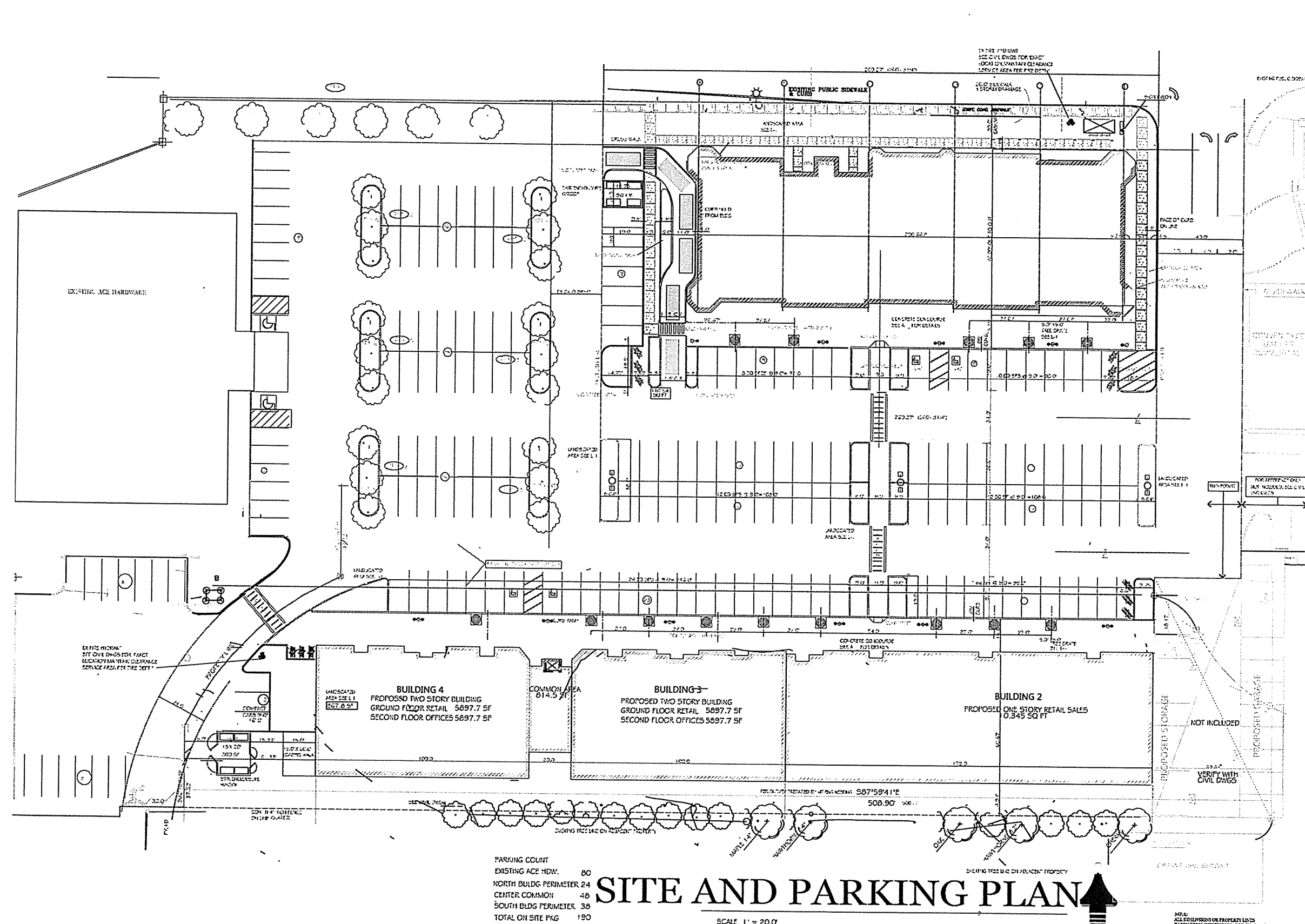
Internalization



Net External Trips for Multi-Use Development				
	Land Use A	Land Use B	Land Use C	Total
Enter	1088	51	0	1139
Exit	1084	55	0	1139
Total	2172	106	0	2278
Single-Use Trip Gen. Est.	2196	130	0	2326
				DAILY INTERNAL CAPTURE
				2%

EXHIBIT B

Revised Site and Landscape Plans



REVISIONS

NO.	DATE	DESCRIPTION
01	07/27/16	ISSUED FOR PERMIT
02	08/01/16	REVISED PER CIVIL DWGS

PROJECT INFORMATION

PROJECT NO. 1608321

DATE: AUG 01, 2016

ARCHITECT

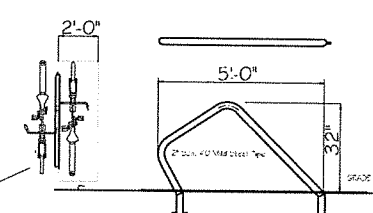
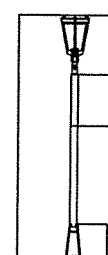
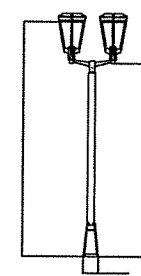
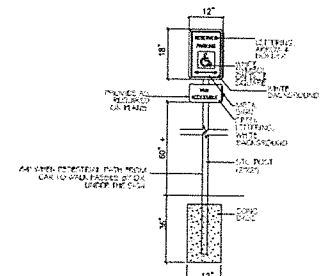
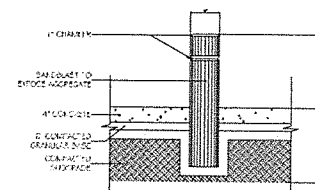
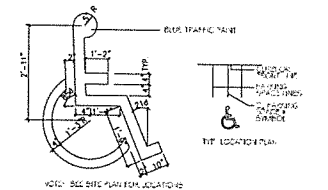
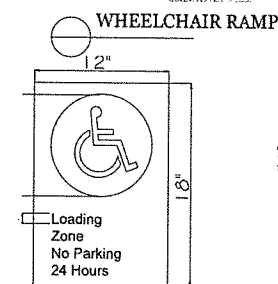
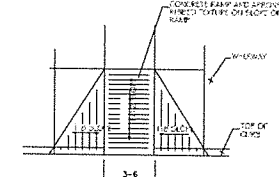
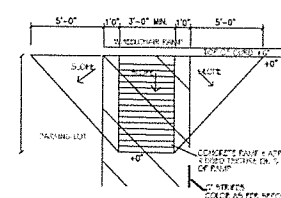
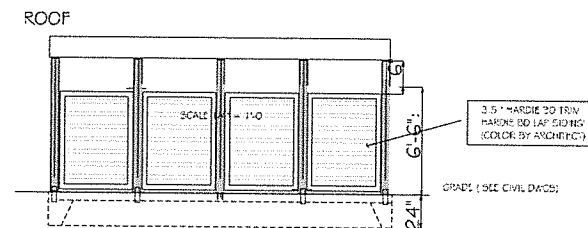
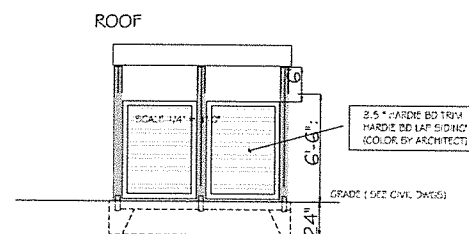
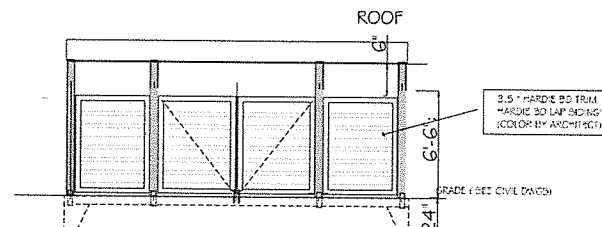
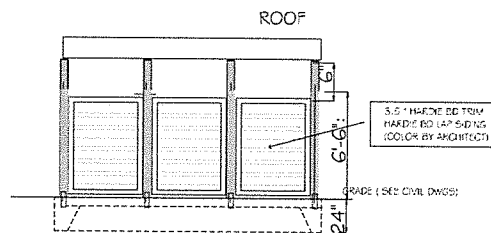
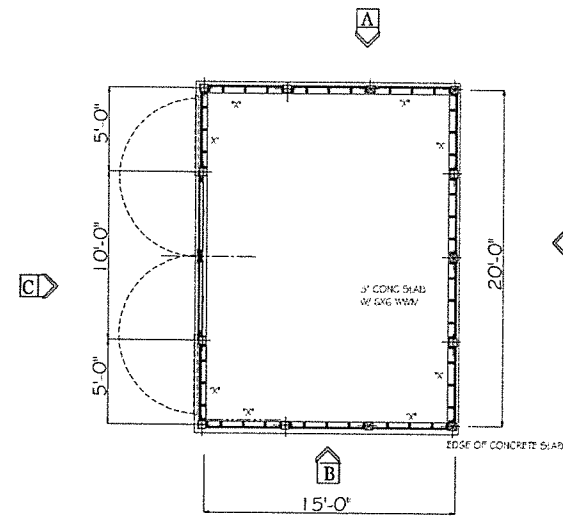
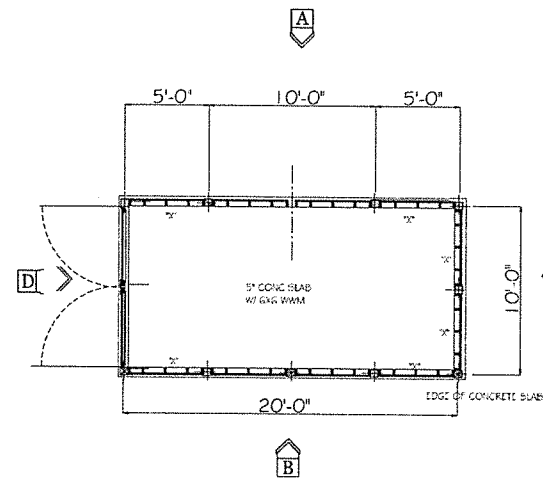
BARRY L. NEWDELMAN
ARCHITECTS
1000 PLAZA, SUITE 200
CHICAGO, ILLINOIS 60601
773.425.0200

OWNER

STONEMAN CENTER
PACIFIC HIGHWAY
FOREST GROVE, OREGON

ENGINEER

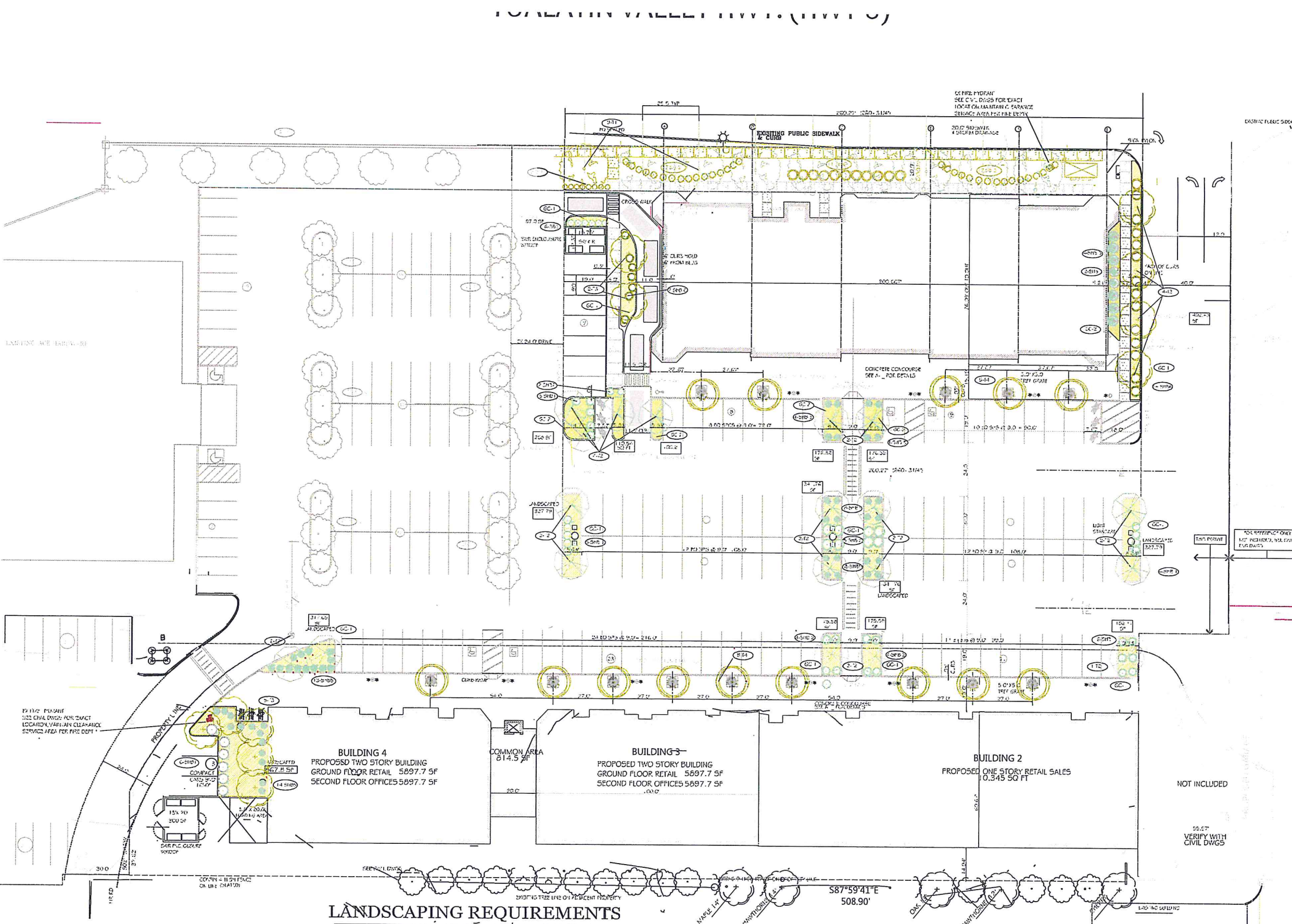
SP-1



BICYCLE NOTES	BICYCLE RACK
BICYCLE PARKING SPACES SHALL BE A MINIMUM OF 6'-0" LONG 2'-0" WIDE ACCESS AISLE MIN 5'-0"	

CONCOURSE LIGHT FIXTURES

[illegible]



LANDSCAPING REQUIREMENTS

DESCRIPTION	LOT AREA	PARKING LOT AREA (PLA)	INTERNAL PLA LANDSCAPING AREA	NO OF TREES 1/1600 X PLA
LOT A	34,648.57			
LOT B	77,672.4			
LOT C (ACE + DW)	69,760.5			
TOTAL	181,081.5			
BLANDING	78,020.50	4,242.45	6,625.47	4,740

LANDSCAPE PLAN

SCALE 1" = 20.0'



NOTE: ALL DIMENSIONS ON PROPERTY LINES TAKEN FROM SURVEY PREPARED BY OLSON ENGINEERING INC DATED MARCH 16, 2009 AND WASHINGTON COUNTY TAXMAP

01/22/17 REVIEW 1
02/01/17 REVIEW 2
03/01/17 REVIEW 3
04/01/17 REVIEW 4
05/01/17 REVIEW 5
06/01/17 REVIEW 6
07/01/17 REVIEW 7
08/01/17 REVIEW 8
09/01/17 REVIEW 9
10/01/17 REVIEW 10
11/01/17 REVIEW 11
12/01/17 REVIEW 12

BARRY L. NEWDELL
ARCHITECT
PORTLAND, OREGON
CHICAGO, ILLINOIS
773.425.02

STONEWOOD CENTRAL
PACIFIC HIGHWAY
FOREST GROVE, OR

STREET NAME
PARKING
PLAN

L-1

PROJECT NO. 160632
DATE AUG 01

LANDSCAPE NOTES

GENERAL NOTES

1. TO CIVIL ENGINEER DRAWINGS FOR UTILITY
SWATERS, INCLUDING STORM DRAIN, SEWER,
ELECTRICAL, GAS, TELEPHONE AND CABLE
LOCATIONS WHERE APPLICABLE.

2. TO CITY STANDARD PLANS AND
ORDINANCES WHERE APPLICABLE.

3. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY
CONNECTION WITH SUBURBAN FACTORS AS
NEEDED TO ACCOMMODATE ALL CONSTRUCTION
OPERATIONS, INCLUDING CONDUIT, DRENCH, ETC.,
TO BE SET IN PLACE PRIOR TO THE INSTALLATION
OF IRRIGATION AND PLANTING CONSTRUCTION ITEMS.

4. CONTRACTOR SHALL BE RESPONSIBLE TO CONSULT
CITY REPRESENTATIVE, APPROPRIATE AGENCIES
PLANS FOR THE LOCATION OF ALL UNDERGROUND
PIPES, TRENCHES AND STRUCTURES. CONTRACTOR
SHALL BE RESPONSIBLE FOR ANY NECESSARY
ADJUSTMENTS AS A RESULT OF THEIR WORK.

5. CONTRACTOR SHALL NOT WILLFULLY PROCEED WITH
CONSTRUCTION OF THE WORK WHEN IT IS
KNOWN THAT OBSTRUCTIONS, EXISTING
REPAIRS AND/OR GREAT DIFFERENCES EXIST
THAT MAY NOT HAVE BEEN KNOWN DURING THE
CONSTRUCTION. SUCH CONDITIONS SHALL BE
IMMEDIATELY BROUGHT TO THE ATTENTION OF THE
CITY AUTHORIZED REPRESENTATIVE.
CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY
FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO
OBTAIN NOTIFICATIONS.

PLANTING NOTES

1. THE RESPONSIBILITY FOR MAINTENANCE
OF THE CONSTRUCTION OF THE CONSTRUCTION
TRACT IN THE CONTRACTOR'S MAINTENANCE
AREA, THE PROPERTY OWNER AND OR THE
LANDSCAPE MAINTENANCE SERVICE SHALL MAINTAIN
SITE IN A SAFE CONDITION, INCLUDING BUT NOT
LIMITED TO THE TREES, SHRUBS, GRASS, COVER
AND IRRIGATION SYSTEM. LANDSCAPE
ITEMS CAN BE MAINTAINED IN A HEALTHY
CONDITION THROUGHOUT THE YEAR. REPLACE ALL
ITEMS THAT ARE WITH LIKE VARIETIES AND MATCH
THE SIZE OF ADJACENT PLANTS. MAINTENANCE MAY
BE LIMITED TO PRUNE, TRIM, FERTILIZE,
WATER, MOWING, WEEDING, DISEASE REMOVAL

AND OTHER METHODS NECESSARY TO MAINTAIN SAFE
AND OPERABLE ACCESS, VEHICULAR ACCESS, UTILITY
ACCESS, SITE VISIBILITY, AND RESERVE PUBLIC
SAFETY.

INSTALLATION

1. THE CONTRACTOR SHALL INSTALL LANDSCAPING
ACCORDING TO THESE PLANS DETAILS OF THE
SPECIFICATIONS.

2. VERIFY LOCATION OF ALL EXISTING SITE
IMPROVEMENTS UNDER OTHER SECTIONS. IF ANY
PART OF THE PLAN CANNOT BE FOLLOWED DUE TO
SITE CONDITIONS, CONTACT THE OWNER'S
AUTHORIZED REPRESENTATIVE FOR INSTRUCTIONS
PRIOR TO COMMENCING WORK.

3. EXACT LOCATIONS OF PLANT MATERIAL SHALL BE
MARKED BY THE OWNER'S AUTHORIZED
REPRESENTATIVE IN THE FIELD PRIOR TO
INSTALLATION. INCLUDES AUTHORIZED
REPRESENTATIVE RESERVE THE RIGHT TO ADJUST
PLANS TO EXACT LOCATIONS OF FIELD.

4. ALL PLANTS SHALL BE GROWN FOR THIS REGION OR
SHALL BE ADEQUATELY CLIMATIZED.

5. DO NOT MAKE SUBSTITUTIONS. IF SPECIFIED
LANDSCAPE MATERIAL IS NOT OBTAINABLE, SUBMIT
PROOF OF NON-AVAILABILITY FROM THE LEAST COST
SOURCE. ONLY REPRESENTATIVE, TOGETHER
WITH THE PROPOSED FOR LINE OF AN ADJACENT
MATERIAL FOR FINAL APPROVAL.

6. CONTRACTOR SHALL CONTACT THE OWNER'S
REPRESENTATIVE FOR PLANT MATERIAL INSPECTION
PRIOR TO INSTALLATION.

PLANTING LIST, SPECIFICATIONS, AND DETAILS:

1. SEE LANDSCAPE DRAWINGS FOR DETAILS AND
PLANTING SPECIFICATIONS.

BARK MULCH

1. USE ONLY TREE AND SHrub MULCH OF MEDIUM GRADE.
2. 2" DEEP.

IRRIGATION:

1. IRRIGATION WILL BE PROVIDED BY AN AUTOMATIC
UNDERGROUND SYSTEM CAPABLE OF PROVIDING
ADEQUATE WATER TO PLANTING THROUGHOUT THE
YEAR. THE SYSTEM WILL BE INSTALLED AS OF DESIGN
BUILD SYSTEM BY THE LANDSCAPE CONTRACTOR.

ROOT BARRIERS

1. TREES PLANTED WITHIN MEDIAN AND OR PARKING
STRIPS WITH LESS THAN 8' WIDTH SHALL BE
EQUIPPED WITH WHITE PLASTIC AT THE END OF
WALKWAY AND CURBS.

TREE PRUNING:

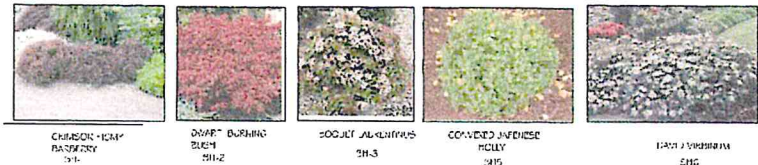
1. ALL TREES OR SHRUBS HERE PLANTED OR
SUBSTANTIALLY IMPROVED IN ANY PUBLIC RIGHT-OF-WAY
SHALL ONLY BE PROGRAMMED PLANTED WITH
PERMISSION OF THE GOVERNING AGENCY.

2. YEAR ONE: ONLY DEAD, BROKEN OR GROWING
BRANCHES SHALL BE PRUNED. ONE TREE IS PLANTED
YEAR TWO CLASS: PRUNED, PURSUANT TO THE
NATIONAL ARBORIST ASSOCIATION STANDARDS SHALL
BE PERFORMED DURING YEAR TWO. THE PURPOSE OF
THIS PRUNING IS TO ESTABLISH PROPER SCAFFOLD
BRANCHING. PRUNE THE CROWN FOR HORIZONTAL
CLEARANCE AND REMOVE ANY DEAD DURING
GROWING BRANCHES.

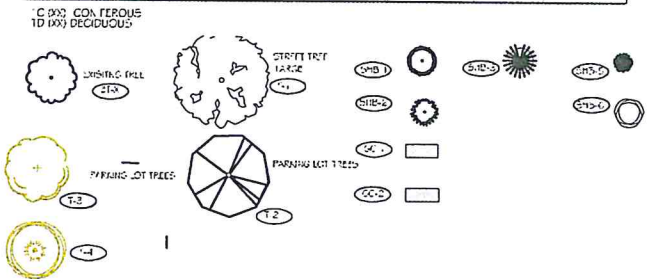
3. SUCCEEDING YEARS: PROVIDE CLASS ONE PRUNING
DURING SUCCEEDING YEARS. CONTINUE TO ESTABLISH
PROPER SCAFFOLD BRANCHING. REMOVE ANY DEAD,
DROOPING OR CROSSING BRANCHES AND CONTINUE TO
MAINTAIN THE CROWN UNTIL WELL IN SIDEWALK
CLEARANCE STANDARDS HAVE BEEN MET.

TREE, SHRUB, AND GROUND COVER PRUNING:

1. ALL PLANT GROWTH AND LANDSCAPED AREAS SHALL
BE CONTROLLED BY PROMOTING, TRIMMING OR
OTHERWISE SO THAT:
IT WILL NOT INTERFERE WITH THE MAINTENANCE AND
REPAIR OF ANY PUBLIC UTILITY.
IT WILL NOT OBSTRUCT PEDESTRIAN OR VEHICULAR
ACCESS. IT WILL NOT CONSTITUTE A TRAFFIC HAZARD
BECAUSE OF REDUCED VISIBILITY.



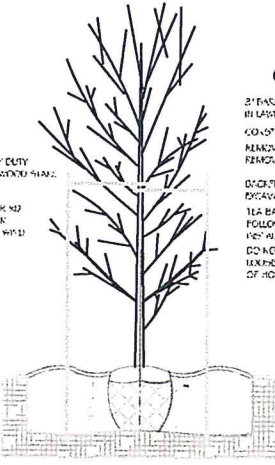
SYMBOL	LATIN NAME	COMMON NAME	QUANTITY	PLANTING SIZE	CONTAINER	SPACING
TREES						
UT-1	CORYLUS STERIS TOSTATA	SOLANA BURCHARD BURNING	1	4" 1/2" BRANCH 1" 2" CALIPER	B4B	AS SHOWN
UT-2	CORYLUS STERIS TOSTATA	SOLANA BURCHARD BURNING	1	4" 1/2" BRANCH 1" 2" CALIPER	B4B	AS SHOWN
UT-3	CORYLUS STERIS TOSTATA	SOLANA BURCHARD BURNING	1	4" 1/2" BRANCH 1" 2" CALIPER	B4B	AS SHOWN
UT-4	CORYLUS STERIS TOSTATA	SOLANA BURCHARD BURNING	1	4" 1/2" BRANCH 1" 2" CALIPER	B4B	AS SHOWN
UT-5	CORYLUS STERIS TOSTATA	SOLANA BURCHARD BURNING	1	4" 1/2" BRANCH 1" 2" CALIPER	B4B	AS SHOWN
SHRUBS						
SB-1	DRYAS DRYAS	DRYAS DRYAS	80	4" 1/2" 2"	5 GAL	AS SHOWN
SB-2	DRYAS DRYAS	DRYAS DRYAS	34	2" 1/2" 1"	5 GAL	AS SHOWN
SB-3	DRYAS DRYAS	DRYAS DRYAS	40	2" 1/2" 1"	5 GAL	AS SHOWN
SB-4	DRYAS DRYAS	DRYAS DRYAS	50	2" 1/2" 1"	5 GAL	AS SHOWN
SB-5	DRYAS DRYAS	DRYAS DRYAS	70	1" 1/2" 1"	5 GAL	AS SHOWN
GROUND COVER						
GC-1	DRYAS DRYAS	DRYAS DRYAS		4" 1/2" 1"	4" POT	AS SHOWN
GC-2	DRYAS DRYAS	DRYAS DRYAS		4" 1/2" 1"	4" POT	AS SHOWN



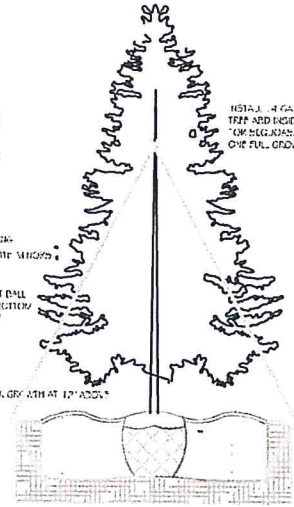
GENERAL NOTES

1. CHINA LILY TREE IS USED OR MAY BE
USED IN THE AREA. INSTALL 3" BARK MULCH MULCH
MATERIAL.

2. DO NOT USE 2" BARK MULCH MULCH OR NO
SPIN OFF MULCH. TOPS SHALL BE EVEN
3. STAKE SHALL BE USED TO HOLD MULCH.



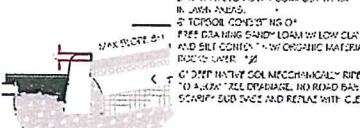
STAKE-DECIDUOUS TREE



STAKE-CONIFEROUS TREE



GROUND COVER DETAIL



PLANTER AREA'S SOIL CROSS SECTION

1. INSTALL 4" OR 6" BARK MULCH MULCH
TRENCH MULCH 4" 1/2" 2" 1/2" BARK MULCH MULCH
OR 6" BARK MULCH MULCH MULCH MULCH MULCH
OR 6" BARK MULCH MULCH MULCH MULCH MULCH
OR 6" BARK MULCH MULCH MULCH MULCH MULCH

2. DO NOT OVER ENCASE DIRECTLY UNDER ROOT BALL
EXPOSED MULCH TO ROOT BALL AND MULCH BOTTOM
OF SOLE FROM ROOT BALL FOR GRASS.

3. DO NOT OVER ENCASE DIRECTLY UNDER ROOT BALL
EXPOSED MULCH TO ROOT BALL AND MULCH BOTTOM
OF SOLE FROM ROOT BALL FOR GRASS.

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17. DO NOT OVER ENCASE DIRECTLY UNDER ROOT BALL
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18. DO NOT OVER ENCASE DIRECTLY UNDER ROOT BALL
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19. DO NOT OVER ENCASE DIRECTLY UNDER ROOT BALL
EXPOSED MULCH TO ROOT BALL AND MULCH BOTTOM
OF SOLE FROM ROOT BALL FOR GRASS.

20. DO NOT OVER ENCASE DIRECTLY UNDER ROOT BALL
EXPOSED MULCH TO ROOT BALL AND MULCH BOTTOM
OF SOLE FROM ROOT BALL FOR GRASS.

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STONEMAN
BUILDERS-DEVELOPERS
SALEM, OREGON

STONEMAN
BUILDERS-DEVELOPERS
SALEM, OREGON

LANDSCAPE
NOTES
DETAILS

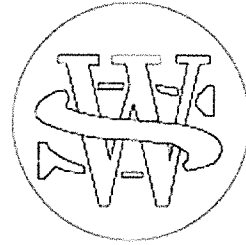
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EXHIBIT C

Revised Building Elevations
and
Architectural Renderings



**STONEWOOD CENTER
PACIFIC HIGHWAY
FOREST GROVE, OREGON**

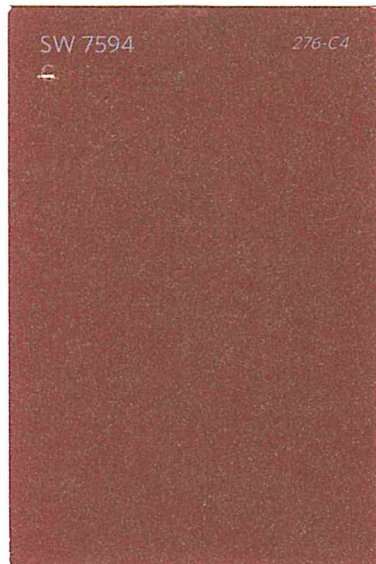
Elevation Studies
June 12, 2017



STONEWOOD CENTER
PACIFIC HIGHWAY
FOREST GROVE, OREGON

COLOR PALETTE
OF SUGGESTED COLORS
All colors from Sherwin Williams

RED THEATER



MAREA BAJA



HUBBARD SQUASH

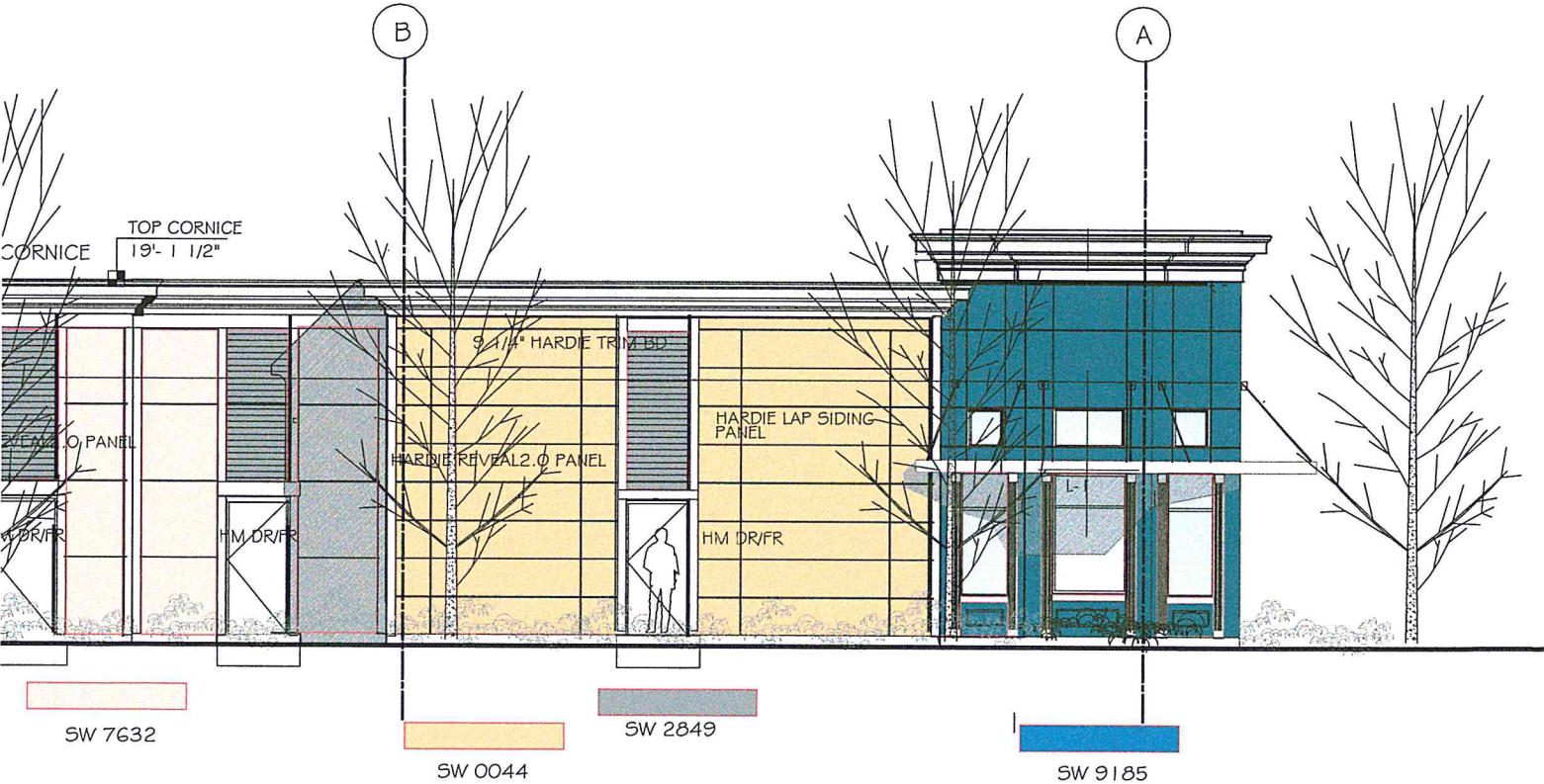


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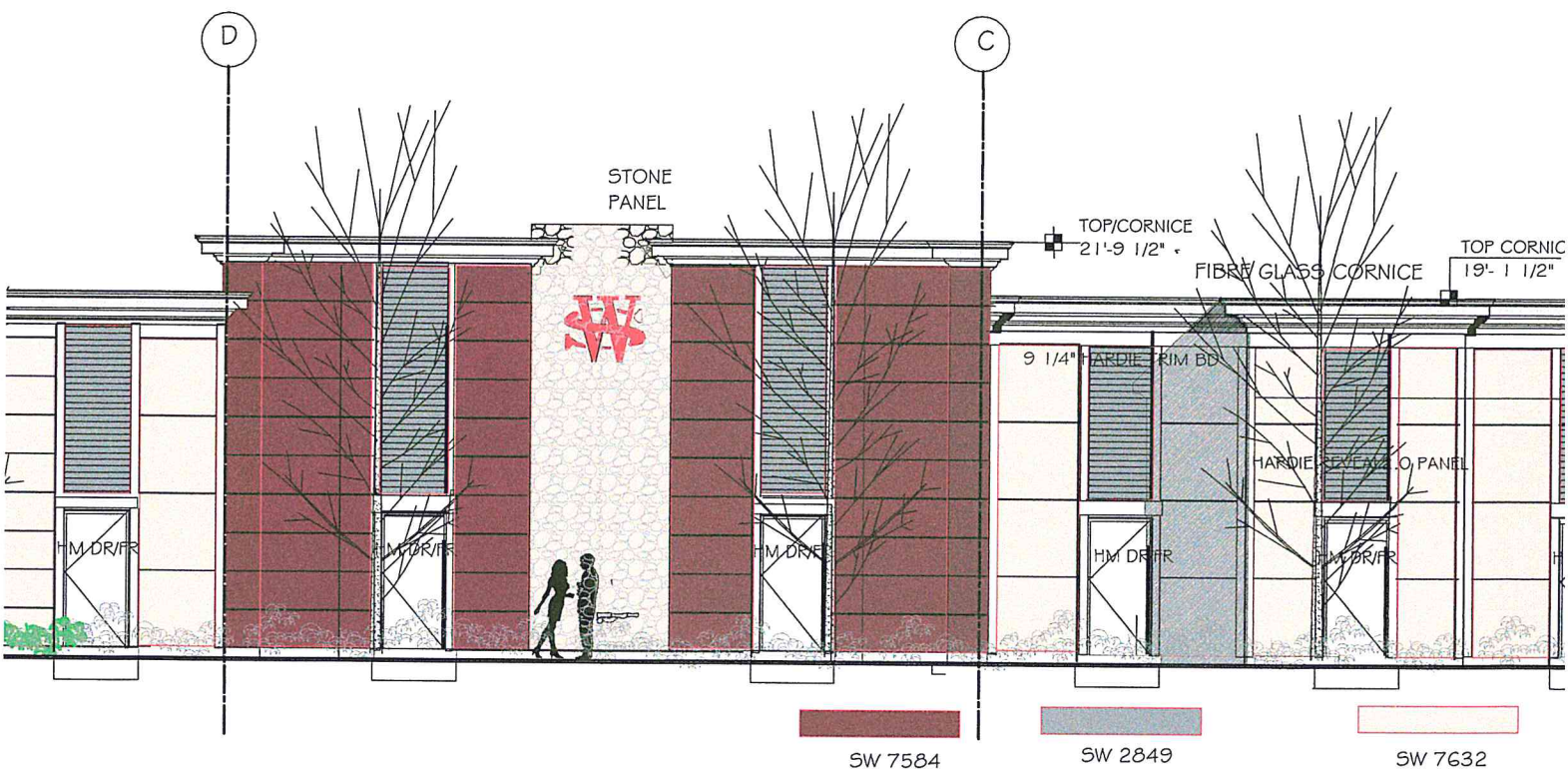
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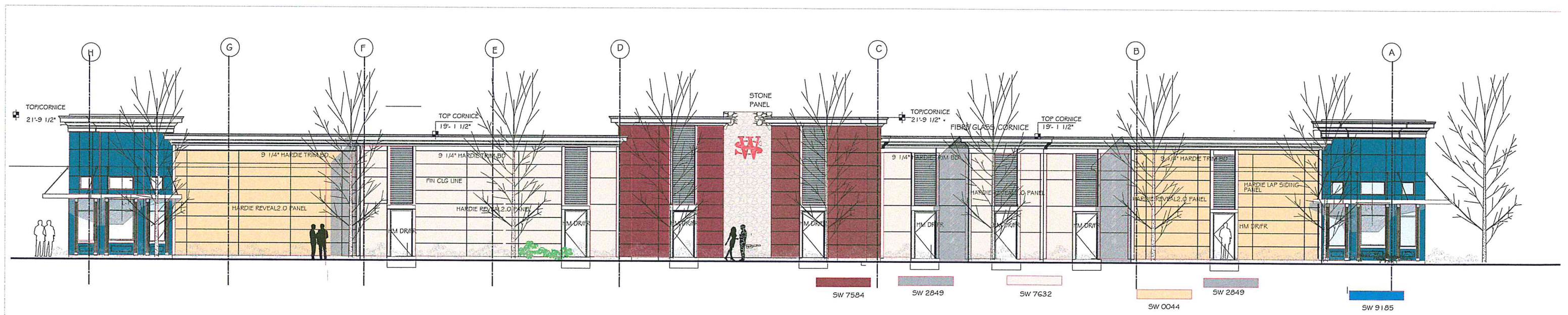


NORTH ELEVATION

COLOR SCHEME A



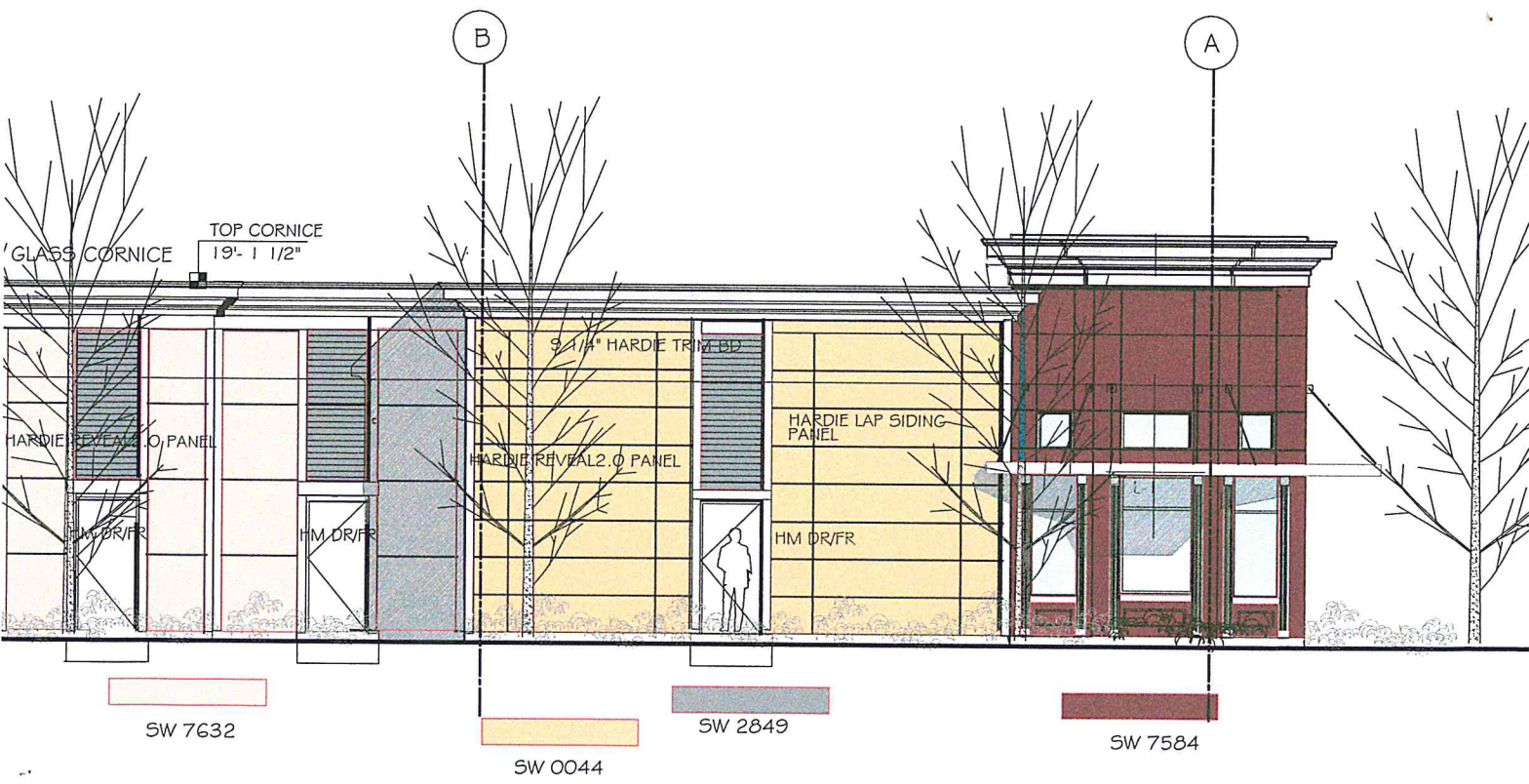
NORTH ELEVATION
COLOR SK-A



NORTH ELEVATION
COLOR SCHEME A

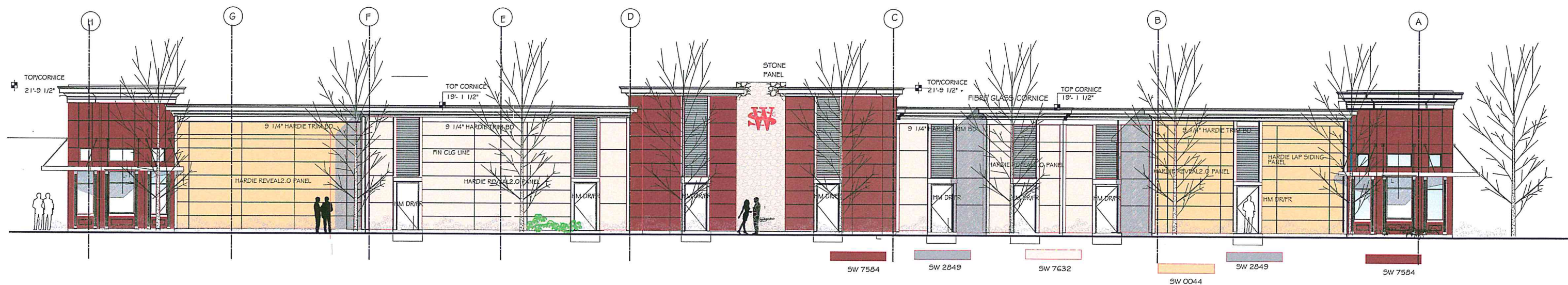


STONEWOOD CENTER
PACIFIC HIGHWAY
FOREST GROVE, OREGON



NORTH ELEVATION

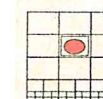
COLOR SCHEME B



NORTH ELEVATION
COLOR SCHEME B

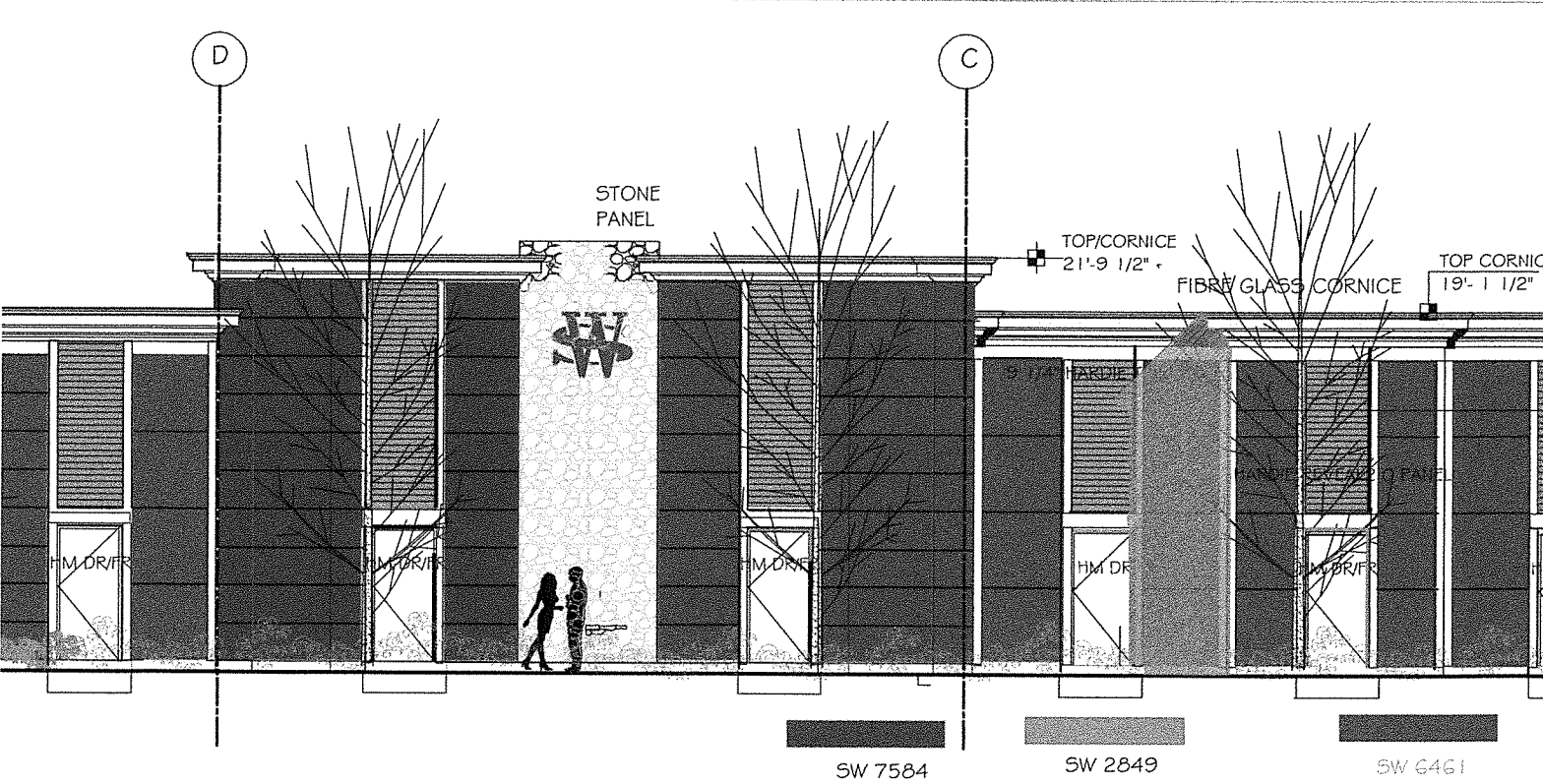


STONEWOOD CENTER
PACIFIC HIGHWAY
FOREST GROVE, OREGON

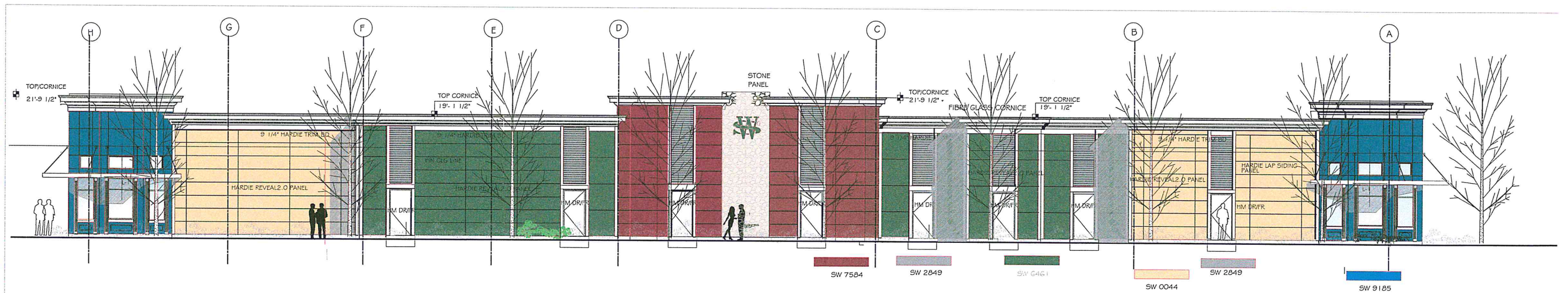


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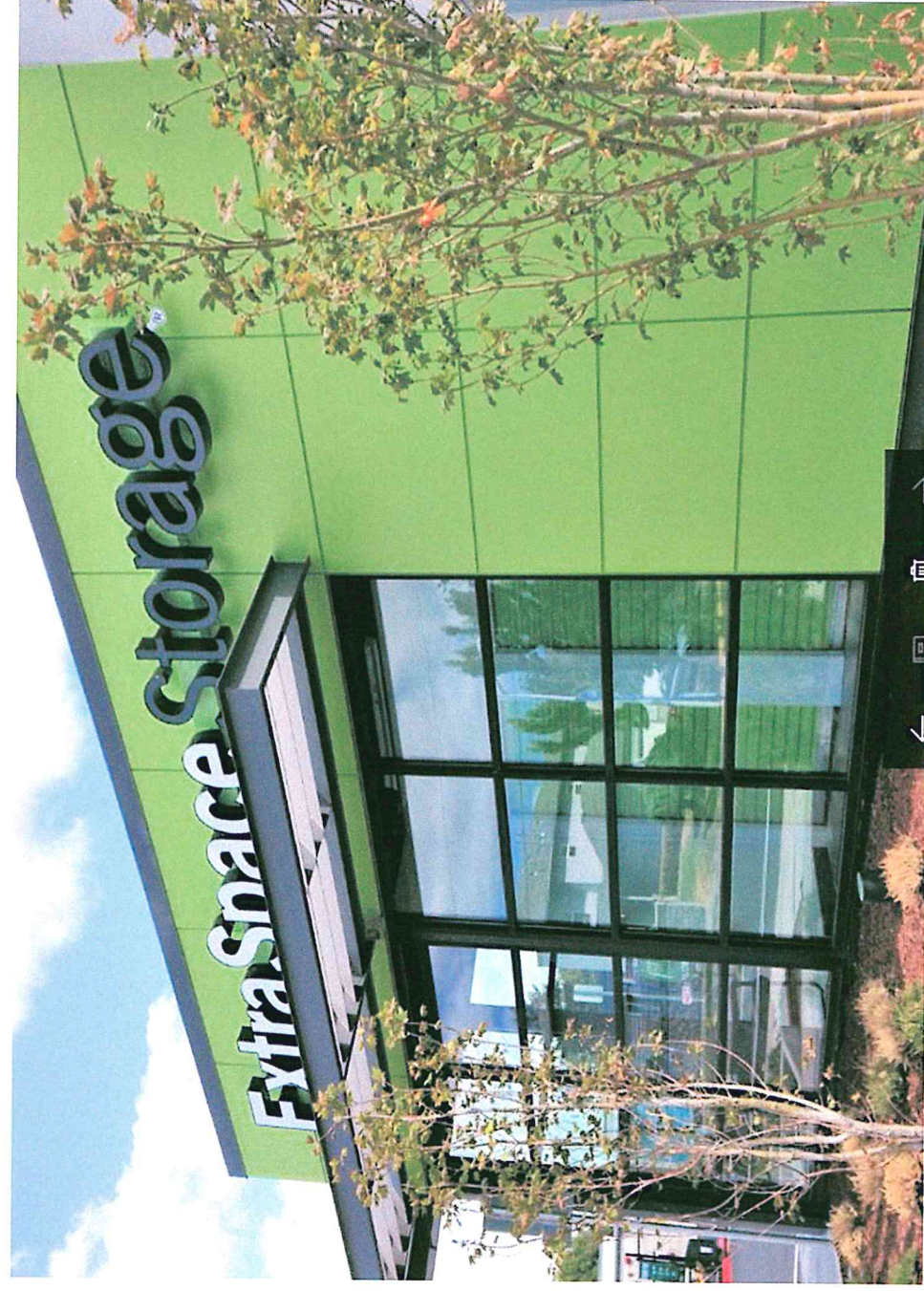


NORTH ELEVATION
COLOR SK-C



NORTH ELEVATION
COLOR SCHEME C

PRODUCT EXAMPLES















Site Plan and Design Review Staff Report and Recommendation

Community Development Department, Planning Division

REPORT DATE: June 7, 2019

HEARING DATE: June 17, 2019

LAND USE REQUEST: Site Plan and Design Review of a proposed 9,100-square-foot Dollar General retail store and parking

FILE NUMBER: 311-19-000006-PLNG

PROPERTY LOCATION: 1121 Gales Creek Road

LEGAL DESCRIPTION: Washington County Tax Lots 1N436B003100 & 1N436B003500

OWNER/APPLICANT(S): Property Owner: Thatcher Road LLC
PO Box 310, Forest Grove, Oregon 97116

Applicant: Woodcrest REV (Steve Powell)
1410 Main Street, Suite C
Ramona, California 92065

**COMPREHENSIVE PLAN
MAP AND ZONING MAP
DESIGNATIONS:** Neighborhood Mixed Use (NMU)
Neighborhood Mixed Use (NMU)

**APPLICABLE
STANDARDS
AND CRITERIA:** City of Forest Grove Development Code
§17.2.300 et. seq. *Design Review*
§17.2.400 et. seq. *Site Review*
§17.3.300 - .340 *Commercial and Mixed Use Zones*
§17.4.000 et. seq. *Mixed Use Planned Developments*
§17.7.200 et. seq. *Solid Waste and Recycling*
§17.8.000 et. seq. *General Development Standards*

REVIEWING STAFF: James Reitz (AICP) Senior Planner

RECOMMENDATION: Staff recommends approval with conditions

I. LAND USE HISTORY

This application is for a site and design review permit to allow for a new retail store. Development Code (DC) §17.3.320 Table 3-10 *Commercial and Mixed Use Zones – Use Table* lists *General Retail – Sales Oriented* as a Limited use in the Neighborhood Mixed Use zoning district. The limitation is that the use must be located within a Village Center of a Mixed Use Planned Development and reviewed pursuant to §17.4.300 et. seq.

The Development Code defines General Retail - Sales Oriented as “*Establishments which engage in consumer-oriented sales, leasing and rental of consumer, home and business goods. Examples include sales, leasing and rental of art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, gifts, groceries, hardware, household products, jewelry, pets and pet products, pharmaceuticals, plants, printed materials, stationary and videos. The sales-oriented category excludes large-scale consumer products (see §17.12.130(D)(4) Bulk Sales) and those sold primarily outdoors (see §17.12.130 (D)(5), Outdoor Sales).*”

Dollar General is a variety store with multiple product lines. Because it engages in consumer-oriented sales, it falls within the General Retail – Sales Oriented definition above.

As the proposed building would exceed 3,000 square feet of gross floor area, the Design Guidelines require Planning Commission review pursuant to Type III review procedures. Because this activity requires design review, all associated reviews (in this case, site plan approval and a lot line adjustment) are also subject to Planning Commission review, pursuant to DC §17.1.510 Elevation of a Type II Application to Type III Process.

The applicant hosted a neighborhood meeting on May 28, 2019. The City provided a mailing list to the applicant that included property owners and residents within the standard 300-foot radius used by the City for official notices. The applicant's meeting summary is attached as Exhibit “E”.

Public notice for this application was mailed to property owners and residents within 300 feet of the site on May 28, 2019, as required by DC §17.1.610. Notice of this request was also provided to Washington County (because the County has jurisdiction over Gales Creek Road), the Plans Review Board, and published in the *News Times*. Washington County's comments are attached as Exhibit “B”. Comments from the Building Division, Engineering and Fire departments are included below in the Public Services section. As of the writing of this report, several comments have been received from the public; they are attached in Exhibit “F”.

II. PROJECT DESCRIPTION AND ANALYSIS

1. Description of Proposal: The proposal would result in the construction of a new retail building and associated parking and landscaping. The building would be a single-story and have 9,100 square feet of floor area. It would take vehicular access from Gales Creek Road. A lot line adjustment to enlarge the gross site area from 0.78 to 0.86 acres is also proposed (net area will be less due to a right-of-way dedication).
2. Site Examination: The site is located west of the Thatcher Road / Gales Creek Road intersection. It slopes upward east-to-west, and is presently developed with a small (832-square-foot) single-family home of indeterminate age. The site has a scattering

of conifer and deciduous trees but is otherwise mostly grass. The Gales Creek Road frontage is unimproved, lacking curbs, gutters and sidewalks. Storm drainage is provided via a ditch. Overhead power and utility lines are located along the front property line.

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

LOCATION	COMPREHENSIVE PLAN DESIGNATION	ZONE DISTRICT	LAND USE
Site	Neighborhood Mixed Use (NMU)	Neighborhood Mixed Use (NMU)	Single-Family Home
North	Neighborhood Mixed Use (NMU)	Neighborhood Mixed Use (NMU)	Single-Family Home
South	Low Density Residential – Standard (LDR-B)	Single-Family Residential (R-7)	Single-Family Homes
East	Neighborhood Mixed Use (NMU)	Neighborhood Mixed Use (NMU)	Online Retail Auto Parts Sales
West	Neighborhood Mixed Use (NMU)	Neighborhood Mixed Use (NMU)	Single-Family Home

4. Site Design: The site plan consists of a new building to be located at the northeast corner of the site, and parking for 31 cars, including 2 ADA spaces. The trash enclosure would be located at the northwest corner of the site, while the water quality facility would be located at the property's lowest point along the Gales Creek Road right-of-way. A pedestrian walkway would be provided from the building to connect with a new public sidewalk to be constructed along the frontage.

Vehicular access to the site would be via a driveway connecting to Gales Creek Road. The driveway would be located toward the western property line in order to maximize the distance between it and the Thatcher Road intersection. The driveway location has been reviewed and approved by Washington County.

The balance of the site would be landscaped (see Exhibit 1 Sheets L1.0 and L2.0 *Landscape Plans*). Further discussion follows in the Landscape section below.

5. Building Design Standards: This application was submitted before specific design standards for the NMU zoning district were adopted. For this application, the standards of DC §17.4.315 MUPD Development Standards and DC §17.8.000 et. seq. General Development Standards apply as follows:
- Base Zone Standards. The NMU base zone standards apply.
 - Site Size. There are no minimum or maximum MUPD areas required.
 - Residential Density. This section is not applicable as no housing is proposed.
 - Lot Sizes. There is no minimum or maximum lot area required.
 - Housing Types Allowed. This section is not applicable because no housing is proposed.

f. Village Center.

1. Building Design. The design and development standards for the Town Center Transition zoning district form the basis for the building's design unless modified through the MUPD. The Building Design Standards Within Town Center Districts are listed in DC §17.8.710(C) as follows (alternatively, project elements can be approved by applying the Design Guidelines in the section that follows) -

1) Building Form

- a. All new structures shall be a minimum of two-stories in height in the TCC Zone or a minimum height of 16 feet in the TCT Zone, as measured at the front elevation to top of parapet or eave line of lowest point of facade.

The lowest point of the façade would be 18 feet high, which would exceed the 16-foot minimum.

- b. All flat-roofed buildings shall have a decorative cornice at top of building (parapet).

The building would have a flat roof. There would be a decorative 3.5-foot-tall cornice at the top on the sides and rear, and a 9-foot tall cornice over the front entry.

- c. Exterior pilasters and columns shall project a minimum of 6 inches beyond building face.

No pilasters or external columns are proposed.

- d. All rooftop mechanical equipment shall be screened by a solid wall from view of the public right-of-way and pedestrian routes.

Mechanical equipment would be mounted on the roof. Screening of the equipment is included as a condition of approval.

2) Retail Storefronts

- a. First floor vertical elements such as columns or pilasters shall be provided and spaced center-to-center at a maximum of 25 feet apart.

No pilasters or external columns are proposed. The front entryway would be set forward of the main plane of the façade on internal columns, and would be further embellished with a pediment (i.e., a gable, usually of a triangular shape, placed above a horizontal structure).

- b. Doors on the main floor façade facing a street shall contain windows equivalent in size to 50% of door surface area.

The front doors would be entirely glazed. Additional glazing would be provided on both sides of and above the doors.

c. Storefront glazing must be transparent. Reflective, tinted, glazed or techniques that obscure more than 20% of glazed surfaces shall be prohibited.

Glazing would be tinted. Tinting would be appropriate as the windows would face south.

d. Glazing dimensions shall have a greater height than width.

Window dimensions of the faux windows are 5 feet tall by 2 feet wide, in pairs. They would be bracketed with decorative shutters.

e. Storefront glazing with divided lights shall be limited to transom windows only.

Based on the submitted plans (Exhibit "A" Sheet A3.0) divided lights are proposed for the faux windows on either side of the store-front entry. Divided lights can be approved through application of the Design Guidelines if found to result in a higher quality development than would result under a strict interpretation of the code.

f. All window frames shall be painted.

Window frames would be pre-finished aluminum, which can be approved through application of the Design Guidelines if found to result in a higher quality development than would result under a strict interpretation of the code.

g. Awnings shall be constructed of metal, glass or natural canvas fabrics. Vinyl, synthetic fabric, plastic or backlit awnings are prohibited.

No awnings are proposed.

3) Commercial Entries

a. The entry enclosure shall be offset a minimum of 2 feet from the building façade.

The entry would be set back 3 feet from the plane of the main façade, and the pediment would project out another 2 feet.

b. Windows and door in exterior wall shall be surrounded with trim of 2-1/2 inches minimum width.

Window trim would be 5.5 inches in width.

c. At least 25% of all primary entry doors shall contain transparent glazing.

The primary entry doors would be 100% transparent.

d. Unpainted metal frames are prohibited.

Window frames would be pre-finished aluminum, which can be approved through application of the Design Guidelines if found to result in a higher quality development than would result under a strict interpretation of the code.

e. Reflective, opaque or tinted glazing is prohibited.

Glazing would be tinted, which can be approved through application of the Design Guidelines if found to result in a higher quality development than would result under a strict interpretation of the code. Tinting would be appropriate as the windows would face south.

4) Residential Entries

This section is not applicable as no residences are proposed.

5) Windows and Doors

a. Window and door openings shall comprise the following minimum portions of the front building facades at the main floor as measured between 2 feet above the sidewalk to 10 feet above the sidewalk: TCC - 80%; TCT - 50%.

Window and door openings would be about 42% of the front building façade between 2 and 10 feet above the walkway, which is less than the 50% required. A lesser percentage can be approved through application of the Design Guidelines if found to result in a higher quality development than would result under a strict interpretation of the code.

b. Window and door openings shall comprise the following minimum portions of the front building façade above the main floor as measured between 2 feet above the sidewalk to 10 feet above the sidewalk: TCC - 30%; TCT - 30%.

This section appears to be duplicative to (a) above, but at a reduced standard for the TCT zoning district. As (a) above is more restrictive, it is the applicable code section.

c. Clear or transparent glazing is required for windows fronting the public rights-of-way.

Glazing facing the street would 100% transparent, although tinted.

d. Glass shall be recessed a minimum of 1-1/2 inches from the surrounding exterior wall surface.

Windows would be recessed.

e. Spandrel, glass curtain-wall or any window wall glazing that creates an opaque, flat or featureless, or reflective surface shall not be used at ground floor.

Spandrel glazing is designed to be opaque. All the faux windows – including those on the front elevation – would have spandrel glazing. This feature can be approved through application of the Design Guidelines if found to result in a higher quality development than would result under a strict interpretation of the code.

6) Exterior Walls

a. Vinyl, plastic or metal siding are prohibited the all Town Center zones.

No vinyl, plastic or metal siding is proposed. Siding is proposed to be various Hardie-brand products, and cultured stone.

b. Synthetic Stucco (EIFS, Dryvit, etc.) insulating cladding materials along the first floor of facades that front public rights-of-way are prohibited.

No synthetic stucco is proposed. Siding is proposed to be various Hardie-brand products, and cultured stone.

c. Flagstone or other stone veneer along the first floor of facades that front public rights-of-way are prohibited.

Cultured stone veneer is proposed on the south elevation facing Gales Creek Road and on the west elevation facing the car park. Cultured stone veneer can be approved through application of the Design Guidelines if found to result in a higher quality development than would result under a strict interpretation of the code.

d. Simulated or cultured stonework are prohibited for commercial uses.

Cultured stone veneer is proposed on the south elevation facing Gales Creek Road and on the west elevation facing the car park. Cultured stone veneer can be approved through application of the Design Guidelines if found to result in a higher quality development than would result under a strict interpretation of the code.

e. Wood, asphalt or cement shingles are prohibited at first floor for commercial uses.

Shingles are proposed along the cornice. Shingles can be approved through application of the Design Guidelines if found to result in a higher quality development than would result under a strict interpretation of the code.

7) Walls and Fences

a. Plastic and/or chain-link fences are prohibited in all Town Center zones.

No plastic or chain-link fencing is proposed. The proposed fence would be painted wood.

b. All wood fences shall be painted.

A six-foot-tall painted wooden fence is proposed along the sides and rear of the site.

2. Minimum and Maximum Commercial Floor Area. The maximum floor area allowed is 25,000 square feet. This building would be 9,100 square feet. The existing commercial buildings in the area have a combined total floor area of 5,432 square feet, for a grand total of 14,532 square feet, or about 58% of the maximum allowed.
3. Village Center Maximum Area is limited to 50% of the developable land or 3 acres, whichever is greater. This NMU-zoned area totals 6.68 acres. The combined lot area of the existing and proposed commercial uses is 1.85 acres. This total is less than 3 acres, and about 28% of the total land area within the NMU-zoned area.
4. One Village Center is allowed in each NMU Zoned Area.
5. Institutional Uses may not exceed 10% of the maximum floor area. This section is not applicable because no institutional uses are proposed.
- g. Building Height. The height limit in the NMU zoning district is 45 feet. The height of the building would be 18 feet, except for the parapet over the front entry, which would be 27 feet tall. As such, the building height would be well below the maximum allowed.
- h. Building Setbacks. The site is located in the Neighborhood Mixed Use (NMU) zoning district. No front, side, or rear setbacks apply. The front (south) setback would be about 80 feet while the rear (north) setback would be 10 feet. The east side yard setback would be 15 feet, while the west side yard setback would be about 85 feet.
- i. Open Space. At least 20% open space in a MUPD is required. However, as this is not a planned development project, this provision is not applicable.
- j. Pedestrian Orientation. This section emphasizes pedestrian connectivity. As proposed, the new building would have a walkway connection to a new public sidewalk along Gales Creek Road. No walkway connections to adjacent properties are proposed, but they could be installed at a later date when the adjoining properties are redeveloped.
- k. Parking. Base zone parking area requirements apply. DC §17.8.515 Table 8-5 *Parking Requirements* regulates the minimum number of parking stalls required and the maximum number of parking stalls allowed.

Use	Proposed Floor Area	Minimum Spaces per 1,000 S.F.	Maximum Spaces per 1,000 S.F.	Spaces Required
General Retail – Sales Oriented	9,100 Square Feet	3.70	6.20	34 Minimum 56 Maximum

Between 34 and 56 spaces would be required overall. As designed, 31 spaces would be constructed. All would be standard-sized (including 2 ADA-accessible spaces).

DC §17.8.520(A)(1) allows for the minimum number of parking spaces required to be reduced by 10% if the site is within 500 feet walking distance of a transit stop. A GroveLink stop is located at the Gales Creek Road / Thatcher Road intersection less than 300 feet distant from the site. A 10% reduction from 34 spaces would allow for 31 parking spaces.

DC §17.4.315(K) stipulates that *“No parking or vehicular circulation areas shall be located between the building and the street.”* As noted above, this is a single-building project, and not part of a planned development. Parking can be located between the building and the street through application of the Design Guidelines if found to result in a higher quality development than would result under a strict interpretation of the code.

- l. Water Features. No water features are extant. This section is not applicable.
 - m. Facilities and Services. This section requires the provision of all service facilities. All facilities are already extant or will be required to be installed by the applicant as a condition of approval.
 - n. Underground Utilities are required (also required by §17.8.645(A)). The site and building would be served with underground utilities. The existing overhead lines along Gales Creek Road would remain in place; there are no plans to underground these facilities.
 - o. Construction to Standards. This section requires that all public facilities be constructed to City standards. All facilities will be required to do so as a condition of approval.
6. Traffic and Circulation: The site fronts Gales Creek Road, a designated Arterial street on both the Forest Grove and Washington County transportation system plans. The road is under Washington County's jurisdiction. It has a single travel lane in each direction. The taper for the left-turn lane serving the Thatcher Road intersection begins in front of the site.

The Institute of Transportation Engineers *Trip Generation Manual 9th Edition* (2012) defines a “Variety Store” as “...a retail store that sells a broad range of inexpensive items often at a single price. These stores are typically referred to as ‘dollar stores.’ Items sold at these stores typically include kitchen supplies, cleaning products, home office supplies, food products, household goods, decorations and toys. These stores are sometimes stand-alone sites, but they may also be located in small strip shopping centers.”

The *Manual* cites a limited number of studies (15) performed in Florida in 2010. The estimates are calculated based on how many trips would be generated per 1,000 square feet of a building's gross floor area (GFA):

	Trip Rate	GFA	DG GFA	Trips
Average Daily Trips (ADT) Lower Range	33.73	1,000	9.1	306.94
Average Daily Trips (ADT) Upper Range	133.60	1,000	9.1	1,215.76
Average Daily Trips (ADT) Combined	64.03	1,000	9.1	582.67
Weekday a.m. peak hour (7 - 9 a.m.)	3.81	1,000	9.1	34.67
Weekday p.m. peak hour (4 - 6 p.m.)	6.82	1,000	9.1	62.06

It would be expected that a significant percentage of trips would be "pass-by" traffic e.g., those shopping on their way home, versus those specifically coming to this location and then returning to their trip origin point.

The ADT rates cited above exhibit a wide range (about 300 to about 1,200). A "trip" is defined as one-way: one trip would be inbound to the site; one trip would be outbound. Dollar General proposes to be open from 8 a.m. to 9 p.m., which would result in a range of about 24 trips to about 93 trips per hour overall (50% of which would be inbound and 50% outbound). Based on the Combined rate ADT, about 45 trips per hour could be anticipated, also at the 50:50 ratio.

Because the site is located on an Arterial street, the ADT over the course of business day is less of a factor than are the morning and evening peak hour trips, when the most traffic is present and when congestion is most likely. As noted above, the morning and evening peak hour traffic generation rate is estimated to be between 35 and 62 trips respectively.

The City's Transportation System Plan (2014) contains information about how well the Gales Creek Road / Thatcher Road intersection is functioning during the PM peak hour (see Exhibit B Table 3-8). Based on the data in the TSP, the Level of Service (LOS) ranges between "A" and "C". That range "indicates conditions where traffic moves without significant delays over periods of peak hour travel demand." An increase of 62 trips during the p.m. peak hour would thus not have a significant impact on the Level of Service.

The TSP also has information on Crash History at the intersection (see Exhibit B Table 3-9). "Typically, intersections on collector and arterial roadways with a collision rate over 1.00 suggest further safety investigation is warranted." As shown in the table, the collision rate at this intersection is 0.13. The increase in trips generated by this project would not be anticipated to result in a significant increase in the collision rate such that safety measures are warranted.

Based on the above, staff concludes that the proposed Dollar General store would not have a significant impact on the level of service for Gales Creek Road. Furthermore, based on the estimated traffic generation, there should be no significant impact on the Gales Creek Road / Thatcher Road intersection.

Because Gales Creek Road is under County jurisdiction, notice of this application was provided to Washington County review staff. County staff's comments are included in their entirety in Exhibit "C" – the salient conditions are as follows:

- i. Dedication of additional right-of-way to meet 45 feet from the centerline of Gales Creek Road.
- ii. Provision of a non-access reservation along the site's frontage of Gales Creek Road with the exception of the access approved in conjunction with this development application.
- iii. Half-street improvement to include additional pavement width as needed for interim/future, gutter, curb, 5' sidewalk and 6' planter strip along the site's frontage on Gales Creek Road. Note: The half-street can be located as shown on (Exhibit "B") Sheet C1.0 of the submitted plan set.
- iv. Improvements within the right-of-way as necessary to provide adequate intersection sight distance at the access driveway on Gales Creek Road.

Staff concurs with the County's conditions. They are included in their entirety in the recommended **conditions** of approval.

City and County staff have also been working on a plan to improve the pedestrian connections at the Thatcher Road and Gales Creek Road intersection. A concept plan has been developed that would reconfigure the intersection from a "Y" design to more of a "T" design (see Exhibit "D"). This would have the effect of slowing northbound Thatcher Road traffic.

Furthermore, a pedestrian crosswalk would be installed across Gales Creek Road south of the intersection, to be connected to a new sidewalk that would be installed to Talisman Lane. Another crosswalk would be installed across Thatcher Road at the intersection. Construction timing for the project has not been set, but is tentatively scheduled for 2020-21.

Conclusion: With the conditions noted above, traffic access and circulation requirements would be met.

7. Pedestrian Walkways:

- DC §17.8.115(4) requires a minimum walkway width of four feet. An 8-foot-wide concrete pedestrian walkway is proposed to connect the building to a new Gales Creek Road sidewalk.
- A 4-foot-wide walkway would extend from the building to the west side of the car park.
- A third walkway would abut the west side of the building. It is proposed to be 4 feet wide, and protected from vehicle overhang by wheel stops. The proposed parking stalls would be 20 feet long, in excess of the City's 18-foot-long standard. Staff has included a **condition** to reduce the length to 16 ½ feet (except ADA stalls). The reduced length would allow for wider landscaped areas and wider walkways without compromising functionality. Furthermore, the need for wheel stops would be eliminated, thus removing a tripping hazard and a barrier to mechanized parking area cleaning equipment.

Conclusion: With the condition noted above, pedestrian access requirements would be met.

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

9. Landscaping: DC §17.8.545 requires landscaping and screening of car parks. Pro-posed landscaping would include American Elm, Chinese Pistache and Hogan Cedar trees, as well as a variety of shrubs, grasses and groundcover. The water quality facility would be located along the site's frontage, and would be landscaped in compliance with CWS standards and specifications.

Staff has included a **condition** to install a landscape island at the building's southwest corner where the two pedestrian walkways converge, in order to provide more separation between pedestrian and vehicular traffic and increase the amount of landscaping. With that condition, the landscape plan appears to comply with the provisions of this code section.

10. Public Services: The application has been reviewed by the Engineering, Fire, Light and Power, Police, and Public Works departments. Specific comments included:

- a. Building Division Review: Submit a geo-tech (soils) report for the site and incorporate those recommendations into the building plans.
- b. Engineering Department Review:
 - i. Coordinate with Washington County for required right-of-way dedication and roadway improvements.
 - ii. Extend storm and sanitary sewer to west property line.
 - iii. Address storm water quality and quantity.
 - iv. Water quality facility maintenance agreement required.

The above items are included as a **condition** of approval.

- c. Fire Department Review:

- The building address shall be identified with digits at least 6 inches tall that contrasts with their background.

The above item is included as **condition** of approval.

- d. Light and Power Department Review: A 10-foot-wide utility easement will be required beyond the 90-foot road right-of-way.

Because Gales Creek Road is a designated Arterial street, Washington County is requiring a 15-foot-wide right-of-way dedication as a condition of the project's approval. Ultimate right-of-way width will be 90 feet. While the street frontage will be improved with curb, gutters and sidewalks, the existing overhead utility lines and poles will remain in place; no upgrades or modifications to existing facilities are proposed or needed at this time. As the L&P Department has not identified a specific need for the requested easement, it is not proposed to be included as a condition of approval.

11. 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 Neighborhood Mixed Use (NMU) zoning district. No front, side, or rear setbacks apply. At its closest point, the building would be about 80 feet from the Gales Creek Road right-of-way. The side (west) setback would be about 84 feet; the side (east) setback would be 15 feet; and the rear (north) setback would be 10 feet. The project complies with setback standards.

Finding: The trash and recycling enclosure would be located in the northwest corner of the site. Based on the submitted architectural renderings, the enclosure would be of masonry construction with solid gates to provide screening. It would be finished with a roof or pergola.

Finding: The height limit in the NMU zone district is 45 feet. The height of the building would be about 23 feet at the roof peak over the entry, well below the maximum height allowed.

Finding: With 9,100 square feet of floor area, between 34 and 56 parking spaces would be required. Because the site would be served by GroveLink, which provides regular transit service, a 10% reduction in on-site parking is possible. This would reduce the minimum number of spaces required from 34 to 31. As 31 spaces are proposed, this standard is met.

Finding: DC §17.8.545 requires landscaping and screening of car parks. Proposed landscaping would include a variety of both deciduous and conifer trees scattered throughout the site. The plans also include various deciduous and evergreen shrubs, groundcover and ornamental grasses. With the condition to provide additional landscaping where the walkways converge, the landscape plan would comply with the provisions of this code section.

Conclusion: With the conditions noted above, the project would comply with Development Code standards.

- 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: Residential properties are located adjacent to the site, but are also located in the same NMU zoning district as the application site.

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: Residential properties are located adjacent to the site, but are also located in the same NMU zoning district as the application site. The building site would abut the east and north property lines, at the greatest distance possible from nearby residences. The site would be largely enclosed by a six-foot-tall

painted wood fence and the car park would be landscaped, which will minimize off-site headlight glare. Car park lighting would be screened as per DC §17.8.755(C) and (E) so that lighting “is directed downward with no splay of light off the site.” Furthermore, “any light source over 10 feet high shall incorporate a cutoff shield.”

Finding: As a retail project, off-site noise impacts are not anticipated. Should noise become a complaint issue, the City has in place a noise control ordinance that could be used to abate the nuisance.

Finding: As a retail project, off-site odor impacts are not anticipated. The trash and recycling enclosure would be located abutting the west and north property lines; no residences would be located nearby.

- 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, prominent topographic features, or sensitive natural resource areas exist on or adjacent to the site. This criterion does not apply to those features. There is a mature Douglas fir tree on-site near the Gales Creek Road property line. While the intent is to preserve this tree, it may need to be removed because the installation of street improvements and/or on-site improvements may adversely impact the root zone.

- 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 Gales Creek Road right-of-way will need to be widened to comply with Washington County Arterial street standards. In addition, the r.o.w. is not fully improved, lacking curbs, gutters, sidewalks, and landscaping. Approval of the application has been conditioned to require additional r.o.w. and full frontage improvements. With these conditions, the site plan would comply with County street standards.

- 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 four feet. Concrete pedestrian walkways are proposed to connect the building to the car park and public

sidewalk. All walkways would be at least five feet wide; the walkway from the building entrance to the sidewalk would be eight feet wide. This criterion is met.

- G. Design Review Criteria: DC §17.4.315(F)(1) *MUPD Development Standards – Village Center* states (in part) that “*The Design and Development Standards and/or Design Guidelines applicable to the Town Center Transition zone shall be used as a basis for development within the Village Center unless modified through an approved MUPD.*” As noted elsewhere, this application is for a single site that is not part of a larger planned development project, but because it is located in the NMU zoning district, and because “*MUPD approval is required in the NMU zone*” (per DC §17.3.310(C)) then the TCT *Design Guidelines* apply.

Projects subject to design review are to 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.

Design Guideline Handbook Section I *Town Center Design Guidelines* establishes specific design review criteria intended to respond to typical commercial development common to Forest Grove, as follows -

Site - Building Orientation

Minimize building setbacks from any public street right-of-way. Zero lot line buildings along the public street right-of-way are encouraged to maintain an inviting and continuous storefront presentation. The building would be setback about 80 feet from the Gales Creek Road right-of-way. This width is necessary in order to provide maneuvering space for delivery trucks, and for the water quality facility which must be located at the lowest point of the property.

Design and construct a primary building entrance for each building façade. If a building has frontage on more than one public street, a single building entrance on the corner is acceptable. The building entrance would face Gales Creek Road.

Use the area between the right-of-way and building to create a plaza court, planter area, bicycle parking or another amenity. The area forward of the building would be used for a water quality facility, bicycle parking, and vehicular parking.

Main entrance should be oriented to the street. The main entrance would be oriented to the street.

Site – Pedestrian Connections

Design and locate buildings and off-street parking within the Town Center to reinforce the district's traditional pedestrian orientation. The Gales Creek Road MUPD area does not at present have a strong pedestrian orientation. With this

project, a new sidewalk would be installed along Gales Creek Road where one does not presently exist, and walkways provided on-site to the building entrance.

Separate walkways from vehicle areas by landscaping, bollards or changes in elevation. The walkway alongside the building would be grade separated. The walkway connection to the public sidewalk would be partially grade separated; it would also be on another material so as to delineate the pedestrian crossing from the drive aisle.

Provide landscaped pedestrian walkways for direct, convenient mid-block connections. The pedestrian connection to the public sidewalk would abut landscape areas.

Separate or screen pedestrians from nuisances, such as mechanical equipment, dumpsters, and loading areas. The trash and recycling area would be enclosed. Mechanical equipment will have to be screened, and the loading area would be located to the rear of the building.

Enclose trash and recycling areas. The trash and recycling area would be enclosed.

Site – Amenities

Provide weather protection above sidewalks in the form of awnings or other building elements appropriate to the design of the structure. Awnings could be included along the south and west facades to provide weather protection over those walkways. The building entrance would be set back six feet, thus providing some weather protection.

Canvas fixed or retractable awnings or horizontal metal canopies. No awnings are proposed. Awnings over the south-facing windows could provide an additional architectural detail while also providing some weather protection and minimizing solar gain.

Seating areas near retail establishments. No seating areas are proposed.

Courtyards, squares, forecourts, and plazas with active adjacent ground-floor uses. No courtyards etc. are proposed.

Building – Facades

Walls that have a comfortable rhythm of bays, columns, pilasters or other articulations. The walls would have a series of design features, including changes in siding and trim, windows with faux shutters, a projecting entry area, and pedimented roof.

Facades should be taller than one-story to create a sense of enclosure along the sidewalk. The building would not be located along the sidewalk.

Architectural elements such as towers, roof parapets. The building design includes a roof pediment over the entry.

Well-detailed cornices of significant proportions to create visual interest and shadow lines. The cornice would be differentiated by a change in materials (shingles) which would create different shadow lines than the lap siding below it.

Vertical elements that break up long, monolithic building facades along the street. The façade facing the street would be broken up by the building entrance, windows, and various architectural details including stone, lap and shingle siding, and shutters.

Regularly spaced and similar-shaped windows with window trim on all building stories. Functional windows would be located on the front (south) façade. Faux windows would be placed on the west façade, facing the car park. The west and north facades would not have windows.

Bay windows on second story or higher floor levels. The building would be a single story, therefore, this design element is not applicable.

Screen mechanical equipment. Mechanical equipment will be required to be screened.

Building – Retail Storefronts

Storefronts should be designed to encourage a lively streetscape with clear windows, window displays. Clerestory or transom windows above storefronts are recommended. Windows facing the street would be clear (although tinted); clerestory windows (above the doors) are also proposed.

Entry ways with multiple doors, windows, architecture details and ornate hardware. The entry way would have multiple doors and windows.

Sliding, overhead or other operable windows for restaurants or other active uses. The proposed use would be retail and would not be defined as an active use, thus, no sliding or overhead operable doors are proposed.

Building – Entries

Entryways that project or are recessed from their surrounding building façades. The entryway would be recessed from the primary building façade.

Visible frame or trim detail surrounding the entry. No specific frame or trim detail surrounding the entry is proposed.

Transom, sidelights and other detailed window surrounds at the front entry. Transom windows and sidelights would surround the entry doors.

Doors combined with special architectural detailing. No special architectural detailing is proposed around the doors.

Well-detailed doors with ornate hardware. Doors would be a component of a standard storefront panel; no ornate hardware is proposed.

Building – Residential Entries

Multi-panel doors.

Transom windows and sidelights.

Durable, high quality metal door hardware.

Wood solid core doors.

Entries separated from the street by semi-private transition areas such as porches, terraces, stoops or canopy-covered doorways.

As no residences are proposed, this section is not applicable.

Building - Windows

The majority of the ground floor building façade should contain windows. A majority of the street-facing façade does not contain windows.

Multiple windows should be provided on the front façade above the main floor in a uniform pattern. Multiple windows would be provided above the front entry.

Windows should be oriented vertically with rectangular shapes. Windows would be oriented vertically and would be rectangular.

Frame openings with trim around windows and doors. Window sets on either side of the entry would be trimmed and bracketed with faux shutters.

If used, door and window shutters should be sized to cover the entire window. The faux shutters appear to be sized such that they could cover the windows, if they were operable.

"Punched" window openings recessed rather than flush with the building façade. Window openings do not appear to be recessed.

Building – Exterior Walls

Quality materials such as brick, stone and natural wood. The building design includes cultured stone.

Applications that create depth, such as recessed windows and doors. The entry doors would be recessed.

Establish a single clearly dominant exterior wall material and finish. Lap siding would be the dominant exterior material.

Belt courses and medallions. A belt course would be included at the top of the band of cultured stone.

Consider the following materials:

TCC: Brick or stone masonry. Not applicable to this application.

TCT: Brick or stone masonry; cement-based stucco; lap siding; board and batten siding; shingles and shakes. Proposed siding materials include stone masonry, lap siding, and shingles.

Building Landscape – Walls and Fences

Site wall and landscaped planter box materials and character should generally match or provide compatibility with the adjoining building materials and historic character. No walls or planter boxes are proposed.

Preferred materials include: brick and stone masonry; cast-in-place concrete or architectural finished exposed concrete; cementitious-based stucco over masonry or concrete substrate; solid wood pickets, lattice and boards; or painted welded metal or wrought iron. The proposed fence would be painted wood.

Lighting – Exterior Building

Lighting which adds visual interest and highlights aspects of the building. Goose-neck lamps are proposed over the building entry and above the windows.

Decorative wall sconce and similar architectural lighting features. No wall sconces are proposed, but the gooseneck lights will highlight the windows and faux windows on the south and east elevations.

Lighting fixtures which are integrated with and highlight landscaping. No landscape lighting is proposed.

Lighting – Parking Lot

Light poles should be dark green or black. This design element has been included in the approval conditions.

Standards should accommodate banners and hanging flower pots (with drip irrigation systems). Light standards could be equipped at any time for banners. Because the standards would be located in landscaped areas and not over sidewalks, hanging flower pots are probably unnecessary.

Light standards should be located in landscaped areas when possible to protect fixtures from automobile damage. Light standards will be located in landscape areas.

Lights should be shorter than two-stories in height. Light standards are required to be 18 feet or less.

Lighting – Sidewalk and Landscape

Seasonal lights on buildings and trees. Seasonal lighting by definition would not be permanent as thus, this guideline is not applicable.

Foot lighting that illuminate walkways and stairs. The site will be illuminated with lights on the building and in the car park. Illumination will be required to comply with DC §17.8.750 et. seq. *Lighting Standards.*

Fixtures concealed and integrated into the design of buildings and site landscaping elements. No concealed fixtures are proposed.

Bollard lighting that is directed downwards toward walkways. No bollards or bollard lighting is proposed.

Lighting – Signs

“Gooseneck” lighting that illuminates wall signs. Gooseneck lighting is proposed over the building sign above the entry, as well as over the windows and faux windows.

Sign silhouette backlighting is not proposed.

Incandescent or fluorescent bulb or low-voltage lighting. The illumination type is not known at this time.

Signs – Wall

Signs should identify the name of the building or major tenant only. The building will be identified with a sign naming the owner/tenant

Signs should be incorporated into the building architecture as embossing, low relief casting, or application to wall surfaces. The wall sign will be attached to the wall surface.

Signs should be durable and long lasting. Specific materials have not yet been identified.

Signs should be located as panels above storefronts, on columns, or on walls flanking doorways. The wall sign would be located above the storefront.

Signs – Hanging and Projecting

Signs should identify the name of the building or major tenant only.

Sign lighting should be integrated into the façade.

Sign should be durable and long lasting should not obstruct sidewalks or hang low enough to create hazards.

No hanging or projecting signs are proposed; these design elements are not applicable.

Signs – Window

Interior applied lettering or graphics.

Interior neon or other illumination.

No window signs are proposed, these design elements are not applicable.

Signs – Informational and Directional

Low-scaled signs.

Located at entries to parking lots, service areas, or pedestrian areas.

Sign should be durable and long lasting.

Signs should not obstruct sidewalks.

Compatible with adjacent architecture and streetscape elements.

No informational or directional signs are proposed, these design elements are not applicable.

Signs – Temporary

Easels and chalkboards.

Sandwich boards.

Small professionally painted and designed sandwich boards.

Compatible with adjacent architecture and streetscape elements.

No temporary signs are proposed at this time.

Based on the above guidelines, the Planning Commission may wish to consider these additional building and site design elements:

1. Reducing the length of the front car park stalls and front walkway width so that the building would be located closer to the street.
2. Awnings over the windows and faux windows for additional architectural detail, or a continuous awning over the south and west walkways to provide weather protection.
3. Additional windows in the south elevation, facing the street.

Optional **conditions** have been prepared for each of these alternatives.

Conclusion: With the conditions described in the section above, the design guidelines have been adequately addressed by the application.

III. ALTERNATIVES

The Planning Commission may approve the application as submitted, approve it 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, design review and lot line adjustment for the proposed Dollar General store at 1121 Gales Creek Road, with the following conditions:

GENERAL

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 must comply with all applicable City, County and CWS building and development standards, including all dimensional standards and public works specifications.
3. All utility connections shall be underground (DC §17.8.645(A) *Underground Utilities*).

STREET AND PUBLIC IMPROVEMENTS

4. Dedicate as needed additional right-of-way along Gales Creek Road, as per Washington County standards and specifications.
5. Improve the Gales Creek Road frontage including curbs, gutters and sidewalks, as per Washington County standards and specifications.
6. Public infrastructure shall comply with County or City-standard design and construction standards including CWS requirements. City-standard storm and sanitary sewer lines shall be extended to the west property line.
7. A water quality facility maintenance agreement shall be required.

ACCESS, CIRCULATION AND PARKING

8. Except where required by other codes (e.g. ADA), parking stalls shall be reduced in length to 16 ½ feet to the curb, provided the adjoining walkways and landscape areas are commensurately enlarged. Where stalls are shortened, no additional curb stops shall be required.

LANDSCAPING

9. Install a landscape island at the building's southwest corner where the two pedestrian walkways converge. Landscaping shall include an additional Chinese Pistache tree, and shrubs and/or groundcover.
10. Perimeter landscaped areas adjacent to the car park shall be at least 5 feet wide exclusive of the curb, in compliance with DC §17.8.545(D) *Landscaping and Screening of Parking and Loading Areas*.
11. The Gales Creek Road right-of-way shall be landscaped in compliance with DC §17.5.120 *Street Trees* and FGC 90.40 et. seq. *Parkway*.

LIGHTING

12. All lighting shall comply with the provisions of DC §17.8.755(C) *Pedestrian Lighting Standards* and §17.8.755(E) *Lighting Standards for Commercial Development*.
13. Light poles shall be black or dark green.

BUILDING DESIGN

14. All ground level and roof-top mechanical equipment shall be screened from view with landscaping, fencing and or walls. The height of the screen shall equal or exceed the height of the equipment, and include screening from views from above when visible from adjacent buildings.
15. The building address shall be identified with digits at least 6 inches tall that contrast with their background.

OPTIONAL CONDITIONS FOR PLANNING COMMISSION CONSIDERATION -

16. Reduce the length of the front car park stalls and the front walkway width, and locate the building closer to the street.
17. Install awnings over the faux windows; or
18. Install a continuous awning over the south and west walkways.
19. Increase the front façade window and door openings to equal or exceed 50% of the wall area between a height of 2 feet and 10 feet above grade.

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, submitted by the applicant |
| Exhibit B | Forest Grove Transportation System Plan Excerpts |
| Exhibit C | Washington County Review Comments |
| Exhibit D | Thatcher Road / Gales Creek Road Pedestrian Improvement Concept Plan |
| Exhibit E | Neighborhood Meeting Summary, submitted by the applicant |
| Exhibit F | Correspondence Received |
| Exhibit G | PowerPoint Slides |

EXHIBIT A

Site Plan and Design Review

Application Materials

Submitted by the Applicant



NOTE: Preliminary Architectural Renderings
for illustrative purposes only. See submitted
plans for specific project requirements.


WOODCREST
1410 MAIN STREET, SUITE C
RAMONA, CA 92065
760-789-5493

Street View Frontage

Dollar General
Forest Grove, OR



NOTE: Preliminary Architectural Renderings for illustrative purposes only. See submitted plans for specific project requirements.

1410 MAIN STREET, SUITE C
RAMONA, CA 92065
760-789-5493



WOODCREST

Monument Sign View

Dollar General
Forest Grove, OR

Dollar General

Design Review, Site Development Review and Lot Line Adjustment Applications

Prepared for:
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April 2019
A19046.30

RECEIVED
APR 19 2019
City of Forest Grove

Dollar General

Design Review and Site Development Review and Lot Line Adjustment Application

Summary

PROJECT LOCATION and EXISTING CONDITIONS AERIAL

The property is located in the City of Forest Grove at 1211 Gales Creek Road. Specifically, the property is described legally as 1N436B, Tax Lot #003100. Currently the property is approximately 0.75 acres in size, however a right-of-way dedication and a lot line adjustment with Tax Lot #003500 to the north will result in a site of approximately 0.86 acres.

The project site is zoned NMU and is located within the Gales Creek Mixed Use Planned Development, 'Village Center'. The project will be processed as a Type III Design Review and Site Development Review.

PROJECT PROPOSAL

The project proposes new construction of a 9100 GSF Specialty Retail Store for proposed tenant Dollar General, with associated parking, loading, landscape and utilities.

No Traffic Study is required per Washington County Department of Land Use & Transportation.

Existing power poles are to remain in their current location in concurrence with Washington County Department of Land Use & Transportation and Forest Grove Light & Power.

Applicable Standards

The following Standards and Regulations have been addressed within this Narrative.
Forest Grove Community Development Code

Article 2 LAND USE REVIEWS

- 17.2.030 Concurrent Reviews
- 17.2.300 Design Review
- 17.2.400 Site Development Review

Article 3 ZONING DISTRICTS

- 17.3.310 List of Commercial and Mixed Use Zones

Article 4 OVERLAY DISTRICTS

- 17.4.300 Mixed Use Planned development

Article 6 LAND DIVISIONS

- 17.6.015 Lot Line Adjustments

Article 8 GENERAL DEVELOPMENT STANDARDS

- 17.8.100 Access & Circulation
- 17.8.150 Clear Vision Area
- 17.8.400 Landscaping, Screening and Buffering
- 17.8.500 Off-Street Parking and Loading
- 17.8.600 Public Improvements
- 17.8.700 Building Design and Development Standards
- 17.8.750 Lighting Standards
- 17.8.800 Signs
- 17.8.880 Other Development Review Standards

DESIGN GUIDELINES

- SITE – BUILDING ORIENTATION
- BUILDING – FACADES
- BUILDING – RETAIL STOREFRONTS
- BUILDING - ENTRIES
- BUILDING – WINDOWS
- BUILDING – EXTERIOR WALLS

ATTACHMENTS:

- A. Environmental Review for the Gales Creek Road Development Project.
- B. Email Chain RE: Traffic Impact Analysis not Required.
- C. CWS Sensitive Area Pre-Screening form

Forest Grove Community Development Code

Article 2

LAND USE REVIEWS

17.2.030 CONCURRENT REVIEWS

Applications for more than one land use review on a site may be consolidated into a single application package. If the reviews are not assigned to the same review body, they are assigned in the manner stated below.

A. When more than one review is requested and the reviews have different procedures, the overall application is processed using the highest procedure and reviewed by the review body assigned to that procedure.

B. When the requested reviews have the same procedure but are assigned different review bodies, the reviews may be processed simultaneously with a joint hearing before the applicable review bodies. For the purposes of this section, a joint hearing includes either holding a consolidated hearing before all applicable review bodies at the same meeting, or holding consecutive public hearings at the same location. The Director shall determine the manner of processing applications and conducting the hearings.

RESPONSE: This application requests reviews for Design Review, Site Development Review and Lot Line Adjustment to be processed concurrently.

DESIGN REVIEW

17.2.310 APPLICABILITY Design review is required for the following:

C. New commercial development;

RESPONSE: This project proposes new commercial development and is therefore subject to Design Review.

17.2.320 OVERVIEW OF PROCESS Design review applications will be processed in one of two tracks: Development Standards or Design Guidelines. The applicant shall identify the desired tract as part of the initial application. The tracks are described as follows:

Track 2 -- Design Guidelines. Applications allow more flexibility in terms of design. Under this process the applicant shall be held to the intent of the standards, but is allowed to vary from these standards if demonstrated that related guidelines and objectives are adequately addressed and that the deviation results in a higher quality development than would result under a strict interpretation of the code.

RESPONSE: Because this site is subject to Mixed Use Planned Development Review, the Track 2 process will be used.

17.2.330 PROCEDURE The design review applicant must select one of two design review tracks: (1) development standards track or the (2) design guidelines track. Depending upon the tract and specific characteristics of the project, these are reviewed under a Type II or Type III procedure, as described below.

B. Track 2 – Design Guidelines. The review standards are intended to be flexible in nature. This process does not allow applicants to avoid any City requirements, but may provide alternative methods for meeting requirements. Track 2 applications shall be reviewed under a Type II or III procedures as outlined below:

2. Type III Review. The Planning Commission is the review authority for the following Track 2 design review applications:

- a. Multifamily developments with more than six (6) units;
- b. Commercial alterations, remodels, renovation, and new construction of more than 3,000 square feet; and
- c. Any Type II design review application elevated by the Director to the Type III procedure.

RESPONSE: This project will be processed as a Track 2/Type III process.

17.2.340 SUBMITTAL REQUIREMENTS In addition to the standard submittal requirements for a Type II or Type III application, and the submittal requirements of a Site Plan in 10.2.440, the following documents are required for Design Review. Plans shall be drawn to scale and fully dimensioned. At the pre-application conference, the Director may specify more detailed submittal requirements or waive specific submittal requirements if warranted.

A. Architectural drawings, renderings, sketches and a materials board showing all elevations of proposed buildings as they will appear on completion.

B. All existing and proposed walls and fences, including the location, height, type of design and composition.

RESPONSE: These plans and specifications are included in this application package.

17.2.350 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.

RESPONSE: Deviations from the development standards of the zoning district and overlay district (NMU) are discussed within the Design Guideline section of this narrative.

SITE DEVELOPMENT REVIEW

17.2.410 APPLICABILITY.

Site development review is required for the following:

- A. All new development of vacant sites (with the exception of the exemptions listed below);
- B. An expansion of 20% or more of the existing building square footage on the development site;
- C. A new parking lot or 20% expansion of an existing parking lot that is not associated with new commercial or multi-family development;
- D. Any change of use (according to use table of applicable zoning district);
- E. As part of a Master Plan application (17.4.100 et seq);
- F. As part of a Conditional Use permit application (17.2.200); and

G. As part of a Design Review application (17.2.300 et seq).

RESPONSE: This project proposes a change in use (residential to commercial) as well as being part of a Design Review. As such, the project is subject to Site Development Review.

17.2.430 PROCEDURE.

Site development review is categorized as a Type I procedure for one single-family detached dwelling on an individual lot; one duplex on an individual lot; one manufactured home on an individual lot. All other site development reviews shall follow the Type II procedure unless exempt.

RESPONSE: The Site Development review application will be processed as part of a Type III Design Review application.

17.2.440 SUBMITTAL REQUIREMENTS.

In addition to the standard submittal requirements for a Type II application, the following plans and information are required for Site Development Review. The Director may waive specific submittal requirements at the pre-application conference, if warranted. Site Development Plans shall be drawn to scale and fully dimensioned, and shall illustrate the following:

- A. Boundaries of the development site, with lot line dimensions and land area in square feet;
- B. Boundaries of lots adjacent to the development site, with general locations of existing buildings and driveways and description of current land uses;
- C. Existing contours of the development site at two-foot intervals for slopes of less than 10% and at ten-foot intervals for slopes of more than 10%. Additional contour data may be required by the Director for slopes greater than 20%;
- D. Major existing physical and natural features such as perennial and intermittent streams, wooded areas, marshes, rock outcroppings and vegetative cover types;
- E. Environmental resource areas subject to the provisions in 17.8.305 and, where applicable, 17.5.005 et seq. and environmental hazard areas subject to the requirements in 17.8.310;
- F. Individual trees or groves of trees subject to the provisions of 17.5.100 et seq.;
- G. Historic Landmarks subject to the provisions of 17.5.200 et seq.;
- H. Location, dimensions and heights of existing and/or proposed structures, including area in square feet and designation of existing and/or proposed use;
- I. Setback dimensions from buildings to lot lines and lot coverage as a percentage of total lot size;
- J. Location and dimensions of existing and/or proposed streets, driveways, transit facilities, sidewalks, trails, off-street parking and loading space, bicycle parking facilities, landscaped areas, recreation areas and trash storage areas;
- K. Location of existing utilities and fire hydrants adjacent to the site, including the size of storm sewer, sanitary sewer and water lines;
- L. Location and names of public street, parks, utility rights-of-way and easements within or adjacent to the site;
- M. Location and types of proposed drainage, water and sewer facilities to serve the development;
- N. Elevation drawings of proposed buildings;

O. Landscape plan depicting existing and proposed trees, shrubs, groundcover, irrigation and architectural features such as fences or walls. Proposed plantings shall be designated as to species, quantities and size at time of planting;

P. Location, character and dimensions of proposed signs and lighting; and

Q. Locations and dimensions of all existing and proposed outdoor storage areas, including but not limited to trash storage and recycling areas.

RESPONSE: Plans, reports and specifications applicable to the project are included in this application package.

17.2.450 REVIEW CRITERIA.

The Director 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 Art. 8.

RESPONSE: The development standards of the zone (NMU) are addressed as defined as a Planned Development. Additionally, all applicable standards, including those found in Article 8, have been addressed in this narrative document.

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

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.

RESPONSE: This project proposes a single-story commercial building which will not negatively affect any of the existing residential areas to the south and west of the site. The project will not result in any negative off-site impacts. Proposed site lighting will be directed away from property lines so that there is no light trespass.

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.

RESPONSE: There are no existing prominent topographic features or sensitive natural resources on the proposed site. The site does contain vegetation as identified on the Existing Conditions Plan; however, none is considered significant.

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

RESPONSE: There are no identified historic resources on this site.

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.

RESPONSE: This project will construct a curb and sidewalk as well as dedicate an additional 15-feet of right-of-way to Gales Creek Road.

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.

RESPONSE: This project proposes an 8-foot concrete connection between the entrance to the building and the Gales Creek Road right-of-way.

Article 3

ZONING DISTRICTS

17.3.310 LIST OF COMMERCIAL AND MIXED USE ZONES.

C. *Neighborhood Mixed Use (NMU)*. The Neighborhood Mixed Use zone is established to support the development of pedestrian-friendly mixed use neighborhoods with a diversity in the mix of housing types and neighborhood-scale retail sales and service, office, civic or recreational uses. Most non-residential uses must be located within a "Village Center." The Village Center is intended to serve as the center of the neighborhood, providing convenient access to goods and services as well as "third places" where residents can gather. The NMU Zone implements the Comprehensive Plan's Mixed Use designation. Mixed Use Planned Development approval is required in the NMU Zone in order to ensure that the objectives of the Comprehensive Plan are addressed.

RESPONSE: This project site is zoned NMU, within the 'Village Center' of the Gales Creek Mixed Use district.

17.3.320 USE REGULATIONS.

Refer to Article 12 for information on the characteristics of uses included in each of the Use Categories.

A. *Permitted uses*. Uses allowed in the Commercial zones are listed in Table 3-10 with a "P". These uses are allowed if they comply with the development standards and other regulations of this Code.

B. *Limited uses*. Uses that are allowed subject to specific limitations are listed in Table 3-10 with an "L". These uses are allowed if they comply with the limitations listed in the footnotes to the table and the development standards and other regulations of this Code.

C. *Conditional uses*. Uses that are allowed if approved through the conditional use process are listed in Table 3-10 with a "C". These uses are allowed provided they comply with the conditional use approval criteria, the development standards, and other regulations of this Code. § 17.2.200 contains the conditional use process and approval criteria.

D. *Not permitted uses*. Uses listed in Table 3-10 with an "N" are not permitted or prohibited. Existing uses may be subject to the regulations of §§ 17.7.100 et. seq. Nonconforming Development.

E. *Accessory uses*. Uses that are accessory to a primary use are allowed if they comply with specific regulations for accessory uses and all development standards

Table 3-10 Commercial and Mixed Use Zones Use Table.			
USE CATEGORY	NC	CC	NMU
General Retail:			
- Sales-Oriented	L[7]	L[7]	L[16]

[16] Use is only permitted within a Village Center of a Mixed Use Planned Development approved in accordance with § 17.4.300.

RESPONSE: This project proposes a General Retail - Sales Oriented Use. As such it is an allowed use within the Village Center of a Mixed Use Planned Development.

17.3.330 COMMERCIAL AND MIXED USE ZONE DEVELOPMENT STANDARDS.

A. *Purpose.* The development standards for the commercial and mixed use zones are intended to promote efficient site planning, control the overall scale of buildings and promote streetscapes that are consistent with the desired character of the zones.

B. *Development standards.* Development standards for the NC, CC and NMU zones are summarized below:

Table 3-11 Commercial Zones: Dimensional Requirements.			
STANDARD	NC	CC	NMU
Maximum Use Size[1]	2,000 square feet	No maximum	No maximum
Minimum Lot Size	5,000 square feet	5,000 square feet	No minimum[5]
Minimum Lot Width	50 feet	50 feet	No minimum[5]
Minimum Lot Depth	100 feet	None	No minimum[5]
Minimum Setbacks[2]			No minimum[5]
- Front	14 feet	None	No minimum[5]
- Interior Side	5 feet	None	No minimum[5]
- Corner (street side)	14 feet	None	No minimum[5]
- Rear	15 feet	None	No minimum[5]
Maximum Setback	20 feet	See footnote [3]	No minimum[5]
Maximum Building Height[4]	35 feet	45 feet	35 feet 45 feet[6]
Minimum Landscaped Area	15% of site	15% of site	No minimum[5]

Footnotes:

[5] New development in the NMU Zone requires approval of a Mixed Use Planned Development (MUPD) in accordance with § 17.4.300. Development standards are established through the MUPD process.

[6] Maximum 45-foot building height allowed only within a Village Center with approved MUPD.

RESPONSE: This project proposes a single story building which is 18-feet high to the parapet and 26.5-feet to the top peak of the gable over the entrance. The building is setback approximately 80-feet from Gales Creek Road (after dedication) and 10-feet from the north, 15-feet from the east, and approximately 85-feet from the west property lines. The proposed parking and maneuvering areas are setback approximately 14-feet from Gales Creek road.
The project proposes 19.6 % landscape area.

Article 4

OVERLAY DISTRICTS

MIXED USE PLANNED DEVELOPMENT

17.4.300 PURPOSE.

The purpose of the Mixed Use Planned Development is to ensure that sites zoned Neighborhood Mixed Use are developed into pedestrian-friendly mixed use neighborhoods. In order to accomplish that, Mixed Use Planned Developments need to provide:

A. Diversity in the mix of housing types including single-family houses, apartments, row houses, cottages, senior housing and residential units above commercial or office space;

RESPONSE: This project does not include a residential component.

B. Pedestrian-orientation in the arrangement and placement of buildings, parking and circulation systems, land uses and utilities;

RESPONSE: Pedestrian connections are provided between the right-of-way, the building and the parking areas.

C. Pedestrian and bicycle access to, and through, the site and provide connectivity to adjacent areas for motorized and non-motorized modes of transportation;

RESPONSE: Pedestrian and bicycle transportation is provided between the proposed building and the abutting right-of-way. Existing development around the project site is limited, providing few opportunities for connectivity.

D. Neighborhood-scale retail sales and service, office, civic or recreational uses conveniently located for neighborhood access, thereby contributing to the livability of the area by reducing the amount of vehicle miles traveled to reach goods and services;

RESPONSE: A Dollar General store project will provide an excellent neighborhood scale and retail service to the current and future neighborhood development.

E. Coordinated architectural styles, landscaping building forms and building relationships which help establish a cohesive sense of place;

RESPONSE: This project is the first Development in this area and will therefore set the tone for future projects.

F. An urban form that emphasizes the efficient use of land and compact urban form;

RESPONSE: As the first Commercial development in the Gales Creek District, Dollar General includes a compact urban, pedestrian scale, site plan design.

G. The applicant with reasonable assurance of ultimate approval before requiring detailed design and engineering, while providing the city with assurances that the project will retain the character envisioned at the time of approval; and

RESPONSE: The project will retain all positive design aspects proposed at the time of approval.

H. A basis for discretionary review of an overall plan of development that can subsequently be developed in phases over time with administrative approval.

RESPONSE: It is understood that this project will serve as an example for future development. Therefore, the project has been tasked with proposing a style and quality of design which can be emulated for future development in the Village Center of this zone.

17.4.305 PROCEDURES.

RESPONSE: This project will be processed through the Design Review and Site Development Review processes. As a Mixed Use Overlay, the standards of this code section apply.

17.4.315 MUPD DEVELOPMENT STANDARDS.

A. *Base zone standards.* The development standards of the base zone apply unless they are superseded by the standards of this section or an MUPD approval.

RESPONSE: The project site is zoned NMU.

B. *Site size.* There are no minimum or maximum size limitations for a MUPD.

D. *Lot sizes.* There are no required minimum lot sizes.

F. *Village center.* Commercial Uses and Institutional Uses (other than basic utilities, major utilities transmission facilities, daycare, home occupations and community recreation) shall be located within a village center.

1. The applicant shall propose designs for the Village Center that provide services at a neighborhood scale within a compact, pedestrian-friendly environment. The Design and Development Standards and/or Design Guidelines applicable to the Town Center Transition (TCT) zone shall be used as a basis for development within the Village Center unless modified through an approved MUPD.

2. The minimum and maximum floor area of commercial or institutional uses permitted within the Village Center is shown in Table 4-2.

Table 4-2: Commercial/Institutional Uses within the Village Center		
NMU Zoned Area	Minimum Square Footage	Maximum Square Footage
Area 1 - David Hill/Nixon	None	15,000 SF Gross Floor Area
Area 2 - Gales Creek	None	25,000 SF Gross Floor Area
Area 3 - Davidson	25,000 SF Gross Floor Area	130,000 SF Gross Floor Area ^[1]
Area 4 - East David Hill Rd	10,000 SF Gross Floor Area	150,000 SF Gross Floor Area ^[2]
[1] Maximum building footprint is 50,000 square feet		
[2] Maximum building footprint is 50,000 square feet		

RESPONSE: The site is considered within the Village Center for the Gales Creek District. This project is the first project in this district. This project proposes a single story, 9100 SF building with pedestrian scale architectural accents.

G. *Height.* The height limits of the base zone apply.

RESPONSE: The NMU standards restrict this building to a 45-foot height limit. The proposed single-story building is 18-feet high to the parapet and 26.5-feet at the top of the gable over the entrance.

H. *Building setbacks.* Building setbacks are established as part of the preliminary development plans approval.

RESPONSE: The building is setback approximately 80-feet from Gales Creek Road (after dedication) and 10-feet from the north, 15-feet from the east, and 85-feet from the west property lines.

I. *Open space.* A MUPD shall include a minimum of 20% usable common open space, landscaped areas and/or protected natural areas.

RESPONSE: Per Table 3-13, in code section 17.3.430, 5% landscaping is required and has been provided.

J. *Pedestrian-orientation and circulation.* A MUPD shall include a transportation system that emphasizes pedestrian mobility and accessibility, and demonstrates an effective and convenient system of pedestrian facilities that provides connectivity throughout the MUPD and to adjacent properties. The transportation system shall identify existing and proposed pedestrian connections and may include a combination of sidewalks, multi-use pathways and trails.

RESPONSE: As the first development within the Gales Creek MUPD, Village Center, there are limited opportunities for connectivity. However, the project proposes a connection to the Gales Creek right-of-way from the building entrance and between the building and the parking/loading/trash recycling areas.

K. *Parking.* The base zone parking requirements apply except that shared parking is encouraged within the MUPD. Where the MUPD abuts land zoned for single-family residential development, common parking and maneuvering areas must be set back at least 20 feet from the lot line. No parking or vehicular circulation areas shall be located between the building and the street. Garages and off-street parking areas for residential developments shall be accessed by alleys unless otherwise approved by the Planning Commission.

RESPONSE: Seven parking spaces and a truck maneuvering/aisle area have been placed between the building and the Gales Creek right-of-way. Nonconformity with this code section is discussed below under the Guidelines section.

M. *Facilities and services.* It is the responsibility of the applicant to provide all service facilities necessary for the functioning of the MUPD. Service facilities such as streets, water supply facilities, sanitary sewers and stormwater detention facilities must be dedicated to the public if they are to provide service to any property not included in the MUPD. However, the review body may approve private service facilities with the consent of the appropriate service provider.

RESPONSE: All required service connections including sanitary sewer and stormdrain will be provided to the site by the applicant.

N. *Underground utilities.* All service facilities must be placed underground except those that by their nature must be on or above ground, such as fire hydrants and

open watercourses. The applicant is responsible for making the necessary arrangements with utility companies and other appropriate entities when installing all service facilities.
RESPONSE: All proposed and necessary utility connections and extensions will be installed underground.

O. *Construction to standards.* All service facilities dedicated to the public must be constructed to city standards. All private service facilities must be designed by a qualified civil engineer to city standards or comparable design life as determined by the City Engineer.

RESPONSE: All public improvements will be built to City standards. Both private and public service facilities will be designed by a registered civil engineer.

Article 6 LAND DIVISIONS

17.6.015 LOT LINE ADJUSTMENT

17.6.015 PURPOSE.

This sub-article provides the opportunity for adjustment of a common boundary between two lots. A lot line adjustment does not result in the creation of a new lot.

RESPONSE: The PLA will not create a new lot.

17.6.020 PROCEDURE

Lot line adjustments shall be processed under the Type I procedure.

RESPONSE: The lot line adjustment will be submitted and processed concurrently with the Design Review/Site Plan Review, as a Type I application.

17.6.025 APPLICATION REQUIREMENTS.

An application for a lot line adjustment consists of a completed application, signed by all property owners involved in the proposed adjustment, and a map showing the following details:

- A. The scale, north arrow and date of the map;
- B. The tax map and lot number identifying each parcel involved in the adjustment;
- C. The location, width and purpose of any easements and driveway access to public right-of-way, existing or proposed;
- D. The area, before and after the lot line adjustment, of each parcel;
- E. The proposed property lines and dimensions of each parcel;
- F. Existing and proposed utility services and stub locations, including water, sanitary sewer, drainage, power, gas and telephone; and
- G. Adjacent rights-of-way, with width shown.

RESPONSE: All these items are included in the Lot Line Adjustment application.

17.6.030 REVIEW CRITERIA.

The Director shall approve or deny a lot line adjustment based on the following criteria:

- A. An additional parcel is not created by the lot line adjustment, and the parcel reduced in size by the adjustment is not reduced below the minimum lot size established by the zoning district; and

RESPONSE: The proposed PLA will not create a new lot. Furthermore, there are no restrictions to lot size in the NMU zone.

- B. The resulting parcels conform to the dimensional standards of the zoning district, including:

1. The minimum width of the lots shall meet the requirements of the applicable zoning district; and

2. Setbacks shall be as required by the applicable zoning district.

RESPONSE: There is no minimum lot width in the MNU zone. Approvable setbacks will be determined during the Design Review/Site Plan Review process.

17.6.035 EXEMPTIONS FROM DEDICATIONS.

A lot line adjustment is not considered a development action for purposes of determining whether floodplain or right-of-way dedication is required.

RESPONSE: The proposed property line adjustment is being made to facilitate a prototypical building for the Dollar General retail store. It is not being made for the purpose of determining whether flood plain or right-of-way dedication is required.

Article 8

GENERAL DEVELOPMENT STANDARDS

17.8.000 OVERVIEW OF ARTICLE 8.

This article describes general development and improvement standards that apply to development authorized by this Code. In the event the standards of this article conflict with the provisions of the base zoning district, the standards of this article shall prevail.

The following list summarizes the topics covered in Article 8:

- Access & Circulation
- Clear Vision Area
- Open Space, Recreation Facilities and Common Areas
- Hazard and Resources
- Landscaping, Screening and Buffering
- Off-Street Parking and Loading
- Public Improvements
- Building Design and Development Standards
- Lighting Standards
- Signs
- Other Development Review Standards
- Land Division Standards
- Covenants, Conditions And Requirements

These headings can assist the user in locating information. The table of contents contains a complete list of the material included in this article.

RESPONSE: All applicable sections are covered within this narrative document.

ACCESS AND CIRCULATION

17.8.115 ON-SITE PEDESTRIAN WALKWAYS.

A. *Required walkways.* On-site pedestrian walkways are required as follows:

1. Walkways shall extend from the ground floor entrances or from the ground floor landing of stairs, ramps or elevators of all commercial, institutional and industrial uses, to the public sidewalk or curb of the public street or streets which provide the required access and egress. Walkways shall provide convenient connections between buildings in multi-building commercial, institutional and industrial complexes. Walkways shall be constructed between a new development and neighboring developments. If

connections aren't currently available, then planned connections shall be designed to provide an opportunity to connect adjoining developments.

RESPONSE: The project proposes a walkway connection between the building entrance and the Gales Creek right-of-way as well as to the associated on-site parking. As the first development within the Gales Creek MUPD, Village Center, there are limited opportunities for connectivity.

2. The maximum distance between a parking space and a walkway shall not exceed 45 feet. All walkways constructed within parking lots shall be raised to standard sidewalk height. All surface treatment of walkways shall be firm, stable and slip resistant.

3. Required walkways shall be paved with hard-surfaced materials such as concrete, asphalt, stone, brick, etc. Walkways may be required to be lighted and/or signed as needed for safety purposes. Lighting and or signs may be required for walkways for safety purposes.

4. Whenever required walkways cross vehicle access driveways or parking lots, such crossings shall be designed and located for pedestrian safety. Required walkways shall be physically separated from motor vehicle traffic and parking by either a minimum six-inch vertical separation (curbed) or a minimum three-foot horizontal separation, except that pedestrian crossings of traffic aisles are permitted for distances no greater than 36 feet if appropriate landscaping, pavement markings or contrasting pavement materials are used. Walkways shall be a minimum of four feet in width, exclusive of vehicle overhangs and obstructions such as mailboxes, benches, bicycle racks and signposts, and shall be in compliance with ADA standards.

RESPONSE: There are two primary walkway connections provided. Both are of concrete construction. (parking and maneuvering areas will be asphalt) The walkway connection to Gales Creek Road is 8-feet in width and the walkway connection to the eastern parking is 4-feet in width. All other walkways around the building are also of concrete and vary in width. All on-site sidewalks comply with ADA requirements.

17.8.125 MINIMUM ACCESS REQUIREMENTS FOR NON-RESIDENTIAL USES.

17.8.130 WIDTHS AND LOCATIONS OF DRIVEWAYS AND CURB CUTS.

A. Minimum driveway widths at the street right-of-way line shall be 15 feet for institutional, commercial, industrial and multi-family residential uses, and ten feet for single-family and two-family residential uses.

B. Maximum driveway widths at the street right-of-way line shall be as follows.

2. Thirty-six feet in institutional, town center or commercial zones; and

RESPONSE: The driveway access from the Gales Creek right-of-way line is 36-feet in width.

C. Location of curb cut. No portion of a curb cut shall be located closer to an intersecting street right-of-way line than:

1. One hundred feet on an arterial street with four or more travel lanes;
2. Fifty feet on an arterial street with two or three travel lanes;
3. Fifty feet on a collector street; or
4. Twenty feet on a local street.

F. City Engineer's authority to restrict driveway widths and locations. To ensure that driveways do not conflict with public infrastructure, the City Engineer has the authority to restrict the width and location of any driveway.

RESPONSE: The proposed driveway is located at the west end of the site, as far away from the Thatcher Road / Gales Creek Road intersection as feasible. This location was negotiated and agreed to with Washington County Department of Land Use & Transportation.

17.8.140 SPECIFIC SITE ACCESS AND CIRCULATION STANDARDS.

The following access and circulation standards apply specifically to certain types of development or apply within certain locations within the community.

B. Commercial development. Commercial development should accommodate automobiles, mass transit, bicycles and pedestrians in a safe, functional and visually appealing manner.

1. Circulation.

a. Auto/truck access to parking shall be from a local or collector street, an adjacent development, alley or existing driveways along arterial roads.

b. Where buildings are setback from right-of-ways, a continuous and direct sidewalk with a 12-foot minimum width shall be provided between the public sidewalk and the front door to all buildings on site.

RESPONSE: This project proposes access via Gales Creek Road. An 8-foot sidewalk provides a connection between the right-of-way and the building entrance. The 8-foot width is more pedestrian friendly and allows significantly more landscape across the front yard area.

2. Parking.

a. Construct off-street surface parking that does not occupy more than 50% of the street frontage. Where a site has frontage along a side street a surface car park may occupy more than 50% of the side street frontage.

RESPONSE: This project proposes parking in front of the building, for reasons discussed in the Guidelines section of this narrative document. The total Gales Creek frontage is 170-feet. The building is 70-feet wide (with parking in front) and the western parking row is 18-feet wide, which is slightly more than 50% of the frontage. (51%)

b. Screen parking with a solid perimeter wall, decorative welded metal (wrought iron) fencing and columns, earthen berm or evergreen hedge (or a combination thereof). The maximum height of screening shall be five feet except along the street frontage where the maximum height shall be three feet six inches.

RESPONSE: A 3.5-foot evergreen hedge has been placed along the site frontage on Gales Creek Road.

c. Provide a minimum of 15% of the car park as water pervious surface – either paving or landscaped retention areas.

RESPONSE: Interior landscaping in excess of the required 8% per 17.8.415(E)(3) is provided.

d. Development sites shall not consist of paved parking areas of more than 50% of the entire site area.

RESPONSE: Approximately 16,068 square feet of paving is dedicated to parking and maneuvering. This results in 42.8% coverage.

3. Pedestrian environment.

a. The sidewalk system shall connect all customer entrances to the public sidewalk.

RESPONSE: A direct sidewalk connection has been provided between the Gales Creek right-of-way and the main entrance of the store.

b. Minimum sidewalk width ten feet. Sidewalks shall meet American with Disabilities Act (ADA) requirements and may include landscaped areas, benches and other pedestrian amenities.

RESPONSE: The sidewalk within the Gales Creek right-of-way will meet all applicable ADA and county requirements

c. Plazas, squares or courts shall be fronted by commercial building facades with 75% or more transparency/window opening of first 15 feet of building.

RESPONSE: No plaza, squares or courts are proposed or exist adjacent to this project.

d. All development shall provide a sheltered entry area at the entrance to each commercial establishment with a minimum area of 50 square feet and a minimum dimension of six feet.

RESPONSE: The building entrance is within an alcove measuring 21' X 5.75'. (total 120.75 SF)

4. *Screening of service areas.*

a. All loading areas shall be physically separated from customer pedestrian and residential areas with a solid five-foot tall fence, evergreen hedge, arbor, berm or a combination of these elements.

b. All ground level and roof-top mechanical equipment shall be screened from view with landscaping, fencing and or walls. The height of the screen shall equal or exceed the height of the equipment, and include screening from views from above when visible from adjacent inhabited buildings.

RESPONSE: All proposed roof top mechanical equipment is placed towards the center of the structure, and a parapet has been provided for screening. There are no large above ground equipment.

5. *Landscaping.*

a. Landscaping standards vary depending on zoning, use, adjacent zoning and existing site conditions.

b. A landscaped strip at least ten feet in width shall be provided abutting any property line facing a street. The landscape strip shall be appropriately landscaped with ground cover, planted berm, shrubbery and/or trees.

c. At least 75% of required landscaped area shall be planted with any suitable combination of trees, shrubs or evergreen ground cover.

d. A maximum of 25% of required landscaped area may include architectural features or artificial ground covers such as sculptures, benches, masonry or stone walls, rock groupings, decorative hard paving and gravel areas interspersed with planting areas.

RESPONSE: A planted 13.5 foot landscape strip is proposed adjacent to the street ROW. 21.8% of the landscape area is proposed gravel area interspersed within the planting areas.

CLEAR VISION AREA

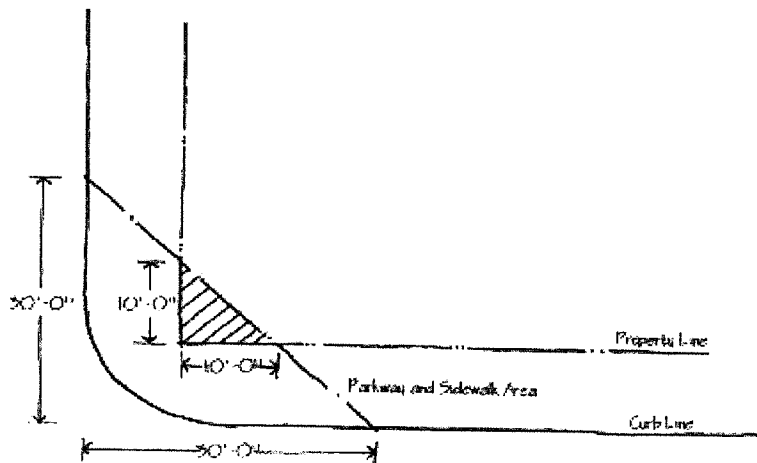
17.8.155 STANDARDS.

Except in the Town Center zones, a clear vision area shall be maintained on the corners of all property adjacent to the intersection of two streets, a street and a railroad, or a driveway providing vehicular access to a public street, excluding alleys.

B. A private access shall be treated as a public street for the purpose of this section. The edge of the paved surface area of the private access, be it roadway, curb or sidewalk, shall be treated as the curb line in determining the vision clearance area.

C. The vision clearance area for all commercial, industrial, institutional and multi-family uses shall be determined in the manner set forth in subsection A.1. above.

Figure 8-5: Clear Vision Area



RESPONSE: Clear Vision areas per the above diagram have been provided on each side of the access driveway off of Gales Creek Road.

LANDSCAPING, SCREENING AND BUFFERING

17.8.405 APPLICABILITY.

A. *Applicability.* The provisions of this subarticle shall apply to all new development and to a change of use that result in the need for increased on-site parking.

C. *Landscape plan.* The applicant shall submit a landscape plan. The Director shall provide the applicant with information on the submittal requirements.

RESPONSE: A Landscape Plan is included in this submittal package.

17.8.410 GENERAL PROVISIONS.

A. *Obligation to maintain.* It shall be the continuing obligation of the property owner to maintain required landscaped areas in an attractive manner free of weeds and noxious vegetation. In addition, the minimum amount of required living landscape materials shall be maintained.

B. *Ground preparation.* The ground in all required landscaped areas should be properly prepared with suitable soil and fertilizer. Specifications shall be submitted with the landscape plans showing that adequate preparation of the top soil and sub-soil will be undertaken prior to planting to support the plantings over a long period of time.

C. *Installation requirements.* The installation of all landscaping shall be as follows:

1. All landscaping shall be installed according to accepted planting procedures and the provisions of this article;
2. The plant materials shall be of high grade, and shall meet the size and grading standards of the American Standards for Nursery Stock; and
3. All required landscaped areas must be provided with a piped underground irrigation system unless a licensed landscape architect or certified nurseryman submits written verification that the proposed plant materials do not require irrigation.

D. *Pruning required.* All plant growth in landscaped areas of developments shall be controlled by pruning or trimming so that it will not:

1. Interfere with the maintenance or repair of any public utility;
2. Restrict pedestrian or vehicular access; and
3. Constitute a traffic hazard because of reduced visibility.

E. *Certificate of occupancy.* Certificates of occupancy shall not be issued unless the landscaping requirements have been met or other arrangements have been made and approved by the city such as the posting of a performance bond or security equal to 125% of the cost of the landscaping.

F. *Care of landscaping along public rights-of-way.* Appropriate methods for the care and maintenance of street trees and landscaping materials shall be provided by the owner of the property abutting the rights-of-way unless otherwise required for emergency conditions and the safety of the general public.

RESPONSE: The landscape will be professionally maintained. Ground preparation, installation requirements, and pruning requirements are stated in the sheet specification. A design build automatic irrigation system will be installed as part of the project.

17.8.415 GENERAL STANDARDS.

A. Non-invasive native vegetation is encouraged to be used for all landscaping except within 100 feet of a natural resource area. In such situations, native vegetation is required.

RESPONSE: Non-invasive vegetation is specified along with native vegetation. The project is not within 100 feet of a natural resource area.

B. Installation of bio-swales or preservation of wetlands should be located where possible in landscaped areas.

RESPONSE: Storm water is being handled in an underground detention system because there is lack of usable landscape and anticipated low infiltration rates.

C. Required landscaping adjacent to public rights-of-way. A strip of land at least five feet in width located between the abutting right-of-way and the off-street parking area or vehicle use area which is exposed to an abutting right-of-way, except in required vision clearance areas.

RESPONSE: A planted 13.5 foot landscape strip is proposed adjacent to the street and ROW.

D. Perimeter landscaping relating to abutting properties. On the site of a building or structure or open lot use providing an off-street parking area or other vehicular use area, where such areas will not be entirely screened visually by an intervening building or structure from abutting property, a five-foot landscaped strip shall be between the common lot line and the off-street parking area or other vehicular use area exposed to

abutting property. Landscaped areas should include where possible water quality features such as bio-swales or wetlands, trees, grass, shrubs and other plant material so as to cover the landscape area.

RESPONSE: A three foot landscape strip is proposed on the north side of the parking area and a three foot six inch landscape strip is proposed on the east and west sides of the parking area. The plantings will consist of an evergreen hedge that reaches five feet tall and will sufficiently screen the parking from adjacent properties.

E. Parking area interior landscaping. Landscaped areas shall be appropriately distributed to break up large expanses of pavement, improve the appearance and climate of the site, improve safety and delineate pedestrian walkways and traffic lanes. Except for industrial development within industrial zones, the following interior landscaping shall be met.

1. Percentage approach. For the purpose of this section, **INTERIOR PARKING LOT AREA** is defined as the hard surface parking area (parking stalls and aisles). Such area does not include loading and unloading zones or perimeter landscaping around the lot. Where perimeter landscaping intrudes into the parking lot four or more feet, that area is included in both the interior parking lot area and interior parking lot landscaping.

2. A required landscaped area shall have a minimum interior dimension of six feet and be no less than 48 square feet in area.

RESPONSE: Three 157 SF planting islands are proposed in the parking lot to break up the asphalt. They will be planted with a large deciduous tree to provide shade.

3. At least 8% of the Interior Parking Lot Area shall be landscaped. Landscaped areas may include water quality features such as bio-swales or wetlands, trees, grass, shrubs and other plant material so as to cover the landscape area.

RESPONSE: 8.5% of the interior parking lot is proposed landscape area.

4. One tree shall be required for every 1,600 square feet of interior parking lot area as defined in subsection 1. above. Trees shall have a minimum two-inch caliper and six-foot branch height at time of planting.

RESPONSE: The parking area is 16,068 sf and will require 10 trees. 10 large deciduous trees are proposed throughout the parking lot.

5. Interior parking area landscaping and trees must be dispersed throughout the parking area. Some trees may be grouped, but the groups must be dispersed. Required trees may be planted within five feet of the edges of the parking area.

6. Perimeter landscaping area may not substitute for interior landscaping. However, interior landscaping may join perimeter landscaping as long as it extends four feet or more into the parking area from the perimeter landscape line.

Perimeter landscaping has not been included in the calculation for interior landscaping.

17.8.420 LANDSCAPING REQUIREMENTS BY ZONE.

A. *Landscaping required in the Neighborhood Commercial Zone.* All required yards (exclusive of accessways and other permitted intrusions) adjacent to a public or private street shall be landscaped.

RESPONSE: This project site is zoned NMU zone and is a commercial development.

E. *Seventy-five percent coverage.* Except in the Town Center Core Zone, at least 75% of the required landscaped area shall be planted with any suitable combination of trees,

shrubs or evergreen ground cover. The required 75% coverage shall be based on the size of the plant material within a specified time as follows:

1. Trees – within five years from the date of final inspection by the Building Official;
2. Shrubs – within two years from the date of final inspection by the building Official; and
3. Ground covers – at the time of final inspection by the Building Official.

RESPONSE: 75% of the required landscape area is planted with a combination of trees, shrubs, and ground covers.

F. *Twenty-five percent architectural features.* Except in the Town Center Core Zone, landscaped areas as required by this article may include architectural features or artificial ground covers such as sculptures, benches, masonry or stone walls, fences, rock groupings, decorative hard paving and gravel areas, interspersed with planting areas. The exposed area developed with such features shall not exceed 25% of the required landscaped area. Artificial plants are prohibited in any required landscaped area.

RESPONSE: 21.8% of the landscape area is covered with gravel; this is primarily behind the building.

17.8.425 BUFFERING AND SCREENING STANDARDS.

A. *General provisions.*

1. It is the intent that these requirements shall provide for privacy and protection and reduce or eliminate the adverse impacts of visual or noise pollution at a development site, without unduly interfering with the view from neighboring properties or jeopardizing the safety of pedestrians and vehicles;

2. Buffering and screening is required to reduce the impacts on adjacent uses which are of a different type in accordance with the matrices in this chapter (Tables 8-2, 8-3 and 8-4). The owner of each proposed development is responsible for the installation and effective maintenance of buffering and screening.

Table 8-3 Buffer Combinations for Landscaping and Screening [1]					
		Minimum Width (feet)	Trees (per linear feet of buffer)	Shrubs or Groundcover	Screening
A	--	10	--	Lawn/living groundcover	--
B	--	10	20' min/30' max spacing	Lawn/living groundcover	--
C	1	10	15' min/30' max spacing	Shrubs	4' hedges
	2	8		Shrubs	5' fence
	3	6		Shrubs	6' wall
D	1	20	10' min/20' max spacing	Shrubs	6' hedge
	2	15		Shrubs	6' fence

	3	10		Shrubs	6' wall
E	1	30	10' min/20' max spacing	Shrubs	6' hedge or fence
	2	25		Shrubs	5' earthen berm or wall
[1] Buffers are not required between abutting uses that are not of a different type when the uses are separated by a street. Adjustments from these requirements can be obtained; see <u>Article 2</u> .					

RESPONSE: The project site is surrounded to the east, north and south by residential uses. There is a commercial development to the west. These properties are or will be rezoned to MNU therefore buffers are not required.

OFF-STREET PARKING AND LOADING

17.8.510 GENERAL PROVISIONS.

B. *Parking plan requirements.* The parking plan, drawn to scale, shall show all elements necessary to indicate that off-street parking requirements are met. The parking plan shall include but not be limited to:

1. Delineation of individual parking and loading spaces and their dimensions;
2. Circulation area necessary to serve parking spaces;
3. Access to streets, alleys and properties to be served;
4. Curb cuts;
5. Location and dimensions of all parking area;
6. Grading and drainage; and
7. Specifications as to signs and bumper guards.

RESPONSE: The Site Plan as submitted with this application, contains all the items required in this code section.

C. *Building permit conditions.* The provisions and maintenance of off-street vehicle parking and loading spaces are the continuing obligation of the property owner:

1. No building or other permit shall be issued until plans are presented to the Director to show that property is and will remain available for exclusive use as off-street vehicle parking and loading space; and

2. Required vehicle parking shall:
- a. Be available for the parking of operable passenger vehicles of residents, patrons and employees only;
 - b. Not be used for storage of vehicles or materials or for the parking of trucks not used in conduct of the business or use; and
 - c. Not be rented, leased or assigned to any other person or organization.

RESPONSE: All proposed off-street parking spaces are reserved for use by patron and employees only.

E. *Parking area connections.* In order to eliminate the need to use public streets for movements between commercial or industrial properties, parking areas shall be designed to connect with parking areas within a project site and on adjacent properties unless not feasible. Access easements between properties shall be required where necessary to provide for parking area connections.

RESPONSE: Site topography / grading requirements in conjunction with a negotiated driveway location, intersectional distance requirements, safety issues and potential internal traffic conflicts make access easements to the adjacent eastern property not feasible.

F. *Walkway connections.* In order to facilitate pedestrian and bicycle circulation, access and parking area plans shall provide an efficient sidewalk and/or walkway connection between neighboring developments and land uses.

RESPONSE: This project is the first development within the Gales Creek Mixed Use District, therefore, there is no other commercial development to connect to at this time.

G. *Standards of measurement.* Except as otherwise defined in this Code, "one standard parking space" means a parking stall of nine feet in width and 18 feet in length. To accommodate compact cars more efficiently, up to 50% of the available parking spaces may have a minimum dimension of eight feet in width and 16 feet in length so long as they are identified as compact car stalls and are not readily accessible to large cars.

GROSS LEASABLE AREA means all finished floors and excludes elevators, corridors, utility or rest rooms, and interior service areas and all outside service areas, boiler rooms, freight tunnels or corridors and truck docks.

GROSS FLOOR AREA means the total square footage including all finished floors. This number is estimated to be 10% greater than Gross Leasable Area.

RESPONSE: No compact car parking spaces are proposed.

H. *Eligible parking.* Parking spaces available along the public street frontage or alleys are eligible in fulfilling the parking requirements, except for single-family dwellings and duplexes.

RESPONSE: No on-street parking is proposed.

I. Where improvements subject to these off-street parking and loading provisions result in hard surfaces, pervious surfaces are encouraged to be used. Where improvements are within the public rights-of-way, such surfaces can be used upon approval by the City Engineer.

RESPONSE: Impervious surfaces are not proposed, however, site landscape in excess of the required 5% is provided.

17.8.515 OFF-STREET PARKING REQUIREMENTS.

B. *Location of off-street parking.* Off-street parking spaces for dwellings shall be located on the same lot with the dwelling. For all other uses, required off-street parking spaces shall be located not farther than 500 feet from the building or use they are required to serve, except as exempted in the Town Center zones.

RESPONSE: All proposed off street parking is located on the subject site.

C. *Improvements.* Required parking spaces shall be improved to the standards as contained in this article and available for use at the time of the final building inspection.

D. *Carpool and vanpool parking.* Commercial, industrial and institutional developments (including but not limited to hospitals, nursing and retirement homes, schools, churches, auditoriums and transit park-and-ride facilities) with 20 or more long-term parking spaces shall designate at least 10% of those spaces for carpool and vanpool parking. These spaces shall be located closer to the primary public or employee entrance than all other parking spaces with the exception of handicapped parking spaces. Carpool and vanpool parking spaces shall be full-sized and clearly designated for use by carpools or vanpools.

RESPONSE: This project proposes 31 vehicular parking spaces, which results in the requirement of 3 van/carpool spaces. These 3 spaces are provided immediately adjacent to the main building entrance, as indicated on the site plan.

E. *Minimum/maximum parking.* Unless specified below or otherwise exempted by this Code, the minimum and maximum number of required parking spaces shall be provided for all uses in accordance with the specifications of Table 8-4.

RESPONSE: As a Retail Sales oriented project, a minimum of 34 vehicular parking spaces are required (3.7/1000 SF). There is a maximum parking allowed of 57 vehicular parking spaces (5.1/1000 SF).

H. *Determination of parking zone classification.* Except as provided for in this article or as modified under the variance process outlined in § 17.2.700, parking provided shall not be less than the amount specified in the "Minimum Parking Required" column nor greater than the amount specified in the "Maximum Parking Allowed" column of Table 8-4 based on the appropriate Parking Zone Classification.

1. *Parking Zone A.* All properties located within one-quarter mile walking distance of a transit bus stop that provide 20-minute peak hour service shall be classified as Parking Zone A.

In determining walking distance, the shortest distance measured along sidewalks, improved pedestrian ways or streets, where sidewalks or improved pedestrian ways are not present, shall be used. Walking distance shall be measured from the nearest point of the subject lot located along the nearest street frontage that allows for the shortest walking distance.

The transit provider shall be the official source for transit stop location and peak service availability.

2. *Parking Zone B.* All properties not located within Parking Zone A shall be classified as Parking Zone B.

RESPONSE: Because the West Loop of the Grovelink Loop does not provide a 20 minute peak hour pick up, the project is located in Parking Zone B.

17.8.520 REDUCTION OR MODIFICATION OF OFF-STREET PARKING REQUIREMENT.

A. *Parking reductions allowed by right.* The following reductions of minimum required parking may be taken by right. Reductions provided below may not be taken jointly. The reductions allowed by this section may not be used in conjunction with the reductions allowed by subsection B. below. In determining walking distance, the shortest distance measured along sidewalks, improved pedestrian ways or streets, where sidewalks or improved pedestrian ways are not present, shall be used. Walking distance shall be measured from the point on the subject lot located nearest to the transit stop along the shortest course.

1. Parking for commercial and industrial uses may be reduced by 10% providing the development is within 500 feet walking distance of a transit stop.

RESPONSE: The project site is within 500 feet of the Thatcher and Gales Creek transit stop. Therefore, a reduction of parking of 10% is allowed, for a minimum of 31 vehicular parking spaces required.

17.8.525 DESIGN AND MAINTENANCE STANDARDS FOR OFF-STREET PARKING AND LOADING.

A. *No backing movement.* Excluding single-family and duplex residences, groups of more than two parking spaces shall be served by a service drive so that no backing movements or other maneuvering within a street or other public right-of-way would be required.

RESPONSE: The project has been designed to eliminate backing or maneuvering within a right-of-way.

B. *Free flow of traffic.* Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site.

RESPONSE: No service drives are proposed.

C. *Parking accessible from street.* Each parking and/or loading space shall be accessible from a street and the access shall be of a width and location as described in 17.8.100 et seq. for Access and Circulation.

RESPONSE: Direct access to the parking area from Gales Creek Rd. is provided.

D. *Parking space, stall and access aisle dimensions.* Parking space configuration, stall and access aisle size shall be of sufficient width for all vehicles turning and maneuvering, based on the standards shown in Figures 8-10 and 8-11.

RESPONSE: All proposed parking spaces are 90-degree spaces and exceed the minimum 9' x 18' dimensional standard. All proposed drive aisles are two way and as such, exceed the minimum 24-foot width.

E. *Permanent marking.* Except for single-family and duplex residences, any area intended to be used to meet the off-street parking requirements shall have all parking spaces clearly marked using permanent paint. All interior drives and access aisles shall be clearly marked and signed to show direction of traffic flow and maintain vehicular and pedestrian safety.

RESPONSE: As proposed all parking spaces and traffic flow are clearly marked.

F. *Surfacing.*

Except for single-family and duplex residences, all areas used for the parking and/or storage and/or maneuvering of any vehicle, boat and/or trailer shall be improved with asphalt or concrete surfaces according to the same standards required for the construction and acceptance of city streets.

RESPONSE: All proposed parking and maneuvering areas will be paved.

G. *Wheel stops.* Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four inches high located one and one-half feet back from the front of the parking stall as defined in Figure 8-7.

RESPONSE: Wheel stops are provided throughout the parking lot.

H. *Drainage.* Off-street parking and loading areas shall provide stormwater drainage in accordance with specifications approved by the City Engineer. Off-street parking and loading facilities shall be drained to avoid flow of water across public sidewalks.

RESPONSE: The site has been graded to eliminate storm water run off across all sidewalks, primarily with the use of curbing. Additionally, the site has been designed to catch and detain all storm water on-site, with the use of a water quality facilities.

I. *Lighting.* Artificial lighting on all off-street parking facilities shall be designed to deflect all light away from surrounding residences and so as not to create a glare hazard to the public use of any road or street.

RESPONSE: All proposed exterior lighting will be designed to eliminate off site glare or flow.

J. *Maintenance.* All parking lots shall be kept clean and in good repair at all times. Breaks in paved surfaces shall be repaired promptly and broken or splintered wheel stops shall be replaced so that their function will not be impaired.

RESPONSE: Noted

17.8.535 OFF-STREET LOADING SPACE.

A. *Required.* Buildings or structures to be built or substantially altered which receive and distribute material or merchandise by truck shall provide and maintain off-street loading and maneuvering space in accordance with the requirements of Table 8-6.

RESPONSE: This project proposed a 9100 SF, Commercial Retail building. As such the project does not require a loading space. (under 10,000 SF)

17.8.540 BICYCLE PARKING.

A. *When required.* Bicycle parking shall be provided on-site in conjunction with the following uses:

2. Retail and office development;

RESPONSE: As a retail use, bicycle parking is both required and provided.

B. *Required number of spaces.* The number of bicycle parking spaces required shall be at least 20% of the required automobile parking for the use, but not less than two spaces.

RESPONSE: The project requires 34 vehicular parking spaces. As such, it also requires 7 bicycle parking spaces.

C. *Location and design standards.* Bicycle parking facilities shall be:

1. Located within 75 feet of a primary building entrance and dispersed for multiple entrances;
2. Designed to provide direct access to a public right-of-way, but not to obstruct sidewalks or walkways. Public sidewalks may be utilized for bicycle parking when parking can't be reasonably accommodated on-site and the location is convenient to the building's primary entrance. If a public sidewalk is used for bicycle parking, a minimum of six feet of clear and unobstructed sidewalk must be maintained;
3. In a location visible to building occupants or from the main parking lot;
4. Thoroughly illuminated during working hours. Bicycle parking areas shall be at least as well lit as automobile parking areas;
5. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary rack to which the bicycle can be locked. All bicycle racks, lockers or other facilities shall be securely anchored to the ground or to a structure. Bicycle racks shall be designed so that bicycles may be securely locked to them without undue inconvenience. Such racks shall be designed to hold bicycles securely by means of the frame, with the frame supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels; and
6. Bicycle parking spaces shall be at least six feet long and two feet wide with an overhead clearance of at least seven feet. An access aisle of at least five feet shall be provided and maintained beside or between each row of bicycle parking. Each required bicycle parking space shall be accessible without moving another bicycle.

RESPONSE: A bicycle parking area is designated just west of the main building entrance. This area meets all applicable standards for 7 (seven) bikes.

17.8.545 LANDSCAPING AND SCREENING OF PARKING AND LOADING AREAS.

C. *Required landscaping for parking lots adjacent to public rights-of-way.* A minimum five-foot landscaped strip is required between the abutting right-of-way and the off-street parking area or vehicle use area.

RESPONSE: : A planted 13.5 foot landscape strip is proposed adjacent to the street and ROW.

D. *Perimeter parking lot landscaping.* When the off-street parking area or other vehicular use area is not visually screened from an abutting property by an intervening building or structure, a minimum five-foot landscaped strip shall be installed between the common property line and the off-street parking area or other vehicular use area that is visually exposed.

RESPONSE: A three foot landscape strip is proposed on the north side of the parking area and a three foot six inch landscape strip is proposed on the east and west sides of the parking area. The plantings will consist of an evergreen hedge that reaches five feet tall and will sufficiently screen the parking from adjacent properties.

E. *Interior parking lot landscaping.* Landscaped areas shall be appropriately distributed to break up large expanses of pavement, improve the appearance and climate of the site, improve safety and delineate pedestrian walkways and traffic lanes. For the purpose of this section, interior parking lot area is defined as the hard surface parking area (parking stalls and aisles). Such area does not include loading and unloading zones or perimeter landscaping around the lot.

1. At least 8% of the interior parking lot area shall be landscaped. Landscaped areas should include water quality features such as bio-swales or wetlands, trees, grass, shrubs and other material when possible so as to cover the landscape area.

RESPONSE: 8.5% of the interior parking lot is proposed landscape area.

2. A required landscaped area shall have a minimum interior dimension of six feet and be no less than 48 square feet in area. Landscaping shall be protected from vehicular damage by some form of wheel guard or curb.

RESPONSE: Three 157 sf planters are proposed in the parking lot to break up the asphalt. They will be planted with a large deciduous tree to provide shade.

3. One tree shall be required for every 1,600 square feet of interior parking lot area. Trees shall have a minimum two-inch caliper and six-foot branch height at the time of planting.

RESPONSE: The parking area is 16,068 sf and will require 10 trees. 10 large deciduous trees are proposed throughout the parking lot.

4. Interior parking area landscaping and trees must be dispersed throughout the parking area. Some trees may be grouped, but the groups must be dispersed.

RESPONSE: Interior parking lot trees are proposed throughout the parking area.

5. Perimeter landscaping may not substitute for interior landscaping. However, interior landscaping may join perimeter landscaping as long as it extends four feet or more into the parking area from the perimeter landscape line.

RESPONSE: Perimeter landscaping has not been included in the calculation for interior landscaping.

F. *Landscaping within clear vision areas.* All landscaping of parking lots within clear vision areas shall provide unobstructed cross-visibility at a level between three to ten feet above the curb line. With the exception of grass or groundcover, no landscaping shall be located closer than three feet from the edge of any accessway pavement.

RESPONSE: The clear visions areas will be maintained clear of obstructions between 3 and 10 vertical feet.

PUBLIC IMPROVEMENTS

10.8.610 Streets

A. Improvements. No development shall occur unless the development has frontage or approved access to a public street:

RESPONSE: This development has frontage to a public street.

10.8.625 Sanitary Sewers

A. Sewers Required. Sanitary sewers shall be installed to serve each new development and to connect developments to existing mains in accordance with the provisions set forth in Design and Construction Standards for Sanitary and Surface Water Management (as adopted by Clean Water Services in 1996 and including any future revisions or amendments) and the adopted policies of the Comprehensive Plan and the City's Master Sewer Plan.

RESPONSE: This project will install a new public sewer main to and through the project frontage on Gales Creek Road. A new facility will connect to the new public sewer main.

10.8.630 Water Facilities

A. Water Facilities Required. Water facilities shall be installed to serve each new development and to connect developments to existing mains in accordance with the provisions set forth in the adopted policies of the Comprehensive Plan and the City's Master Water Plan.

RESPONSE: There is existing public water main in the project frontage. The project will connect to the public waterline as required.

10.8.635 Storm Drainage

A. General Provisions. The Director and City Engineer shall issue a development permit only where adequate provisions for storm water and flood water runoff have been made, and:

1. The storm water drainage system shall be separate and independent of any sanitary sewerage system;

2. Where possible, inlets shall be provided so surface water is not carried across any intersection or allowed to flood any street; and 3. Surface water drainage patterns shall be shown on every development proposal plan.

RESPONSE: The project will install a new public storm line to and through the project frontage. The onsite storm water will be captured, piped to a water quality facility, and then discharged to the new storm only system.

10.8.645 Utilities

A. Underground Utilities. All utility lines in new developments shall be placed underground, and:

1. The developer shall make all necessary arrangements with the serving utility to provide the underground services;

2. The City reserves the right to approve location of all surface mounted facilities;

3. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and

4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

RESPONSE: The project will coordinate with the City utility company. The new services to the building will be placed underground.

BUILDING DESIGN AND DEVELOPMENT STANDARDS

17.8.700 STANDARDS

C. *Building Design Standards within Town Center Districts.*

1. *Building form.*

a. All new structures shall be a minimum of two-stories in height in the TCC Zone or a minimum height of 16 feet in the TCT Zone, as measured at the front elevation to top of parapet or eave line of lowest point of facade.

RESPONSE: The proposed building is 18' high to the parapet and 26'-6" top the peak of the gable over the entrance.

b. All flat-roofed buildings shall have a decorative cornice at top of building (parapet)

RESPONSE: The proposed building has a decorative cornice at the top of the parapet.

c. Exterior pilasters and columns shall project a minimum of six inches beyond building face.

RESPONSE: The proposed columns project 2' from the building façade.

d. All rooftop mechanical equipment shall be screened by a solid wall from view of the public right-of-way and pedestrian routes.

RESPONSE: The proposed parapet wall screens equipment from view from the public right of way and pedestrian routes.

2. *Retail storefronts.*

a. First floor vertical elements such as columns or pilasters shall be provided and spaced center-to-center at a maximum of 25 feet apart.

RESPONSE: The proposed columns on front façade are 25' from center to center.

b. Doors on the main floor facade facing a street shall contain windows equivalent in size to 50% of door surface area.

RESPONSE: The proposed doors at storefront are designed to have windows in excess of 50% of the door area.

c. Storefront glazing must be transparent. Reflective, tinted, glazed or techniques that obscure more than 20% of glazed surfaces shall be prohibited.

RESPONSE: RESPONSE: The proposed storefront glazing noted as transparent on Exterior Elevations.

d. Glazing dimensions shall have a greater height than width.

RESPONSE: RESPONSE: Proposed glazing dimensions have a greater height than width.

e. Storefront glazing with divided lights shall be limited to transom windows only.

RESPONSE: Proposed storefront glazing does not contain divided lights.

f. All window frames shall be painted.

RESPONSE: Proposed window frames are to be painted.

g. Awnings shall be constructed of metal, glass or natural canvas fabrics. Vinyl, synthetic fabric, plastic or backlit awnings are prohibited.

RESPONSE: There are no proposed awnings.

3. *Commercial entries.*

a. The entry enclosure shall be offset a minimum of two feet from the building facade.

RESPONSE: The proposed entry is offset 5.75' from the front building face.

b. Windows and door in exterior wall shall be surrounded with trim of two and one-half inches minimum width.

RESPONSE: Proposed front windows and doors are to be trimmed with minimum 3½" wide trim.

c. At least 25% of all primary entry doors shall contain transparent glazing.

RESPONSE: Proposed entry doors are in excess of 25% glazing.

d. Unpainted metal frames are prohibited.

RESPONSE: Proposed window frames are to be painted.

e. Reflective, opaque or tinted glazing is prohibited.

RESPONSE: Proposed glazing is to be transparent.

5. *Windows and doors.*

a. Window and door openings shall comprise the following minimum portions of the front building facades at the main floor as measured between two feet above the sidewalk to ten feet above the sidewalk: TCC - 80%; TCT -50%.

RESPONSE: The current building façade is designed with 41.9% glazing along the front face of the structure from 2' to 10' in height. Applicant requests that this be allowed since the building façade also incorporates shutters surrounding the windows and additional window openings would lead to crowding of the front façade elements, thus eliminating the shutters.

c. Clear or transparent glazing is required for windows fronting the public rights-of-way.

RESPONSE: The proposed building has transparent glazing facing the right-of-way.

d. Glass shall be recessed a minimum of one and one-half inches from the surrounding exterior wall surface.

RESPONSE: All proposed glass shall be recessed from the surrounding exterior wall surface.

e. Spandrel, glass curtain-wall or any window wall glazing that creates an opaque, flat or featureless, or reflective surface shall not be used at ground floor.

RESPONSE: The proposed building does not have any spandrel or curtain-wall glazing that would produce a flat, featureless, or reflective surface.

6. *Exterior walls.*

- a. Vinyl, plastic or metal siding are prohibited the all Town Center zones.
- b. Synthetic Stucco (EIFS, Dryvit, etc.) insulating cladding materials along the first floor of facades that front public rights-of-way are prohibited.
- c. Flagstone or other stone veneer along the first floor of facades that front public rights-of-way are prohibited.
- d. Simulated or cultured stonework are prohibited for commercial uses.
- e. Wood, asphalt or cement shingles are prohibited at first floor for commercial uses.

RESPONSE: Proposed structure is to be stone from 0' to 4' with horizontal cementitious siding up to 14'-3" and cementitious shingles above that typical. Front gabled entry has stone up to 5' with horizontal cementitious siding up to 18' and cementitious shingles above and up to gabled roof surface. Applicant feels that this design offers a sense of permanence to the building and compliments the area with its style and form.

7. *Walls and fences.*

- a. Plastic and/or chain-link fences are prohibited in all Town Center zones.
- b. All wood fences shall be painted.

RESPONSE: Proposed fences are to be painted wood.

LIGHTING STANDARDS

17.8.755 GENERAL PROVISIONS.

A. *When standards apply.* Unless otherwise provided, the provisions of this subarticle apply to lighting that is part of a multi-family or commercial project, or lighting within one of the Town Center zoning districts.

RESPONSE: Although a photometric Plan is not required at this time, all applicable standards of this section will be met by the design of exterior lighting.

SIGNS

17.8.830 PERMANENT SIGN REGULATIONS.

RESPONSE: All project signage will be a deferred submittal.

DESIGN GUIDELINES

• SITE – BUILDING ORIENTATION

Guideline – Design and construct buildings oriented to a public street right-of-way to create safe, pleasant and active pedestrian environments.

RESPONSE: As proposed, the site plan and building placement does not comply with code section 17.4.315 (K), which requires that there be no parking between the building and the right-of-way. In order for delivery trucks to enter and exit the site

in a forward motion, the truck needs to be able to maneuver in front of the building as well as comply with code section 17.8.125 (B);

“...In no case shall the design of said service drive or drives require or facilitate the backward movement or other maneuvering of a vehicle within a street...”.

To that end, a 36-foot drive aisle has been placed between the building and the Gales Creek right-of-way.

Additionally, in order to provide handicap parking adjacent to the main entrance, and to meet the minimum parking requirements of the zone, parking is provided off the 36-foot drive aisle. (7 spaces).

Mitigation has been provided in several ways. The landscape design has sought to present a frontage that both screens and focuses on the pedestrian access. The 8-foot pedestrian connection between the main entrance and the right-of-way. will be constructed of brushed concrete. It will provide a direct, distinct path across the vehicular maneuvering areas, but follow the outer curb through the landscape areas, giving the user greater experience of the landscape and views of the water quality facility. The water quality facility has been artfully planted for both function and attractiveness.

- BUILDING – FACADES

Guideline – All buildings shall contribute to the storefront character and visual relatedness of town center buildings

RESPONSE: The proposed building is the first proposed structure in this NMU zoning block and is therefore intended to establish the character of this new town center area.

- BUILDING – RETAIL STOREFRONTS

Guideline – Storefronts should appear open, inviting and engaging to the passerby.

RESPONSE: The proposed design has an enhanced gabled entry that is inviting from the right-of-way.

- BUILDING - ENTRIES

Guideline – Entryways should be clearly visible and recognizable from the street, and appear open and inviting to the pedestrian.

RESPONSE: The gabled area is intended as a clearly defined entry for the structure. The large storefront doors are inviting.

- BUILDING – WINDOWS

Guideline – Use windows to create an open and inviting atmosphere.

RESPONSE: Building frontage windows have been designed to make the structure open and inviting as viewed from the public right-of-way.

- BUILDING – EXTERIOR WALLS

Guideline – Use materials that are compatible with the character of Forest Grove and create a sense of permanence.

RESPONSE: Proposed building materials have been used to create an aesthetically pleasing and permanent structure on the site. The use of varying siding (horizontal and shingles), stone wainscoting, shutters, architectural trim and light fixtures will convey a sense of character to the surrounding neighborhood.

Attachment A



Environmental Review for the Gales Creek Road Development Project

Prepared for: Woodcrest Companies
Prepared by: Turnstone Environmental Consultants, Inc.
Date: February 5, 2019

Introduction

Turnstone Environmental Consultants, Inc. (Turnstone) conducted an environmental review for the property located at 1121 Gales Creek Road (subject property) in Forest Grove, Oregon. This environmental review encompassed the following natural resources that are regulated by local, state, and federal laws, statutes and/or ordinances: special-status* wildlife and botanical species, Wetlands and Waterways under the jurisdiction of the U.S. Army Corps of Engineers and the Department of State Lands, and areas defined by Goal 5 inventories, including flood plain and drainage hazard areas and Significant Natural and Cultural Resources areas.

Methodology

Turnstone conducted a desktop review to determine the potential presence of natural resources within the subject property. Data sources used for this desktop review included the Washington County species listings from the U.S. Fish and Wildlife Service, aerial photography, Oregon Biodiversity Information Center (ORBIC) data, local and/or national wetland inventory maps, USGS topographic maps, Washington County soil surveys, and local Significant Natural Resource maps. A desktop habitat assessment was conducted in order to identify potentially-suitable habitat for special-status species through the use of GIS data and aerial photography. Turnstone biologists then reviewed the likelihood of occurrence of each special-status species in the study area, taking into consideration the species' historic and current range and associated habitat.

Results

The study area is located in Washington County, Oregon. The study area, 0.9 acre in size and roughly 230-feet wide by 175-feet long, includes Taxlot #1N436B003100 and a portion of Taxlot #1N436B003500. It is bordered to the south by Gales Creek Road, to west by a residential development, to the east by an industrial development, and to the north by agricultural land. A little over ten percent of the study area is agricultural land, with the remaining majority being residential development. The development includes a mix of coniferous and deciduous trees, as well as open space, and likely contains a large percentage of ornamental and non-native species.

* Special-status is defined as those species identified for protection under federal or state laws including: (1) species listed as endangered or threatened, species proposed for listing, or candidates for listing under the federal Endangered Species Act of 1973 (ESA); (2) state-listed endangered, threatened, or candidate species, or (3) species federally protected by the Bald and Golden Eagle Protection Act of 1940 or the Migratory Bird Treaty Act (MBTA) of 1918.



Figure 1. Google Earth View of the Study Area

Wetlands and Waterways

No jurisdictional wetlands or waterways are mapped in local or national wetland inventories, and there are no hydric soils present on the site. Desktop review of the local topography and vegetation also does not indicate the likely presence of any wetlands. LIDAR[†] data indicates that there is a roadside ditch and a ditch along the eastern lot line. During development review, Clean Water Services (CWS) may potentially ask for an assessment of the ditch to see if it falls under its jurisdiction. Project area ditches are unlikely to be regulated by CWS unless it is determined that the ditches are straightened reaches of natural waterways or are believed to have been created from wetlands.

Special-Status Species

Special-Status Wildlife Species

The following terrestrial wildlife species known to be present in the Tualatin River Watershed were considered for the study area. Fish species were excluded from the analysis due to the lack of fish-bearing streams within the study area. Additional wildlife species, such as federal Species of Concern, that currently receive no protection but may be listed for protection in the future may also be present.

- Red Tree Vole (*Arborimus longicaudus*): The species is a proposed candidate for federal listing and is a state-listed sensitive-vulnerable species. There are no known occurrences within two miles and there is no suitable habitat within the study area; therefore, the species is unlikely to be present.
- Gray Wolf (*Canis lupus*): The species is a federally-listed endangered in areas west of highways 395-78-95, and is considered a special-status game mammal, protected by statute and managed under the Oregon Wolf Conservation and Management Plan (Wolf Plan) throughout the state of Oregon. Wolves are habitat generalists and will establish territories anywhere there is a sufficient food source. There are

[†] Light Detection and Ranging, is a remote sensing method that uses light in the form of a pulsed laser to measure ranges (variable distances) to the Earth

no known occurrences within two miles and highly-populated areas are considered low quality habitat for the species; therefore, the species is unlikely to be present.

- Fender's Blue Butterfly (*Icaricia icarioides fenderi*): The species is federally-listed as endangered and occurs in native prairie habitats. There are no known occurrences within two miles and there is no suitable habitat within the study area; therefore, the species is unlikely to be present.
- Bald Eagle (*Haliaeetus leucocephalus*): The bald eagle is federally-protected by the Bald and Golden Eagle Protection Act of 1940. The species nests in forested areas near (within one mile) large bodies of water, and is associated with many habitats, including grasslands, agriculture, pastures, urban and mixed environments. Eagles require large trees to support the large nests they build; many nesting trees in Oregon are over 40 inches diameter and 125 feet tall. The species prefers Douglas-fir trees for nesting in western Oregon, especially when the nests are not located adjacent to a river. There are known occurrences within two miles and the study area is within one mile of Gales Creek, a tributary of the Tualatin River. However, there are no trees large enough to support nesting bald eagles within the disturbance distance (660 feet) of the study area. Therefore, any development activities within the study area would be unlikely to violate state or federal protections for the species.
- MBTA Species‡: Migratory birds include all native birds in the United States, except those non-migratory species such as quail, that are managed by individual states. Many migratory bird species are likely present within the study area. Under the provisions of the MBTA, it is unlawful "by any means or manner to pursue, hunt, take, capture (or) kill" any migratory birds except as permitted by regulations issued by the U.S. Fish and Wildlife Service (USFWS). The term "take" is defined by USFWS regulation to mean to "pursue, hunt, shoot, wound, kill, trap, capture or collect" any migratory bird or any part, nest or egg of any migratory bird covered by the conventions, or to attempt those activities. To the maximum extent possible, USFWS advises scheduling all vegetation removal, trimming, and grading of vegetated areas outside of the peak bird breeding season (April to August). When project activities cannot occur outside the bird nesting season, USFWS recommends conducting surveys prior to scheduled activity to determine if active nests are present within the area of impact and buffer any nesting locations found during surveys.

Special-Status Plant Species

- Bradshaw's Desert Parsley (*Lomatium bradshawii*): The species is federally-listed as endangered and occurs in wet prairie habitats in clay soils with a dense clay layer. There are no known occurrences within two miles and there is no suitable habitat within the study area; therefore, the species is unlikely to be present.
- Kincaid's Lupine (*Lupinus sulphureus ssp. Kincaidii*): The species is federally- and state-listed as threatened and occurs in upland prairie remnants and ecotones between grassland and forest, in heavy, well-drained soils. There are known occurrences within two miles; however, there is habitat within the study area is of poor quality and therefore the species is unlikely to be present.
- Nelson's Checkermallow (*Sidalcea nelsoniana*): The species is federally- and state-listed as threatened and occurs in open prairie remnants along the margins of streams, sloughs, ditches, roadsides, fence rows, and drainage swales and in fallow fields. There are known occurrences within two miles and suitable habitat occurs within the study area; therefore, the species has the potential to be present. However, listed plant species receive no protection on private lands and no action is required unless the project requires federal permitting for other reasons.
- Water Howellia (*Howellia aquatilis*): The species is federally-listed as threatened and occurs in various features that have an annual cycle of filling with water followed by drying during the summer months.

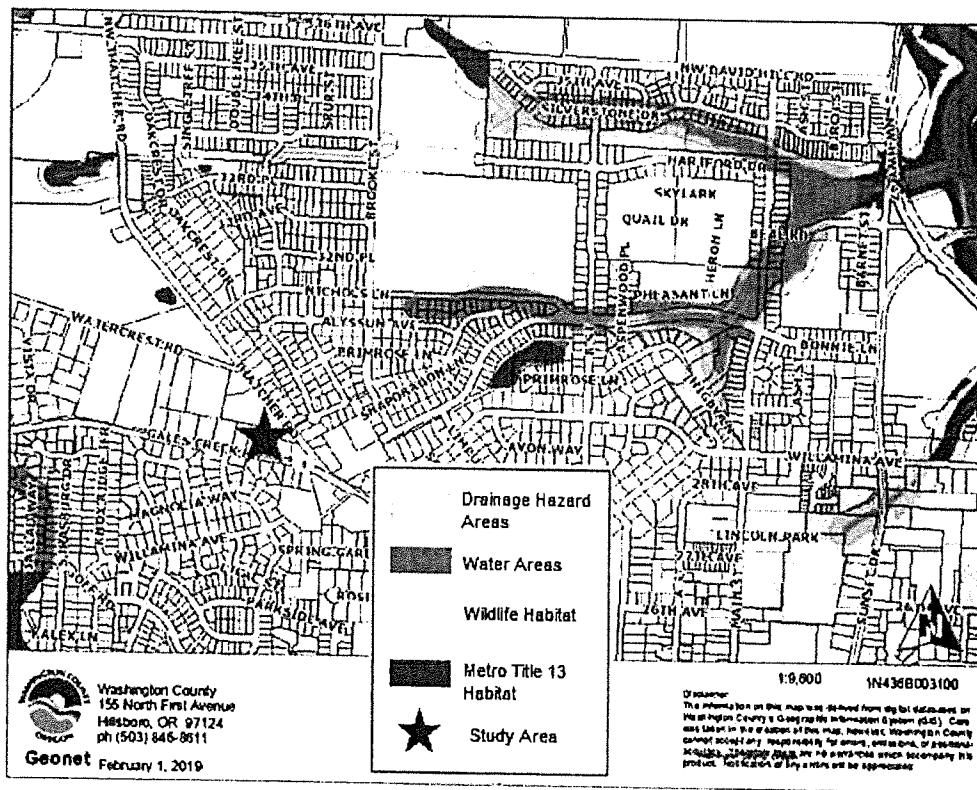
‡In April 2018, a federal directive was issued stating that the take "of birds resulting from an activity is not prohibited [...] when the underlying purpose of that activity is not to take birds." The state of Oregon is participating in a lawsuit to stop the full implementation of this directive.

There are no known occurrences within two miles and there is no suitable habitat within the study area; therefore, the species is unlikely to be present.

- Willamette Daisy (*Erigeron decumbens*): The species is federally- and state-listed as endangered and occurs in seasonally-flooded bottomland prairies and well-drained upland prairies. There are no known occurrences within two miles and the habitat within the study area is of poor quality; therefore, the species is unlikely to be present.

Other Natural Resource Concerns

The desktop review indicates there is no presence of other mapped natural resource concerns related to city, Washington County, or Metro area Goal 5 inventories, including: flood plain or drainage hazard areas, Significant Natural or Cultural Resources areas.



From: James Reitz <jreitz@forestgrove-or.gov>
Sent: Monday, February 4, 2019 12:44 PM
To: Daphne Day <daphne@turnstoneenvironmental.com>
Subject: RE: Mapped Natural Resources

Daphne, City records do not indicate any environmental issues at this site.

Let me know if you need anything further.

James Reitz, AICP
Senior Planner
6503/992-3233

Attachment B



Structural • Civil • Landscape • Planning
4875 SW Griffith DR | Ste 300 | Beaverton, OR 97005

From: Craig Harris [<mailto:craig@aa MENG.COM>]
Sent: Friday, March 29, 2019 3:48 PM
To: 'Naomi Vogel'; 'Nichole George'
Cc: 'Steve Powell'
Subject: RE: Dollar General / Gales Creek (Forest Grove)

Naomi/Nichole,
Attached is the road layout that I believe is what the County is looking for. Can you please review and confirm as soon as you can so we can finalize our site plan.

Regards,
Craig N. Harris, PE | Principal
503.352.7678 dir | 503.348.5064 cell



Structural • Civil • Landscape • Planning
4875 SW Griffith DR | Ste 300 | Beaverton, OR 97005

From: Naomi Vogel [mailto:Naomi_Vogel@co.washington.or.us]
Sent: Friday, March 29, 2019 2:04 PM
To: Craig Harris; Nichole George
Cc: Steve Powell
Subject: RE: Dollar General / Gales Creek (Forest Grove)

Hi,

One is not required due to the low trips based on 9,000 sq. ft of retail. I'm sorry but I was out sick yesterday so I was unable to get Nichole up to date on what was discussed.

Naomi

From: Craig Harris [<mailto:craig@aa MENG.COM>]

ATTACHMENT B

4/16/2019

Sent: Friday, March 29, 2019 2:02 PM
To: Nichole George; Naomi Vogel
Subject: RE: Dollar General / Gales Creek (Forest Grove)

Nichole,

Can you confirm the traffic study requirement as my client believes that Naomi told them that one was not required.

Regards,

Craig N. Harris, PE | Principal
503.352.7678 dir | 503.348.5064 cell



Structural • Civil • Landscape • Planning
4875 SW Griffith DR | Ste 300 | Beaverton, OR 97005

From: Nichole George [mailto:Nichole_George@co.washington.or.us]
Sent: Thursday, March 28, 2019 11:23 AM
To: 'craigh@aaieng.com'; Naomi Vogel
Subject: Dollar General / Gales Creek (Forest Grove)

Hi Craig,

Thank you for coming in today to discuss the project in Forest Grove.

I believe we can live with the existing pavement out there and just have you build the curb, planter and sidewalk with dedication of the needed ROW.

Some concerns we discuss today were:

1. Traffic study to ensure there is no need for turn lane
2. Utility Poles on both the East and West side of the property
 - a. Provide layout of the lane lines, bike lane, curb, planter and sidewalk to see if the poles need relocated

Please let us know if there are further questions,

Nichole George | Engineering Associate II
Washington County Department of Land Use & Transportation
Engineering and Construction Services Division
1400 SW Walnut, MS 17 | Hillsboro, OR 97124
503-846-7850 Direct | 503-846-7940 Fax
nichole_george@co.washington.or.us | www.co.washington.or.us/lut

Washington County Roads on Twitter on Facebook
Plan Responsibly. Build Safely. Live Well.

Attachment C



Clean Water Services File Number

19-000976

Sensitive Area Pre-Screening Site Assessment

1. Jurisdiction: Forest Grove

2. Property Information (example 1S234AB01400)

Tax lot ID(s):
1N436B003100 AND 1N436B003100

Site Address: 1211 Gales Creek Road

City, State, Zip: Forest Grove, Oregon, 97116

Nearest Cross Street: NW Thatcher Road

3. Owner Information

Name: _____

Company: Thatcher Road LLC

Address: PO Box 310

City, State, Zip: Forest Grove, Oregon, 97116

Phone/Fax: unknown

E-Mail: unknown

4. Development Activity (check all that apply)

- ☐ Addition to Single Family Residence (rooms, deck, garage)
☒ Lot Line Adjustment ☐ Minor Land Partition
☐ Residential Condominium ☐ Commercial Condominium
☐ Residential Subdivision ☐ Commercial Subdivision
☒ Single Lot Commercial ☐ Multi Lot Commercial
Other _____

5. Applicant Information

Name: Beth Zauner

Company: AAI Engineering

Address: 4875 SW Griffith Dr.

City, State, Zip: Beaverton, OR, 97005

Phone/Fax: 5036203030

E-Mail: bethz@aaieng.com

6. Will the project involve any off-site work? ☒ Yes ☐ No ☐ Unknown

Location and description of off-site work need to bring sewer and storm to the site from the intersection of Thatcher and Gales Creek

7. Additional comments or information that may be needed to understand your project _____

A property line adjust is proposed to move the northern property line to the north.

This application does NOT replace Grading and Erosion Control Permits, Connection Permits, Building Permits, Site Development Permits, DEQ 1200-C Permit or other permits as issued by the Department of Environmental Quality, Department of State Lands and/or Department of the Army COE. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

By signing this form, the Owner or Owner's authorized agent or representative, acknowledges and agrees that employees of Clean Water Services have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related to the project site. I certify that I am familiar with the information contained in this document, and to the best of my knowledge and belief, this information is true, complete, and accurate.

Print/Type Name Beth Zauner

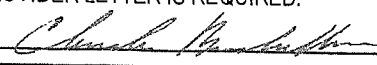
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ONLINE SUBMITTAL

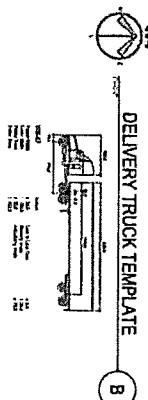
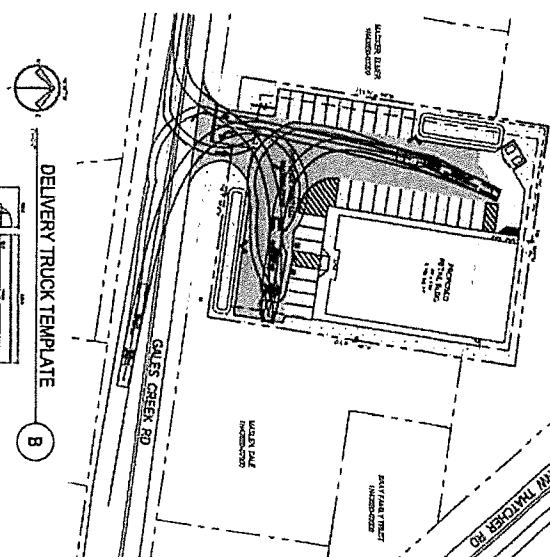
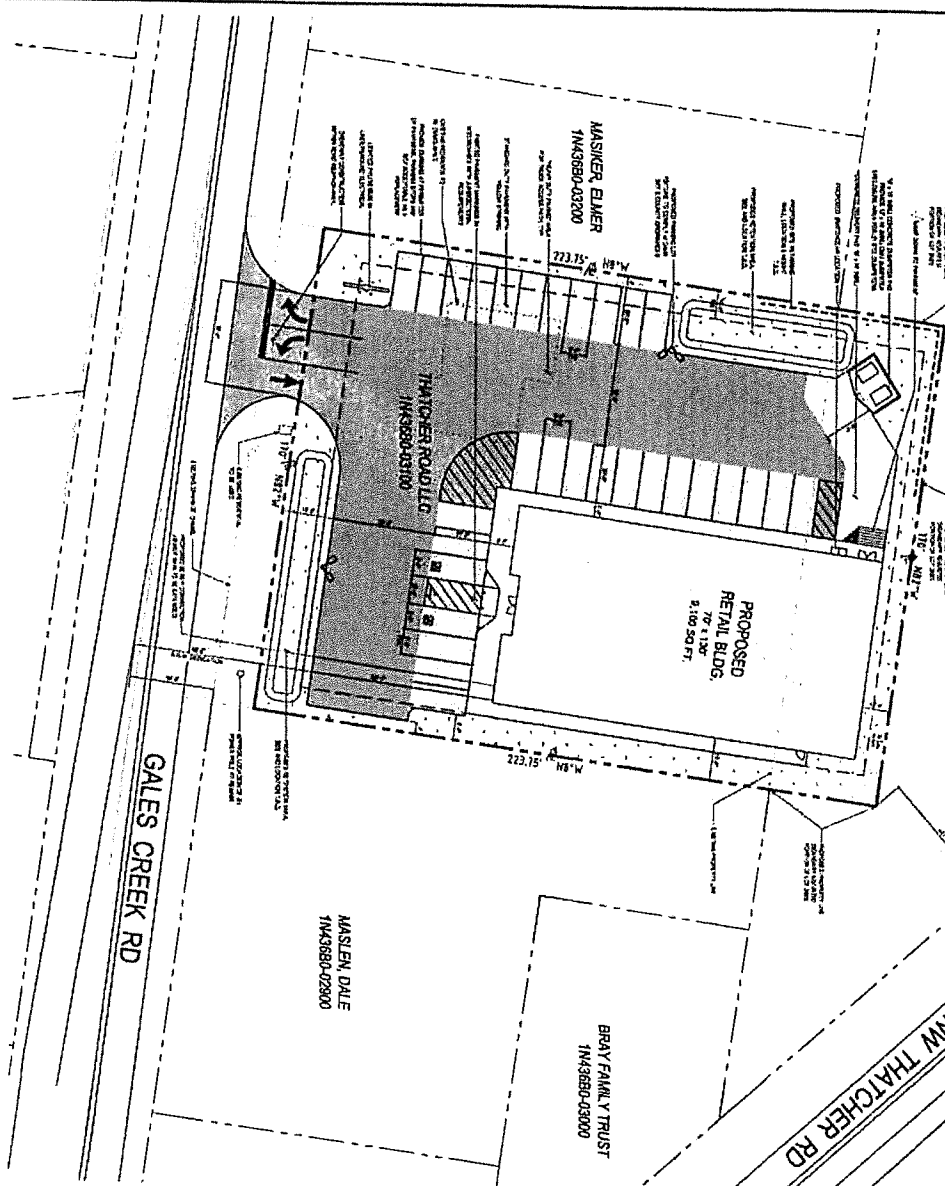
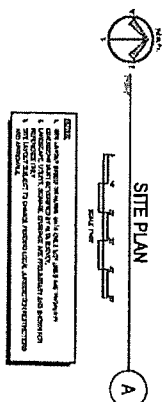
Date 3/26/2019

FOR DISTRICT USE ONLY

- ☐ Sensitive areas potentially exist on site or within 200' of the site. **THE APPLICANT MUST PERFORM A SITE ASSESSMENT PRIOR TO ISSUANCE OF A SERVICE PROVIDER LETTER.** If Sensitive Areas exist on the site or within 200 feet on adjacent properties, a Natural Resources Assessment Report may also be required.
- ☐ Based on review of the submitted materials and best available information Sensitive areas do not appear to exist on site or within 200' of the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 17-05, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, State, and federal law.
- ☒ Based on review of the submitted materials and best available information the above referenced project will not significantly impact the existing or potentially sensitive area(s) found near the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect additional water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, state and federal law.
- ☐ This Service Provider Letter is not valid unless _____ CWS approved site plan(s) are attached.
- ☐ The proposed activity does not meet the definition of development or the lot was platted after 9/9/95 ORS 92.040(2). NO SITE ASSESSMENT OR SERVICE PROVIDER LETTER IS REQUIRED.

Reviewed by  Date 3/29/19

THATCHER ROAD LLC
1N4368D-03500



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AAI **ARCHITECTURAL ASSOCIATES, INC.**
4475 SW GARDEN DRIVE, SUITE 300 | BEAVERTON, OR 97005
503.620.3020 | FAX 503.620.3025 | WWW.AAI-OR.COM

WOODCREST
1153 MAIN STREET, SUITE 1
HAUNDRAM, CALIFORNIA 92025
CONTACT: WOODCREST
P: 760.758.5443
F: 760.758.5443
WWW.WOODCREST.COM

DOLLAR GENERAL
FOREST GROVE, OR

SHEET TITLE
HARDSCAPE PLA

DATE 04/16/19
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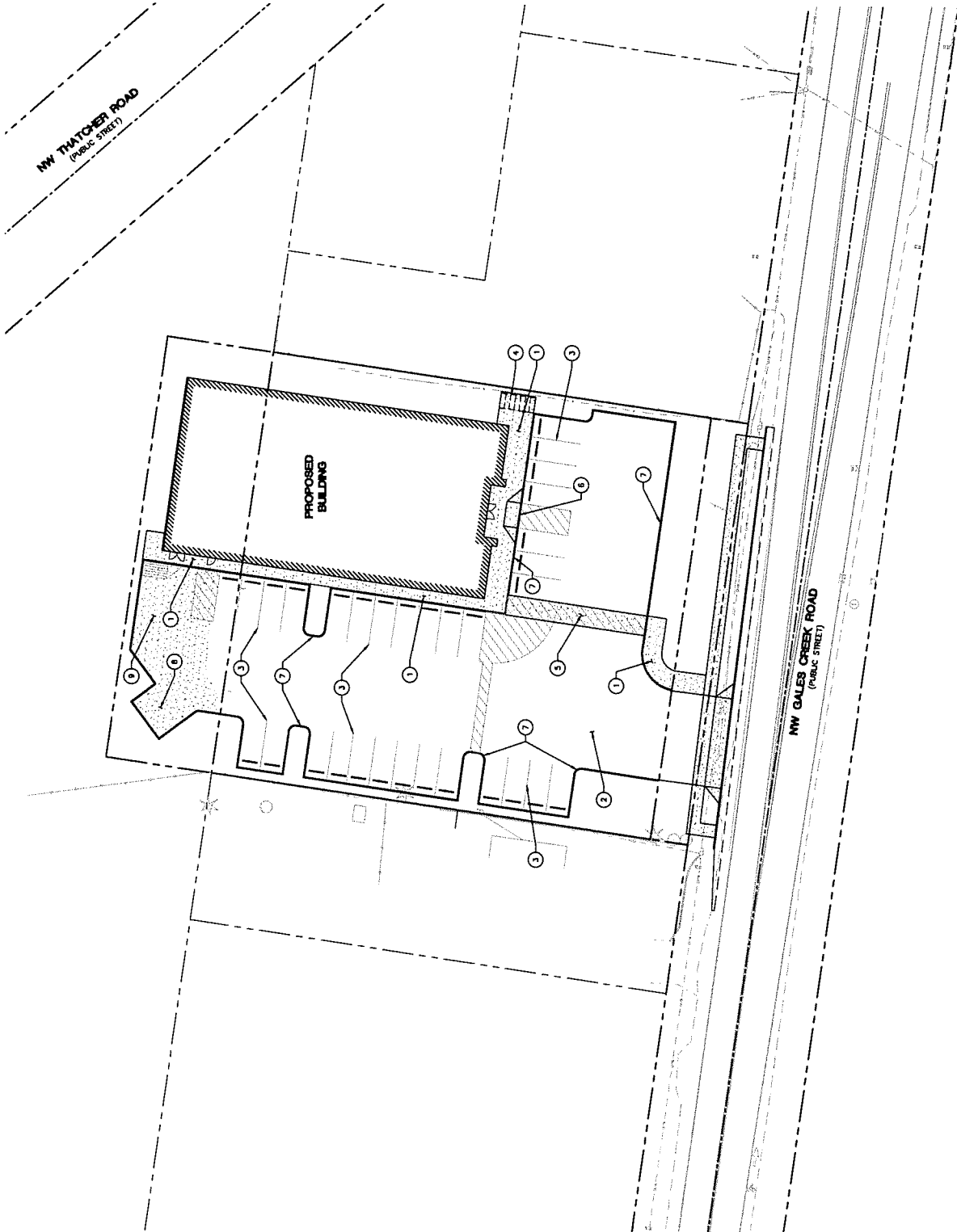
SHEET NUMBER
C1.0

JOB NUMBER: A190451

- SHEET NOTES**
1. SEE ARCHITECTURAL PLANS FOR ADDITIONAL SITE INFORMATION.
 2. THE CONTRACTOR SHALL HAVE A FULL SET OF THE CURRENT APPROVED CONSTRUCTION DOCUMENTS INCLUDING ADDENDA ON THE PROJECT SITE AT ALL TIMES.
 3. THE CONTRACTOR SHALL NOTIFY THE OWNER AND ARCHITECT IMMEDIATELY IN WRITING OF ANY DISCREPANCIES OR OMISSIONS IN THE CONSTRUCTION DOCUMENTS PRIOR TO COMMENCEMENT OF CONSTRUCTION. A 24-HOUR NOTICE IS REQUIRED.

- CONSTRUCTION NOTES**
1. INSTALL PRIVATE SIDEWALK
 2. INSTALL ASPHALT
 3. INSTALL STRIPING SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION
 4. INSTALL BIKE PAVING
 5. INSTALL CONCRETE ADA PATH
 6. INSTALL ADA RAMP
 7. INSTALL PRIVATE DRIVE
 8. SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION
 9. INSTALL CONCRETE DELIVERY PAD, SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION

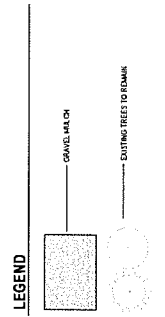
- LEGEND**
- PROPERTY LINE
 - CONCRETE SIDEWALK
 - CONCRETE SURFACING
 - ASPHALT SURFACING



04/16/2019 - LAND USE SUBMITTAL

LANDSCAPE REQUIREMENTS

TOTAL SITE AREA	= 27,461 SF
LANDSCAPE AREA REQUIRED 5% OF SITE	= 1,373 SF
LANDSCAPE AREA PROVIDED IN PLAN OF SITE	= 7,341 SF
INTERIOR PAV. LOT LANDSCAPING REQ	= 1,285 SF
PAV. LOT TREES REQUIRED (1 IN 600 SF OF PAV) = 10	= 10
PAV. LOT TREES PROVIDED	= 10



GENERAL NOTES

1. CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT AT LEAST TWO WEEKS PRIOR TO START OF LANDSCAPE WORK TO REVIEW PLANT SELECTIONS & MATERIALS, TO BE SUBMITTED.

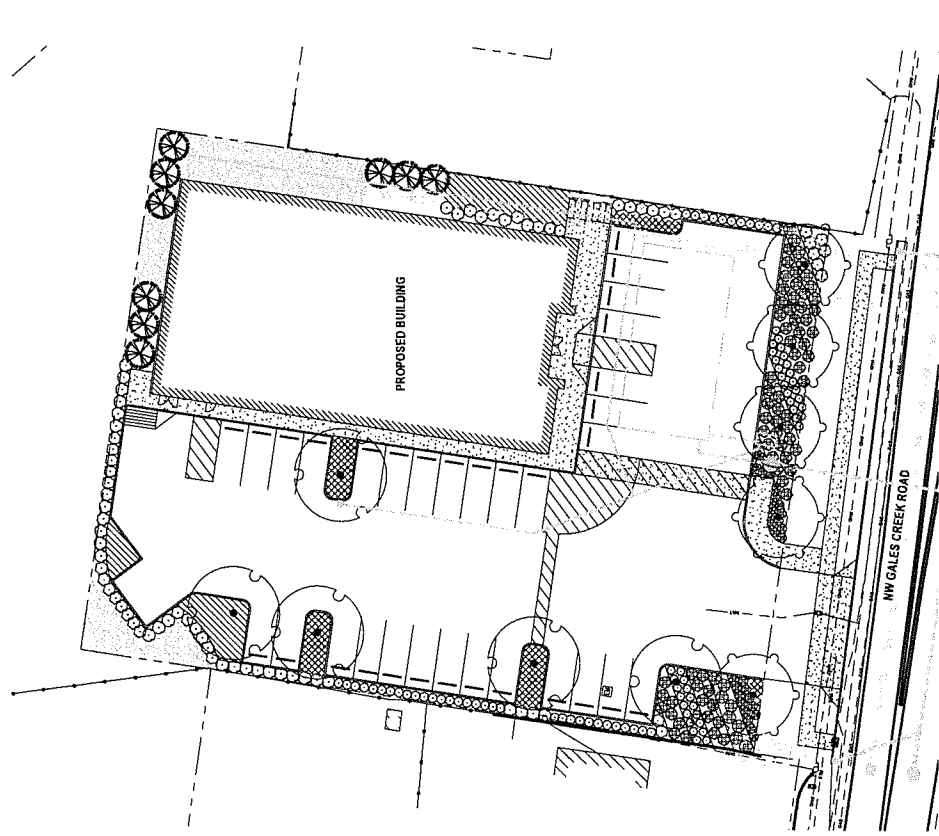
PLANTING NOTES

1. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH CURRENT CITY OF FOREST KNIFE, STANDARDS AND THE OREGON STRUCTURAL DESIGN CODE.

1. ALL PLANTS SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL LANDSCAPE ARCHITECTS ASSOCIATION MANUAL OF VEGETATION PLANTING AND MAINTENANCE PRACTICES, 4TH EDITION, 2013.
2. DO NOT FULLY PROCEED WITH CONSTRUCTION WHEN UNKNOWN DRAINAGE DITCHES, UNDEVELOPED AREAS, OR OTHER KNOWN OBSTACLES ARE ENCOUNTERED. IMMEDIATELY NOTIFY OWNER REPRESENTATIVE.
3. CONTRACTOR SHALL FOLLOW PROVIDER'S INSTRUCTIONS AND RECOMMENDATIONS FOR SEEDING.
4. ALL PLANTS SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL LANDSCAPE ARCHITECTS ASSOCIATION MANUAL OF VEGETATION PLANTING AND MAINTENANCE PRACTICES, 4TH EDITION, 2013.
5. CONTRACTOR SHALL SUBMIT CERTIFIED TOPSOIL ANALYSIS REPORT FOR OWNER'S APPROVAL PRIOR TO PLANT INSTALLATION. SEE SPECS.
6. CONTRACTOR IS RESPONSIBLE FOR ANY AMENDMENTS TO SOIL IN FERTILITY AND/OR pH. CONTRACTOR SHALL PROVIDE PROPER GROWING MEDIA FOR PROPOSED PLANTING. SEE SPECS.
7. CONTRACTOR SHALL FOLLOW PROVIDER'S INSTRUCTIONS AND RECOMMENDATIONS FOR SEEDING.
8. ALL PLANTS SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL LANDSCAPE ARCHITECTS ASSOCIATION MANUAL OF VEGETATION PLANTING AND MAINTENANCE PRACTICES, 4TH EDITION, 2013.
9. CONTRACTOR SHALL SUBMIT CERTIFIED TOPSOIL ANALYSIS REPORT FOR OWNER'S APPROVAL PRIOR TO PLANT INSTALLATION. SEE SPECS.
10. CONTRACTOR SHALL SUBMIT CERTIFIED TOPSOIL ANALYSIS REPORT FOR OWNER'S APPROVAL PRIOR TO PLANT INSTALLATION. SEE SPECS.
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14. CONTRACTOR SHALL SUBMIT CERTIFIED TOPSOIL ANALYSIS REPORT FOR OWNER'S APPROVAL PRIOR TO PLANT INSTALLATION. SEE SPECS.
15. CONTRACTOR SHALL SUBMIT CERTIFIED TOPSOIL ANALYSIS REPORT FOR OWNER'S APPROVAL PRIOR TO PLANT INSTALLATION. SEE SPECS.
16. CONTRACTOR SHALL SUBMIT CERTIFIED TOPSOIL ANALYSIS REPORT FOR OWNER'S APPROVAL PRIOR TO PLANT INSTALLATION. SEE SPECS.
17. CONTRACTOR SHALL SUBMIT CERTIFIED TOPSOIL ANALYSIS REPORT FOR OWNER'S APPROVAL PRIOR TO PLANT INSTALLATION. SEE SPECS.
18. CONTRACTOR SHALL SUBMIT CERTIFIED TOPSOIL ANALYSIS REPORT FOR OWNER'S APPROVAL PRIOR TO PLANT INSTALLATION. SEE SPECS.
19. CONTRACTOR SHALL SUBMIT CERTIFIED TOPSOIL ANALYSIS REPORT FOR OWNER'S APPROVAL PRIOR TO PLANT INSTALLATION. SEE SPECS.

PLANT SCHEDULE

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
PC	1	PRUNELLA CHINENSIS	CHINESE PRUNELLA	7" CAL
UC	5	ULMUS X FRONTALIS	AMERICAN ELM	7" CAL
TH	9	TILOPA PRUNELLA THOUGHT	COMMON NAME	5' HT
ES	43	ERODIUM JAPONICUS SILVER KING	SILVER KING ERODIUM	1 GAL
OS	37	OSAL THEA SHALON	SHAL	1 GAL
JE	7	JUNIPERUS TORULOSA TOWN	CREeping JUNIPER	1 GAL
LE	7	LEONOTIS CHINESE PRUNELLA RED	PRUNELLA RED	1 GAL
NO	15	NOLANUS OVALIS	EVERGREEN NOLANUS	1 GAL
UP	45	ULMUS PRUNELLA SILVER KING	SILVER KING ERODIUM	1 GAL
PN	32	PRUNELLA ALBIFLORA SILVER KING	SILVER KING ERODIUM	1 GAL
PC	275	PRUNELLA CHINENSIS	CHINESE PRUNELLA	18" x 6"
MR	27	MAYONNAISE REFERS	CREeping MANICHA	24" x 6"



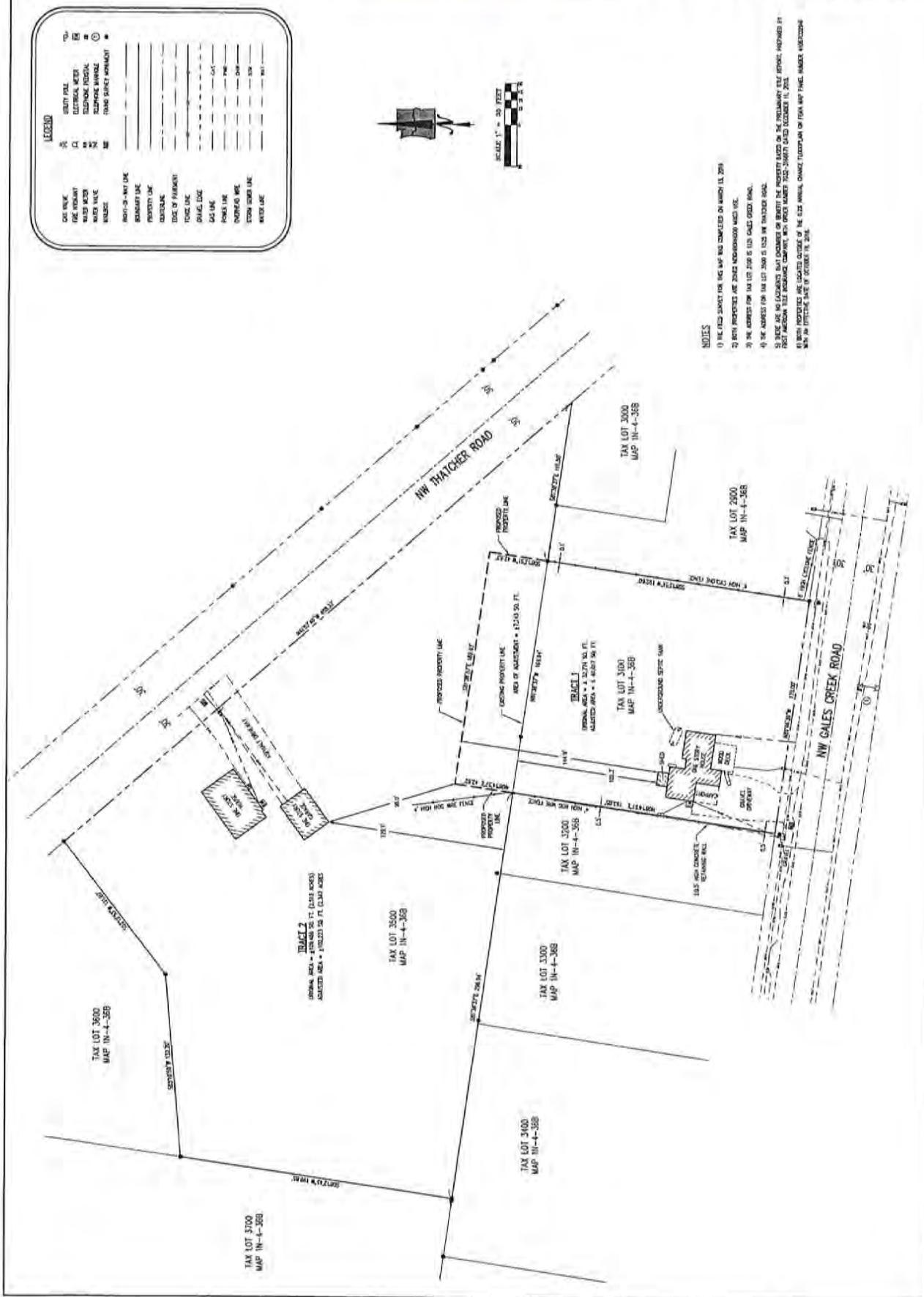


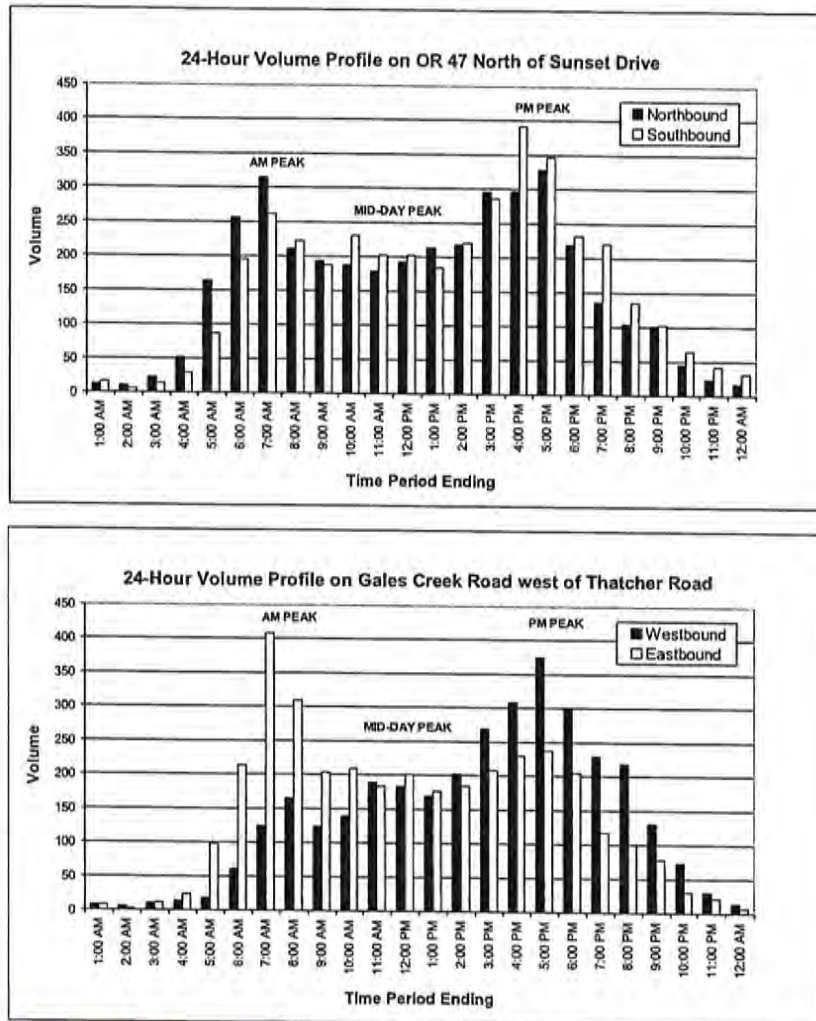
EXHIBIT B

Forest Grove

Transportation System Plan

Excerpts

the evening peak period is when traffic volumes are highest. This can be attributed to a combination of commute, retail and school trips. The volume profiles shown on the next page illustrate the trends of motor vehicle travel for three survey locations within Forest Grove. The volume profiles summarize the daily traffic by hour of day per direction.



3.4.4 Traffic Levels of Service

While analysis of traffic flows and functional classifications are useful in understanding the general nature of traffic in an area, traffic volumes alone indicate neither the ability of the street network to carry additional traffic, nor the quality of service afforded by the street facilities. For this, the concept of level of service has been developed to correlate traffic volume data to subjective descriptions of traffic performance at intersections.

Level of Service (LOS) is used as a measure of effectiveness for both unsignalized and signalized intersection operation. It is similar to a "report card" rating based upon average vehicle delay.

- Level of Service A, B, and C indicate conditions where traffic moves without significant delays over periods of peak hour travel demand.
- Level of Service D and E are progressively worse peak hour operating conditions.

Intersections controlled by STOP signs on the minor street approaches are subject to a separate capacity analysis methodology. These unsignalized intersections provide levels of service only for major and minor street turning movements, and not the traffic on the major facility. For this reason, LOS E and even LOS F can occur for a specific side street turning movement, however, the majority of traffic may not be delayed (in cases where major street traffic is not required to stop). LOS E or F conditions at intersections without traffic signals generally provide a basis to study the intersection further and to determine availability of acceptable gaps, safety and traffic signal warrants.

Table 3-8 and Figure 3-10 provide a summary of PM peak hour levels of service at selected intersections. The LOS for intersections controlled by STOP signs represents the condition for the major/minor street approach, respectively. The city has adopted a minimum standard for level of service of LOS D.

Table 3-8. PM Peak Hour Intersection Level of Service

No.	Intersection	Operational Standard	Level of Service (LOS) ¹	Average Delay* (Seconds) ²	Volume / Capacity (V/C) ²
<i>Unsignalized Intersections</i>					
1	Gales Creek Road/Forest Gale Drive	LOS E/0.99	A/B	11.4	0.13
2	Thatcher Road/Watercrest Road	LOS E/0.99	A/B	11.2	0.03
3	Gales Creek Road/Thatcher Road	LOS E/0.99	A/C	16.5	0.35
4	Gales Creek Road/Willamina Avenue	LOS E/0.99	A/C	12.9	0.10
5	Sunset Drive/Willamina Avenue	LOS E/0.99	A/B	10.9	0.11
6	Sunset Drive/26th Avenue	LOS E/0.99	A/A	9.2	0.06
7	23rd Avenue/B Street	LOS D	A/B	12.2	0.23
8	23rd Avenue/Main Street	LOS D	A/B	11.0	0.14
9	Pacific Avenue/E Street	LOS E/0.99	A/B	14.3	0.24
10	19th Avenue/Council Street	LOS D	A/B	12.5	0.10
11	Highway 47/Verboort & Purdin	V/C=0.99	A/D	32.0	0.71
12	Highway 47/Porter & Oak	V/C=0.99	A/C	16.6	0.14
13	Highway 47/Martin Way	V/C=0.99	A/D	29.5	0.73
14	Highway 47/24th Avenue	V/C=0.99	A/C	15.3	0.19
15	Highway 47/19th Avenue	V/C=0.99	A/D	30.9	0.42
16	Highway 47/Poplar Street	V/C=0.99	A/C	20.0	0.31
17	Highway 47/Maple Street	V/C=0.99	A/F	111.0	1.00
18	Highway 47/Elm Street	V/C=0.99	A/D	31.3	0.45
19	Highway 47/B Street	V/C=0.99	A/C	21.6	0.37
20	Adair Street/Yew Street	V/C=0.99	A/F	>180	1.00
21	Baseline Street/Yew Street	V/C=0.99	A/F	63.4	0.70
<i>All-Way Stop Controlled Intersections</i>					
22	19th Avenue/B Street**	LOS D	A/D	26.6	0.85
23	B Street/Willamina Avenue	LOS D	A/A	8.5	0.19
24	Bonnie Lane/B Street	LOS D	A/A	8.5	0.24
<i>Signalized Intersections</i>					
25	Highway 47/Sunset Drive	V/C=0.99	C	28.4	0.37
26	Pacific Avenue/Quince Street	V/C=0.99	D	51.2	0.92

Table 3-8 Continued. PM Peak Hour Intersection Level of Service

No.	Intersection	Operational Standard	Level of Service (LOS) ¹	Average Delay* (Seconds) ²	Volume / Capacity (V/C) ²
27	Pacific Avenue/Mt. View Lane	V/C=0.99	A	8.3	0.66
28	Pacific Avenue/B Street	LOS D	C	25.6	0.57
29	Pacific Avenue/Main Street	LOS D	B	15.6	0.49
30	Pacific Avenue/College-Council	LOS D	A	5.2	0.39
31	Pacific Avenue/Elm Street	LOS D	A	9.6	0.46
32	Pacific Avenue/Maple Street	LOS D	B	15.9	0.71

* Minor street average delay reported for unsignalized intersections

** The atypical signal control at this intersection is treated as a four-way stop for LOS calculations.

1 First value is the free movement, second value is the worst stopped movement.

2 Worst stopped movement.

Source: SCJ Alliance from DKS Associates, Inc.

All of the study intersections with traffic signals currently operate at LOS D or better. Some queuing occurs at the Pacific Avenue / Quince Street and Pacific Avenue / Main Street intersections during peak hours. Most study intersections with STOP sign controls operate at level of service C or better during the evening peak hour. In other words, the minor street approaches have average delays of less than 25 seconds during this hour.

Three intersections along Highway 47 (19th Avenue, Elm Street, and Martin Way) operate with LOS D on minor approaches, as does the Baseline Street / Yew Street intersection. Highway 47 / Maple Street and Adair Street / Yew Street operate at LOS F on minor approaches. The intersections of Highway 47/Maple Street and Highway 47 / Martin Way met MUTCD⁹ traffic signal warrant 3 (Peak Hour Warrant). The capacity analysis calculation sheets are in Appendix C.

3.4.5 Crash History

Crash data was obtained for the study intersections from Oregon Department of Transportation for the period between January 1, 2002 and December 31, 2006. Figure 3-11 shows crash locations with any reported collisions within 200 feet of an intersection. Locations that have only one reported vehicle to vehicle collision in four years are not statistically significant. Table 3-9 summarizes the highest intersection crash rates.

Typically, intersections on collector and arterial roadways with a collision rate over 1.00 suggest further safety investigation is warranted. As shown in the table, only the B Street / 23rd Avenue intersection is calculated to have a rate of over 1.00 collisions per million vehicles. A review of reported collisions at this intersection showed that most collisions were caused by vehicles traveling towards Pacific Avenue from B Street failing to respect right-of-way or failing to obey the posted stop sign. The presence of ample sight distance at this intersection suggests that enhanced visibility of posted stop signs, a reduction in posted speeds, or modification of intersection controls may provide a solution. Recommendations for this intersection are incorporated into the Roadway Plan (Chapter 8).

⁹ Manual on Uniform Traffic Control Devices (MUTCD), FHWA, 2003.

Table 3-9. Study Intersection Crash Data

Rank	North-South Roadway	East-West Roadway	Reported Crashes (2002-2006)	Intersection ADT	Crash Rate (per MEV)
1	B Street	23rd Avenue	10	4,950	1.22
2	Yew Street	Adair Street	19*	18,200	0.57
3	B Street	Pacific Avenue	12	13,210	0.55
4	Highway 47	Pacific Avenue	30	39,710	0.46
5	Maple Street/Fern Hill Rd	Highway 47	11	15,950	0.42
6	Main Street	Pacific Avenue	8	12,760	0.38
7	Gales Creek Road	Willamina Avenue	5	8,670	0.35
8	Elm Street	Highway 47	7	14,025	0.30
9	Sunset Drive	26th Avenue	1	2,640	0.23
10	Elm Street	Pacific Avenue	4	11,790	0.20
11	Highway 47	Martin Road	4	11,890	0.20
12	Maple Street	Pacific Avenue	8	26,630	0.18
13	B Street	Willamina Avenue	1	3,820	0.16
14	Thatcher Road	Watercrest Road	1	4,225	0.14
15	Mountain View Lane	Pacific Avenue	8*	32,890	0.13
16	Thatcher Road	Gales Creek Road	2*	8,480	0.13
17	B Street	19th Avenue	2	9,790	0.12
18	Yew Street	Baseline Street	3*	15,030	0.11
19	Highway 47	24th Avenue	2	11,600	0.10
20	Highway 47	Poplar Street	2	13,700	0.09
21	Highway 47	19th Avenue	2	14,170	0.09
22	E Street	Pacific Avenue	1	8,690	0.06

Source: Oregon Department of Transportation (ODOT) crash analysis and reporting unit

*Crash data is for 2004-2008.

The Washington County Safety Priority Index System (SPIS) is used to identify and evaluate existing hazardous intersections for potential safety improvements. The County SPIS list is compiled from vehicle crashes reported to ODOT and includes intersections that have three or more crashes, or one or more severe injury or fatal crashes, based on the most recent three years of crash data. The SPIS list only includes intersections where the County has jurisdiction of at least one leg of the intersection. There are currently four intersections within the City of Forest Grove that appear on the latest SPIS list (2006 – 2008). These intersections along with their corresponding priority rank are listed below.

- Fern Hill Road / Maple Street/OR 47 (19)
- Oregon Highway 47 / Purdin Road-Verboort Road (42) – intersection reconstructed and flashing beacon removed in 2005.
- Oregon Highway 47 / B Street (65)
- 1st Avenue / Baseline Street (192)

3.4.6 Trucks

Currently, there are no designated principal truck routes in Forest Grove. The intent of the truck route system is to provide connections with truck routes serving areas within and outside of Forest Grove making efficient truck movement and the delivery of raw materials, goods, services and finished products possible. These routes are generally found in and serve areas where there are concentrations of commercial and/or industrial land uses.

EXHIBIT C

Washington County Review Comments



WASHINGTON COUNTY, OREGON

Department of Land Use and Transportation, Operations & Maintenance Division
1400 SW Walnut Street, MS 51, Hillsboro, Oregon 97123-5625
(503) 846-7623 · FAX: (503) 846-7620

June 4, 2019

To: James Reitz – Senior Planner

From: Naomi Vogel – Associate Planner

**RE: Dollar General Store
City Casefile: 311-19-000006-PLNG
County File Number: CP19-916
Tax Map and Lot Number: 1N436B003100
Location: 1121 Gales Creek Road**

Washington County Department of Land Use and Transportation has reviewed the above noted development application for a 9,100 square foot retail building and a new commercial driveway access on Gales Creek Road, a County-maintained Arterial (3 lanes).

The proposed access on Gales Creek is approved subject to the conditions noted below. However, Washington County will monitor the access to assure that it operates safely. If safety/operational problems arise due to the standing queue at the intersection of Gales Creek Road/Thatcher Road, the applicant will be responsible for modifying the access to provide safe operation of the access in compliance with County standards for Arterial streets. This may require that the applicant install traffic control devices to limit turning movements and/or make physical improvements to the roadway. All changes will be subject to Washington County Engineer's approval.

REQUIRED CONDITIONS OF APPROVAL

- I. PRIOR TO ISSUANCE OF A SITE DEVELOPMENT PERMIT BY THE CITY OF FOREST GROVE:**
 - A.** The following shall be recorded with Washington County Survey Division (John Kidd – 503.846.7932):
 - 1.** Dedication of additional right-of-way to meet 45 feet from the centerline of Gales Creek Road.

2. Provision of a non-access reservation along the site's frontage of Gales Creek Road with the exception of the access approved in conjunction with this development application.

B. Submit to **Washington County** Public Assurance Staff, 503-846-3843:

1. Completed Washington County "Design Option" form, Geotech/Pavement report and Plan Submittal/Review Checklist (Appendix 'E' of the County's Road Standards).
2. **\$10,000.00** Administration Deposit.

NOTE: The Administration Deposit is a cost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections, as-built approval, and project administration. The Administration Deposit amount noted above is an estimate of what it will cost to provide these services. If, during the course of the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent funds at project close out, they will be refunded to the applicant. Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.

3. A copy of the City's Land Use Approval with Conditions and County's letter dated June 4, 2019.
4. Preliminary certification of adequate sight distance at the site's access on Gales Creek Road in accordance with County Code, prepared and stamped by a registered professional engineer, as well as:
 - a. A detailed list of improvements necessary to produce adequate intersection sight distance (refer to the following link for sight distance certification submittal requirements).

<http://www.co.washington.or.us/LUT/Divisions/CurrentPlanning/development-application-forms.cfm>

5. Engineering plans for construction of the following public improvements to County standards, including a Geotech/Pavement report to support the roadway section:
 - a. Half-street improvement to include additional pavement width as needed for interim/future, gutter, curb, 5' sidewalk and 6' planter strip along the site's frontage on Gales Creek Road. Note: The half-street can be located as shown on Sheet C1.0 of the submitted plan set.
 - b. Improvements within the right-of-way as necessary to provide adequate intersection sight distance at the access driveway on Gales Creek Road.

- c. Commercial driveway on Gales Creek Road to County standards. Include truck turning templates. Note: Access shall be located as far west as possible.
- d. Replacement of existing street lights with LED lights located along the site's frontage of Gales Creek Road to County standards unless replaced by the city.
- e. All work within the dedicated right-of-way of Gales Creek Road to County standards.

C. Obtain a Washington County **Facility Permit** upon completion of the following:

- 1. Obtain Engineering Division approval and provide a financial assurance for the construction of the public improvements listed in conditions **I.B.5.**

NOTE: The Public Assurance staff (503-846-3843) will send the required forms to the applicant's representative **after** submittal and approval of items listed under **I.B.**

*The Facility Permit allows construction work within County rights-of-way and permits site access only after the developer first submits plans and obtains Washington County Engineering approval, obtains required grading and erosion control permits, and satisfies various other requirements of Washington County's Assurances Section including but not limited to execution of financial and contractual agreements. This process ensures that the developer accepts responsibility for construction of public improvements, and that improvements are closely monitored, inspected, and built to standard in a timely manner. **Access will only be permitted under the required Washington County Facility Permit, and only following submittal and County acceptance of all materials required under the facility permit process.***

II. PRIOR TO OCCUPANCY:

Obtain a Finaled Washington County **Facility Permit**, contingent upon the following:

- A. The road improvements required in condition **I.B.5.** above shall be completed and accepted by Washington County.
- B. Upon completion of necessary improvements, submit **final** certification of adequate sight distance in accordance with County Code, prepared and stamped by a registered professional engineer.

Note: The property owner shall continuously maintain adequate sight distance. This may require the property owner to periodically remove obstructing vegetation from the road right-of-way (and on site).

If you have any questions, please contact me at 503-846-7639.

Naomi Vogel - Associate Planner

Cc: Road Engineering Services
Assurances Section
Transportation File

EXHIBIT D

Thatcher Road / Gales Creek Road Pedestrian Improvement Concept Plan

Exhibit 1: Non-Truck Consideration

Preliminary Design Subject to Change
Date: November 26, 2018

Scale: 1" = 50'



Note: Right-of-Way Linework Base on GIS



Gales Creek Road / Thatcher Road Intersection Improvements Concept
Forest Grove, Oregon

EXHIBIT E

Neighborhood Meeting Summary,
Submitted by the Applicant

WOODCREST COMPANIES

A Division of Woodcrest Homes, Inc.

City Of Forest Grove
1924 Council St.
Forest Grove, OR 97116-2311

May 16, 2019

Dear City Manager,

You are receiving this letter to inform you of a community meeting scheduled for Tuesday, May 28, 2019. The meeting purpose is to introduce and share plans for a new 9,100 sq. ft. Dollar General retail store located at 1121 Gales Creek Rd. Forest Grove, OR. Dollar General helps shoppers save time and money by offering products that are frequently used and replenished, such as food, snacks, health and beauty aids, cleaning supplies, basic apparel, housewares and seasonal items at everyday low prices in convenient neighborhood locations. In addition to high-quality private brands, Dollar General sells products from America's most-trusted manufacturers such as Clorox, Energizer, Procter & Gamble, Hanes, Coca-Cola, General Mills, and PepsiCo.

The meeting will be held at the Forest Grove City Library from 7pm – 8pm. Please feel free to reach out to Steve Powell or Lauren Schulte at 760-789-5493, if you have any questions.

Meeting Date: Tuesday, May 28, 2019

Meeting Time: 7:00pm – 8:00pm

Meeting Location: Forest Grove City Library – Rogers Room
2114 Pacific Avenue
Forest Grove, OR

We hope to see you there,



Steve Powell
President



Community Outreach Meeting

May 28, 2019

Re: Proposed development of a 9,100 sq. ft. general retail store, tenant Dollar General

Development Location: 1121 Gales Creek Rd., Forest Grove, OR

Meeting Location: Forest Grove City Library, Rogers Room
2114 Pacific Ave. Forest Grove, OR

Scheduled Meeting Time: 7:00 – 8:00pm

Actual Meeting Time: Inside the library: 6:50pm – 8:25pm, In the parking lot 8:30pm – 9:30pm

Number of Attendees: 46

PROJECT PRESENTATION:

1. Developer / Owner introductions
2. Area zoning designation descriptions
 - Several people in the audience had little understanding of zoning. Some were surprised that the area included density to the west.
 - There were audience members that defended the NMU designation and were pleased that a project [finally] was being proposed
 - The Forest Grove Zoning Map and an Area Specific Zoning Exhibit were on display
3. Informative description of the proposed Site Plan and Building Structure. Items discussed:
 - Architectural style, color and placement
 - Lighting
 - Signage
 - Fencing
 - Parking
 - Truck delivery
 - Landscape Plan
 - Off-site improvements
 - Utility extensions
 - Drainage
 - Exhibits on display were:
 - Zoning Maps
 - Photo survey of subject property and existing commercial
 - Project site plan and floor plan
 - Colored architectural elevations
 - Colored architectural 3d rendering



WOODCREST REAL ESTATE VENTURES

A Division of Woodcrest Homes, Inc.

- Landscape plan
 - Civil plans
4. Introduction of the tenant, Dollar General (DG). Information discussed:
- Who is DG?
 - Products carried (2 copies of inventory examples were provided for viewing)
 - Hours of operation
 - Number of employees
 - Number of expected customers at any given time
 - Average sales ticket
 - Brief discussion on why the tenant choose this location and the impact it might have (positively and negatively) on other businesses and residences in the area.

Question, Answer & Comment Period. Points discussed:

1. The tenant. Several people couldn't understand why DG wanted to locate away from the main retail area in Forest Grove. It was repeatedly explained that the subject location was chosen because it is a commercially underserved area, all demographic data supports this location, the zoning is correct, and it will provide a convenient place for people to shop without having to drive greater distances for the same goods.
2. One lady was concerned that DG wasn't a Union Shop. She expressed her concern for jobs with high paying wages and long-term benefits. She has a disabled son who would love to work at DG but needs to make a higher income.
3. Questions were brought up about lighting, more particularly, horizontal light trespass. We explained that we are proposing to use all downward shielding fixtures, the same that would be required in areas with dark sky requirements.
4. Concerns were raised about crime. We explained that DG is not a 24-hr convenience store. DG store hours are 8am-9pm M-Sun. and are closed during the statistical peak crime hours of 11pm – 7am. Stores are well lit and have in-store security systems.
5. Traffic concerns included certain hours of congestion on Thatcher Road and if there were any improvements proposed for the intersection of Thatcher Rd. and Gales Creek Rd. TDT fees were discussed in addition to all project related [off-site] improvements. Comments were made that sidewalks would be a benefit; the project is providing sidewalks along its frontage.
6. Suggestions were made about additional products some would like DG to sell, mostly, fresh produce. Several were hoping that locally grown items could be sold. We explained that these types of questions and what products are projected to sell in this location was outside the purview of this meeting. However, it was shared that DG is testing produce sales in select stores in addition to a smaller DG format



WOODCREST REAL ESTATE VENTURES

A Division of Woodcrest Homes, Inc.

called DGX that will have a healthier selection. Most agreed that DG sells what people want, if there is a large enough demand for a product that fits the DG format, chances are they will carry it.

7. One gentleman said that our being here was a “publicity stunt” and that we didn’t invite enough people. We informed the audience that the mailing addresses were obtained from the Planning Dept. and the meeting time was scheduled to avoid conflict with the School Board meeting.
NOTE: Many that were in attendance claimed they found out about our meeting on a local Facebook page.
8. One lady made threatening statements that included we either “find another tenant” or be prepared for a large “organized boycott”.
9. Suggestions were made about other potential locations. Again, it was explained why this location was chosen and the gained benefits of having a local place to shop.
10. Many were interested and appreciated that fact that this project could be the catalyst for other [new] convenient commercial projects. At one-point people started talking about other tenants that might follow including a café or a deli.
11. Just about everyone in the audience agreed that the design and colors are appropriate for the area. In addition, they were very appreciative that we were are proposing an attractive project. On several occasions, comments were made that they [community members] should be thankful we [the developers] care about the project and are concerned that it complements the area and supports the intent of the NMU zoning. At one point, the audience thanked us and gave a round of applause for us coming and sharing the project.
12. There were several near-by property owners that supported the proposed project and engaged in debate with other audience members about how this is a good fit for the area.
13. Questions were raised about who’s the deciding agency for Gales Creek Rd. - Washington County Transportation or the City of Forest Grove. We explained the interaction between both jurisdictions and how the plans have gone back and forth until a consensus was met.
14. Many negative comments were made against the local Safeway Grocery store. Some asked if competition created by DG would help clean up Safeway.
15. Contiguous neighbors asked if there was going to be a fence, answer was yes.
16. Concern was voiced by one lady that she didn’t want the dumpster in the front of the property, we explained the dumpster enclosure plan and location, she was happy with the answer.
17. A representative from one of the local Homeowners Associations said her area was of higher affluency and that having this type of store wasn’t appropriate for the area.



WOODCREST REAL ESTATE VENTURES

A Division of Woodcrest Homes, Inc.

18. One couple who lives on the east side of Thatcher Rd. complained about the bright lights that shine horizontally from the Plaid Pantry. They were concerned that our project might have the same impact. We explained our fixture type, downward shielding, which eliminates horizontal light trespass which will mitigate their concern, they were satisfied. They also said they look forward to a more convenient place to shop.
19. One of the neighboring commercial property owners on Thatcher Rd. was very excited about the project. He expressed sincere frustration with people who are ignorant on growth patterns, zoning and the need for convenient shopping.
20. Another lady supported the project from a carbon emissions reduction standpoint.

Overall the presentation went well. The greatest concern had to do with the unknowns associated with an unfamiliar tenant. Many people had never visited or heard of Dollar General. It was apparent that those who showed up to protest did much of their homework on the internet, often quoting information that is the first to pop up on Google. However, once we had the opportunity to explain the project and debunk some of the overexaggerated claims, I believe many came around to the conclusion that what was being proposed is an attractive project with a need that will be met. Several went on to state that “we should be thankful this developer cares about the look of the project . . . the next guy might not be so inclined”. Of course, there were those that vowed to protest and take their voice back to their groups and inform as many as they can via social media. When our meeting time in the library was up, several folks hung around to further discuss the project in the parking lot. Many questions were asked and answered to the best of our knowledge. In large part, the meeting was a respectful and appreciated. We handed out our contact information and encouraged anyone to contact us if they have additional questions or need more information.



EXHIBIT F

Correspondence Received

James Reitz

From: Anna Ruggles
Sent: Wednesday, May 29, 2019 12:01 PM
To: James Reitz
Cc: Jesse VanderZanden; Bryan Pohl
Subject: FW: Dollar General question

Sent directly to Mayor, please include it as "written testimony".

Anna D. Ruggles, CMC, City Recorder
1924 Council Street, 2nd Floor
P. O. Box 326
Forest Grove, OR 97116-0326
Direct Line: 503.992.3235
E-mail: aruggles@forestgrove-or.gov
<https://www.forestgrove-or.gov/>

From: Aubrey Sidwell [mailto:]
Sent: Wednesday, May 29, 2019 7:20 AM
To: Peter Truax <ptruax@forestgrove-or.gov>
Subject: Dollar General question

Mayor Truax,

I've been following information regarding the possibility of a Dollar General chain store coming to Forest Grove. I'm already against this type of store coming to our town but what makes it worse is if the location of Gales Creek Hwy and Thatcher Road is the intended location. That's smack in the middle of a residential neighborhood. Sure there are other commercial establishments in that area but nothing of this magnitude. Plaid Pantry and 7-Eleven stores have had places in neighborhoods for a long time and fits. My wife and I own a home just blocks from this location and I think it's bad for the neighborhood. We already have a homeless population problems people doing drugs, and theft. A store like this is likely to bring more of the same. I don't know how everyone else feels but I'm certainly against it.

James Reitz

From: Kimberly <[REDACTED]>
Sent: Sunday, June 02, 2019 2:51 PM
To: James Reitz
Subject: No dollar general

I live near the area that dollar general is purposing to be coming in and I oppose this! I am all for supporting the community and what we need. We are a growing community and need another grocery store but I do not condone a dollar general. If you want another dollar store bring in new seasons or Trader Joe's, something that is a healthier choice for our community. If we wanted a cheaper way for food you have Walmart and winco. I would rather see something come in that will benefit our community. Also if you going to be placing a store like that around that area there needs to be stop lights ect for the protection of our kids. There are homeless non stop outside of Safeway and dollar tree I will not be happy if that comes closer to my house where I wouldn't feel comfortable having my kids outside or be able to walk to the plaid pantry when they are old enough. Please no dollar general!

Sent from my iPhone

James Reitz

From: Sierra Briano <[REDACTED]>
Sent: Sunday, June 02, 2019 3:13 PM
To: James Reitz
Subject: \$\$ General

Dear Sir,

I urge you vote against the construction of a Dollar General store in Forest Grove. The location is inappropriate for such an establishment. Our area does not need any more businesses that hire part-time workers at low wages with no benefits. Thank you,

Sierra Briano

James Reitz

From: Stephanie Lertkantitham Richards <[REDACTED]>
Sent: Sunday, June 02, 2019 2:59 PM
To: James Reitz
Subject: Dollar General

Dear Sir,

I am a long time resident of Forest Grove. My husband and I live in Forest Gale Heights with our 3 school aged children.

I implore you to not allow the Dollar General to be built in Forest Grove. We need businesses that will ADD to our community and economy, not take away from it.

Please understand that I am not opposed to growth but rather would like to see businesses that will provide strong wages, a better sense of community and wherever possible, are locally owned and operated.

Thank you for your consideration.

Stephanie Richards

James Reitz

From: Timothy B <[REDACTED]>
Sent: Sunday, June 02, 2019 4:13 PM
To: James Reitz
Subject: No to Dollar Tree

Not only do we not need another Dollar Store, we don't need retail on Thatcher. Could we please not ruin a beautiful, quiet area with cheap, crappy stores.

What forest Grove could use is good quality places to grab lunch. Mod Pizza, Chipotle, Corner Bakery, pastini's. We are currently just Asian/Hawaiian or Mexican food. So Hillsboro and Beaverton get a lot of our business.

Tim

James Reitz

From: Tamara Dowie <[REDACTED]>
Sent: Sunday, June 02, 2019 4:32 PM
To: James Reitz
Subject: Dollar General

Mr. Reitz,

I'm a preschool teacher for at risk students locally. Yet, I say no to Dollar General as we have so many stores like that already! I say yes to a Trader Joe's or something similar to help lift this community up, instead of bringing it down!

Thank you for your time,

Tamara Dowie

James Reitz

From: T Hennessy <[REDACTED]>
Sent: Sunday, June 02, 2019 5:14 PM
To: James Reitz
Subject: NO to Dollar General in Forest Grove

Placing a Dollar General, or any other store or should Center in the proposed location of the Dollar General is an awful idea idea. One that will create even more traffic problems for the residential area. That intersection already gets very backed up at all times of the day, not just "rush hours". Not to mention this will create even more dangerous situations for pedestrians and cyclists. There are plenty of other empty store fronts and lots that would make more sense for a new store. Please keep our residential area safe for residents and find a different location for the Dollar General.

Sincerely,
A concerned resident in the area

James Reitz

From: gbeachmail <[REDACTED]>
Sent: Sunday, June 02, 2019 5:16 PM
To: James Reitz
Subject: Dollar General

Sir,
I am opposed to this business coming into Forest Grove.
I feel its choice of location is extremely poor. What impact will traffic have on the area? It is too close to family friendly neighborhoods. It is not the type of business that our city should be looking for. I do not consider this a grocery store. It's a low wage lower income attractor.
I'm not opposed to businesses coming into our city but I feel care should be given on where they want to build and the impact that business will have with increased traffic, environment and yes even aesthetics.
Please address these issues BEFORE you act on it.
Don't fall for the rah-rah ain't we great sales baloney.
The residents in Forest Grove have real concerns especially those that live in the area of the proposed building site.
I Vote No!!!
Thank you.
Gail Cline-Beach

Sent via the Samsung Galaxy, an AT&T 4G LTE smartphone

James Reitz

From: Erica Noll <[REDACTED]>
Sent: Sunday, June 02, 2019 5:40 PM
To: James Reitz
Subject: No to Dollar General

I'm writing in hopes that my voice can be heard regarding the possibility of Dollar General going in on Gales Creek rd. I don't necessarily oppose the business as much as the location. I'm concerned with the speed limits on the road and potential accidents due to people pulling out of a parking lot there. Secondly I'm concerned with the fact that there are no sidewalks along the road and people may want to walk to the store, which will leave pedestrians vulnerable to being hit along Gales Creek.

I live nearby and all of my neighbors also feel that this is not needed in our neighborhood. Plaid Pantry on the corner sells milk and other essentials that are needed if a "quick trip" to the store are needed. People around here live away from the busy town for a reason and don't mind driving into town to the store. This area is also higher income compared to other parts of town who may benefit from a business like this more.

Thanks for your time and consideration.
Erica Noll

James Reitz

From: Scott Harrison <[REDACTED]>
Sent: Sunday, June 02, 2019 7:36 PM
To: James Reitz
Subject: Proposed dollar general

Dear Sir,

I am writing in opposition to the building of a dollar general at the thatcher-Pacific site. That is already a dangerous intersection used heavily by high school students and commuters. The addition of the dollar general will raise the risks of serious traffic or pedestrian-traffic accidents in my view.

Additionally a dollar general will have a negligible economic impact given its a small store employing few people and not at a living wage. The store simply replicates the Plaid pantry already in that location selling convenience items. This is nit the kind of commerce Forest Grove needs and likely will contribute to a further deterioration of that neighborhoods and nearby home values. I recommend the planning commission and city council reconsider the zoning in that area, lack of safe traffic access and not allow the store to be built at that location.

Sincerely

Jason Harrison
Forest Grove

Sent from my iPad

James Reitz

From: sara lawrence <[REDACTED]>
Sent: Sunday, June 02, 2019 7:48 PM
To: James Reitz
Subject: No to dollar general

Hello,

My name is Sara Lawrence and I am a forest grove resident in Ballard town. I would like to tell you how much I am against dollar general being built.

Please fight against this on behalf of our family.

Thank you,

Sara
[REDACTED]

James Reitz

From: Debie Wilson <[REDACTED]>
Sent: Monday, June 03, 2019 9:15 AM
To: James Reitz
Subject: NO Dollar General

NO to the request for a Dollar General.

Sent from my Verizon 4G LTE smartphone

James Reitz

From: Wanda Streator <[REDACTED]>
Sent: Monday, June 03, 2019 10:04 AM
To: James Reitz
Subject: Dollar General

Hi James,

I would like to voice my concerns with the proposed Dollar General Store that is headed to the planning commission soon.

Our community needs another grocery store, however it is very important that we get one with quality produce and meats. Adding the dollar general will reduce our chances of attracting a higher quality store that will fulfill the real nutritional needs of our community. I have lived here all my life and it breaks my heart to see us considering this step toward making FG a food desert. It is not good for anyone!

I am also concerned with reports regarding repeated OSHA violations, less than living wage jobs w/o benefits, and thinning the market for existing vendors that have supported this community for years.

Thank you,

Wanda Streator

James Reitz

From: Highhouse, Nina <[REDACTED]>
Sent: Monday, June 03, 2019 11:52 AM
To: James Reitz
Subject: Dollar General Store in Forest Grove

I'd like to voice my opinion about the potential of a Dollar General store coming to Forest Grove – the current proposed location is residential and I while I don't mind the store coming to Forest Grove, I'd rather see it somewhere around the area of Bi-Mart – driving through town yesterday, there are a number of locations perfect for this store all in areas in plain sight and in commercial zoned areas. Don't put it on Thatcher and Gales Creek Road – it's hard enough to turn onto Gales Creek Highway as it is without putting more congestion there.

Talk Safeway into building a new superstore somewhere and let dollar general go where safeway is.

Nina Highhouse

James Reitz

From: Francis Bates <[REDACTED]>
Sent: Thursday, June 06, 2019 2:21 PM
To: James Reitz
Subject: Dollar general

Sir,

I am opposed to siting a Dollar General store in the community. We already have 7 convenience stores and two Mexican markets around the city. Do we need another one? Is there a compelling reason to add another low cost, low quality commercial store to the mix we currently have? Can't we find to raise the bar to improve the quality of the shopping experience in Forest Grove?

For many of us another dollar store is just another disappointment and does nothing to enhance the quality of life in this city.

Sincerely

Fran Bates
934 37th Ave
Forest Grove.

Sent from my iPad

James Reitz

From: Rep McLain <[REDACTED]>
Sent: Friday, June 07, 2019 2:28 PM
To: James Reitz
Subject: Constituent Request - Forest Grove

Hello Mr. Reitz,

I reached out to ODOT with a constituent question and they referred me to you. I am hoping you can help provide some clarity for a constituent in Forest Grove who is concerned that the proposal to build a Dollar General on the intersection of Gales Creek and Thatcher Road will create potential traffic safety issues. She has requested a state transportation study, but that is not possible as the roads in question are not state highway facilities. Have there been any local studies of the traffic safety implications of this proposed project? Below is the request I received from my constituent, please let me know what information you have to answer her concerns. In case I get other requests from citizens of Forest Grove, I would like to have an understanding of the impacts on that intersection.

"I know this is a tremendously busy time, but I am reaching out with a somewhat urgent request and am hoping you can help.

The City of Forest Grove is reviewing a developer's request to build a Dollar General on the intersection of Gales Creek and Thatcher Road. The Planning Commission is set to vote on it at their June 17th meeting. Most community members just found out about the development last week, and we have significant concerns.

Among other things, we're worried about potential traffic safety issues -- particularly the risks it poses to school children who walk the area daily to get to and from Tom McCall. The Gales Creek/Thatcher intersection is already a high traffic area (just last week an accident occurred when a driver was speeding, hit a power line, and abandoned their car at Gales Creek/Thatcher as they fled the scene.) With the additional cars and supply trucks that will travel to and from the area, the community wants to ensure that all necessary safety measures are being taken to keep the area safe for bicyclists, walkers, the high school track team that regularly runs on Thatcher Road, and others. I spoke this evening with School Board member Kate Grandusky who also shares these concerns and is planning to reach out to the Planning Commission herself.

Representative McLain, I am hoping that you would be willing to write a letter to the State Department of Transportation to request that the state conduct a transportation study on the intersection, and that any efforts to move the development forward be suspended until such a study is completed. It doesn't seem appropriate for the development to move forward until a state transportation study has identified safety risks and recommended improvements to minimize those risks."

Thank you,

Representative Susan McLain

(Please note that all email sent to and from this email may be accessed by Representative McLain's personal staff, and may be subject to disclosure under public records law.)

James Reitz

From: [REDACTED]
Sent: Sunday, June 09, 2019 5:59 PM
To: James Reitz
Subject: Vote no to Dollar General in Forest Grove

We do not need a low end grocery store that will raise prices or worse cause Safeway to leave Forest Grove. We do not need a store hat has a historically poor record as far as employee compensation and customer service due to lack of staffing. We are desperately in need of more family friendly restaurants and useful store such as Trader Joe's. I and my network of friends will absolutely not patronize this business. I have no need for their services or goods. Please do not allow Dollar General in Forest Grove - the community does not need or want this establishment.

Sincerely,

Dr. Lisa Janssen Carlson

Sent from my iPhone

James Reitz

From: Dale Feik <[REDACTED]>
Sent: Sunday, June 09, 2019 4:00 AM
To: James Reitz
Cc: Devon Downeysmith
Subject: Concern about Dollar General Store

To: James Reitz,
From: Dale Feik
Re: Concerns about Dollar General application

After reading the information distributed by nodollargeneral store, I have concerns about it being built at the intersection of Gales Creek and Thatcher. I live at 3363 Lavina Drive.

Sincerely,

Dale Feik
cell: [REDACTED]

Cc: Devon Downeysmith

Forest Grove Senior Planner James Reitz will submit a staff report on Dollar General's application. This report will contain the City's recommendation on how the Planning Commission should vote on the project, based on whether or not they meet development criteria. He must submit the report no later than June 11. Any emails he receives about the project must go into his report for public record. You can help amplify your concerns by emailing them to James no later than June 11 at jreitz@forestgrove-or.gov.

James Reitz

From: Denise Shoup <[REDACTED]>
Sent: Saturday, June 08, 2019 8:39 AM
To: James Reitz
Subject: No Dollar General

Hello,

I am writing to you out of concern over the proposed Dollar General store. There are many reasons that I do not want to be so close to a Dollar General (I live in Forest Gale Heights), but I think the arrival of Dollar General would be bad for Forest Grove as a whole. They drive local businesses out by undercutting prices (by selling poor-quality goods). Their entire business model and rapid growth are based on the notion that income inequality will create a permanent underclass in this country (which they add to with their underpaid employees).

Please do not recommend that this development move forward!

Thank you for your time and consideration, Denise Shoup Blue Jay Ave Forest Grove

James Reitz

From: Llynda Hughes <[REDACTED]>
Sent: Monday, June 10, 2019 1:53 PM
To: James Reitz
Subject: I strongly believe Dollar General is wrong for our community!!

I'm all for growth in Forest Grove especially new housing areas which bring with it the need for a REAL grocery store. We desperately need one! Many of us travel to 185th for shopping. Or travel to Cornelius and Hillsboro to Fred Meyer and Winco. Dollar General is DEFINITELY NOT THE ANSWER. We need a real grocery store that includes fresh produce, a meat department and healthy food. A grocery store that supports our local community and local farmers.

I was out of town or I would have attended the City Council Meeting about the Planning Commission's plan to build a Dollar General Store on Gales Creek Road near Thatcher Road. A large portion of the community didn't even know about the City Council Meeting.

The site chosen is a very poor location. It should be built in a more open location with more parking and better access in and out of the parking area. It will increase traffic on a two lane road, cause safety issues for bicyclists and children walking to school. The community is definitely upset about the location.

I live in Forest Gale Heights which includes a lot of new homes as well as the David Hill and Goff Road areas. We definitely need a REAL grocery store on this side of town. The only logical place to build it would be off of Hwy 47 and David Hill. Or Purdin Road.

Bringing in a Dollar General Store would defeat any hope of ever getting a real grocery store to come to Forest Grove.

I hope the committee will consider mine and the communities objections to bringing a Dollar General Store to Forest Grove.

EXHIBIT G

Power Point Slides

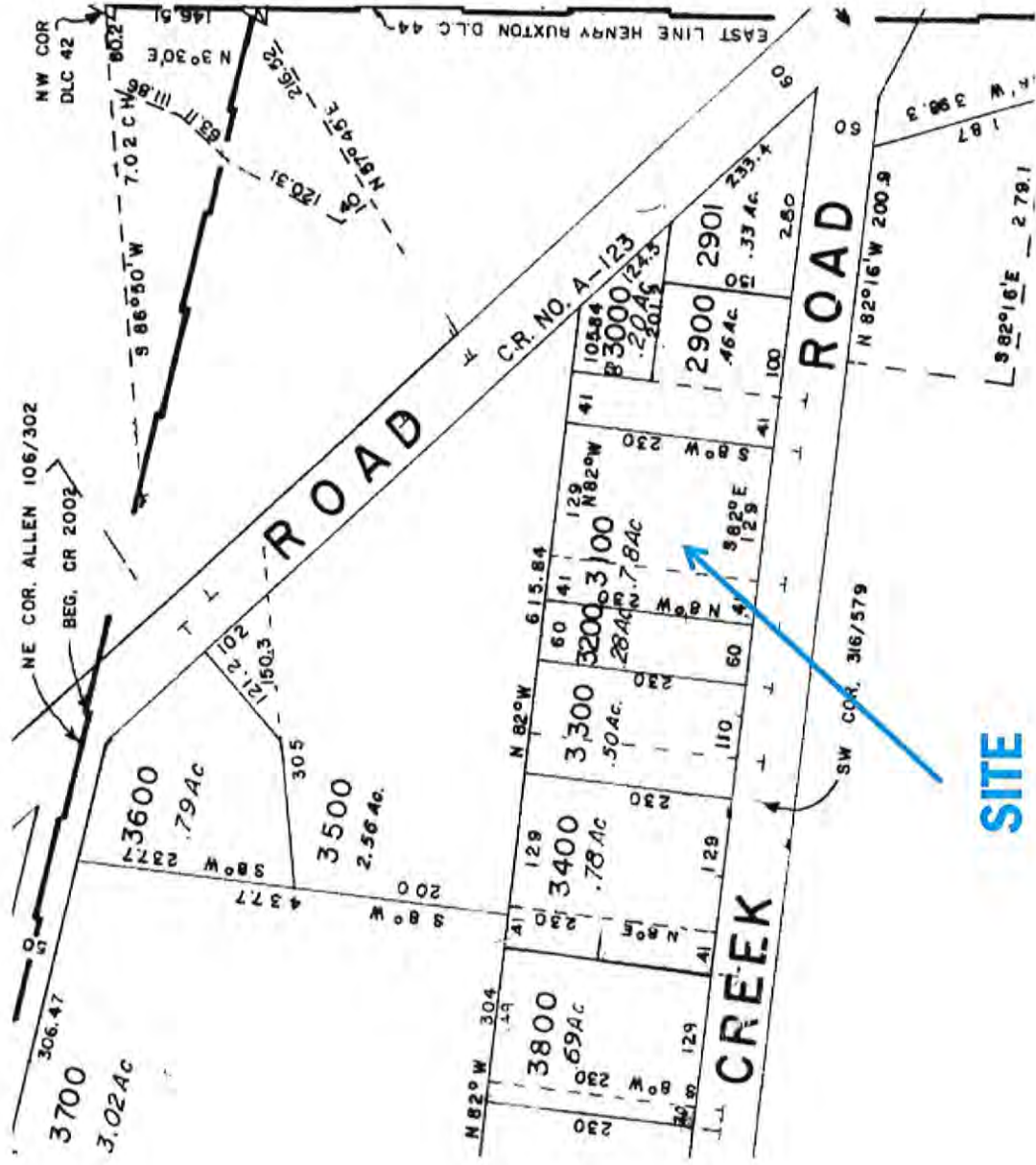


DOLLAR GENERAL SITE & DESIGN REVIEW

James Reitz, AICP
Senior Planner

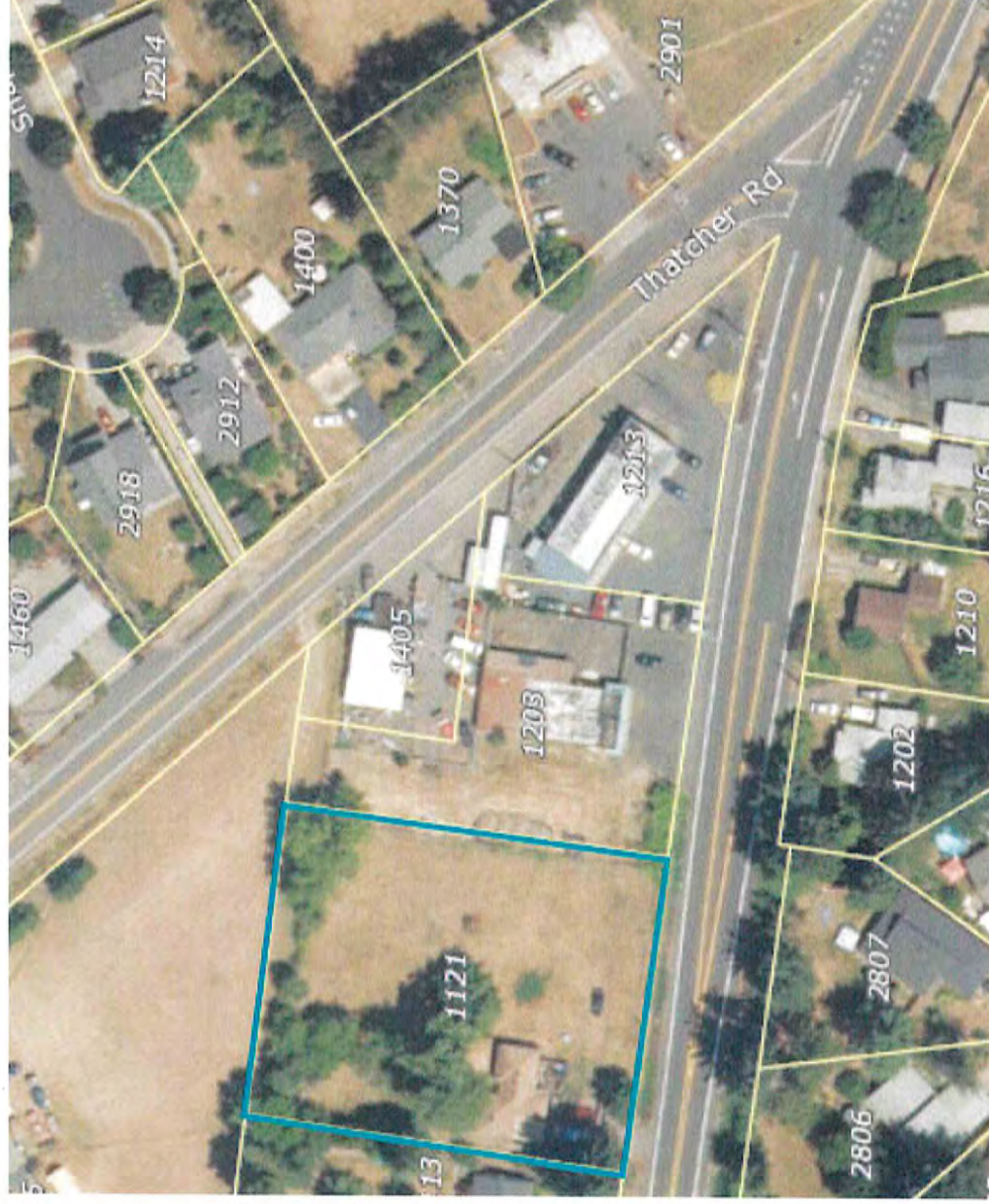
06/17/19

Washington County Tax Map

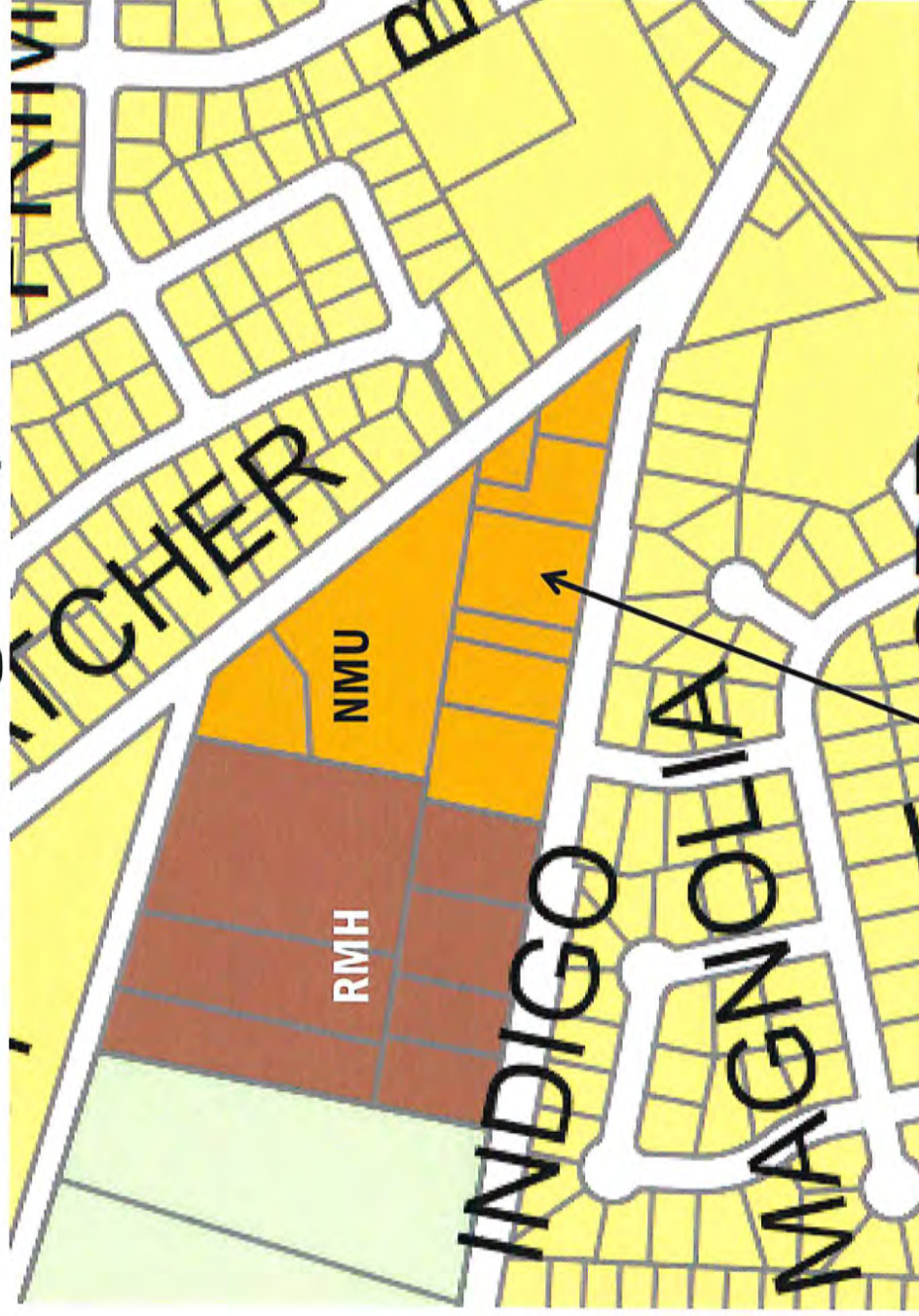


SITE

Aerial Photo of Site and Area



Zoning Map

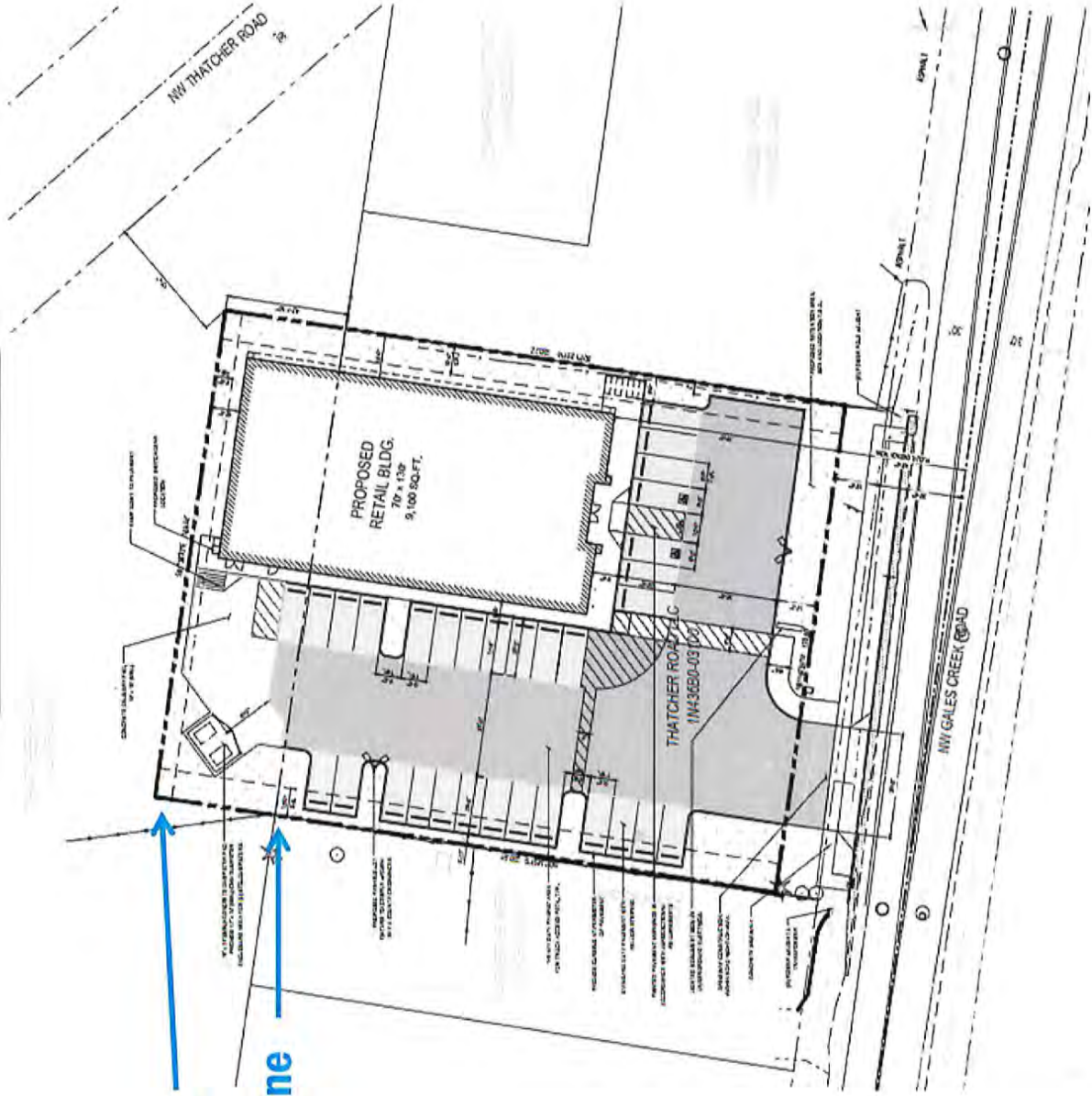


SITE

RMH = Residential Multi-Family High Density

NMU = Neighborhood Mixed Use

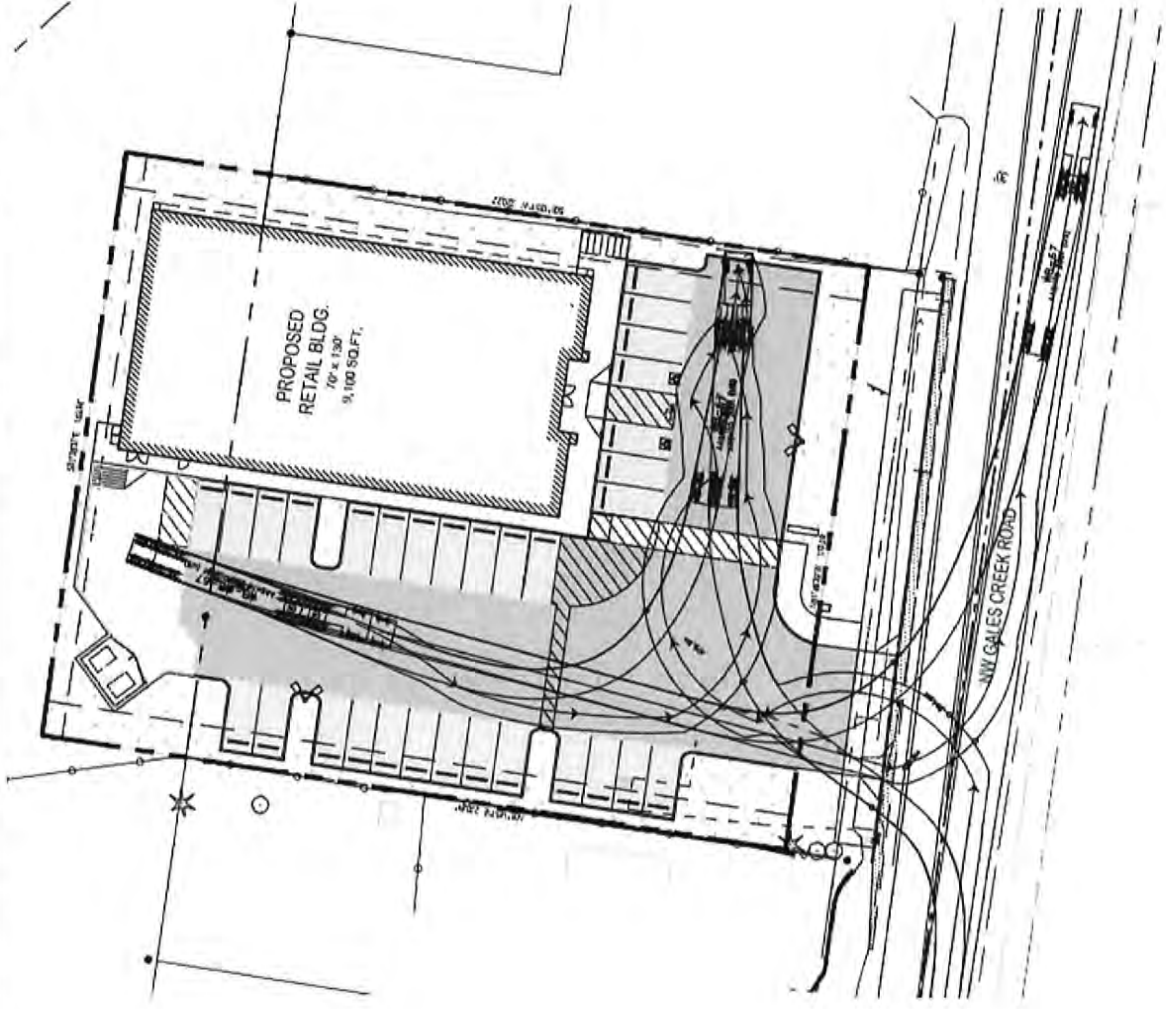
Site Plan



New Lot Line

Existing Lot Line

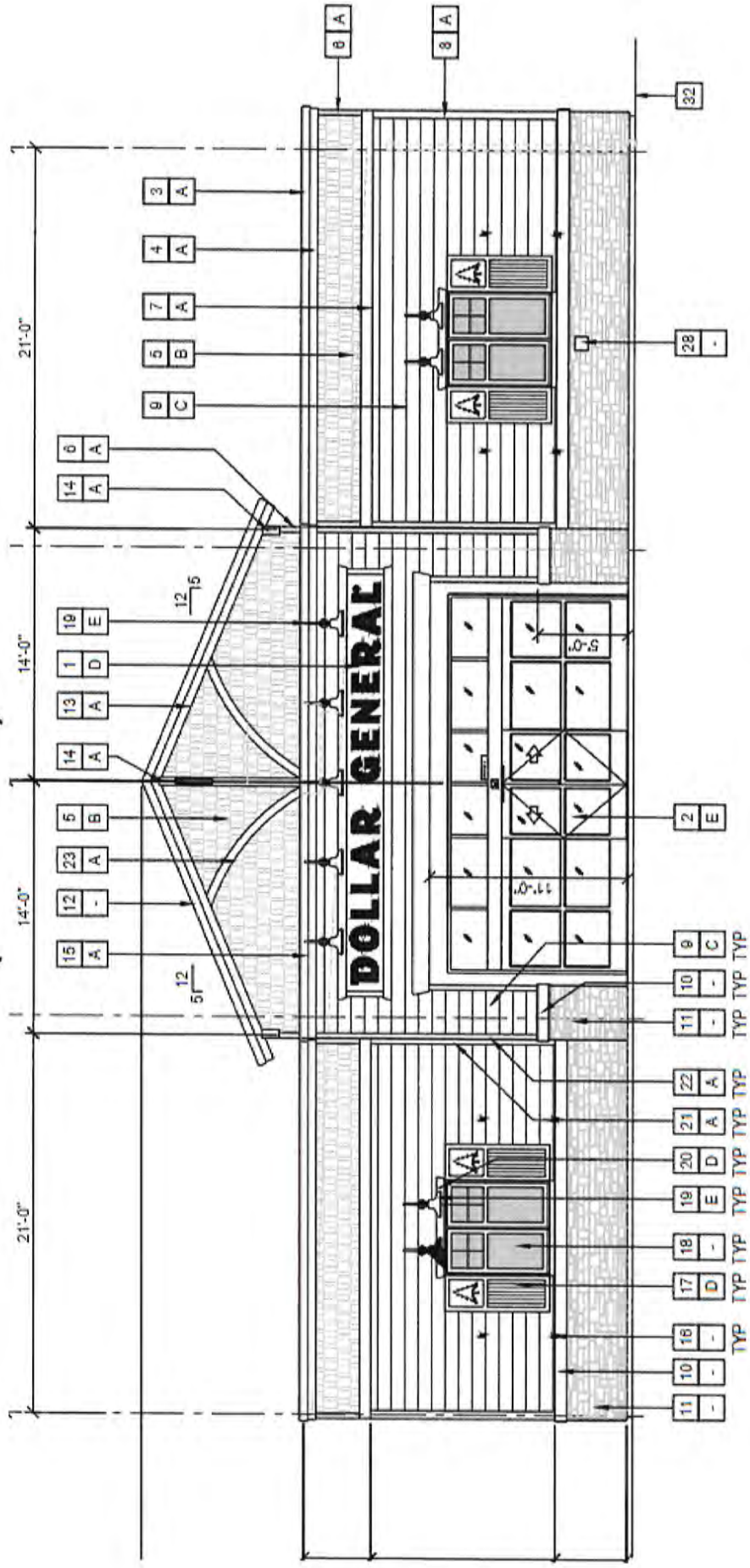
Truck Turning Template



1. *Journal of the American Medical Association*, 1997; 277: 1033-1036.



Front (South) Elevation



FRONT ELEVATION
(SOUTH ELEVATION)

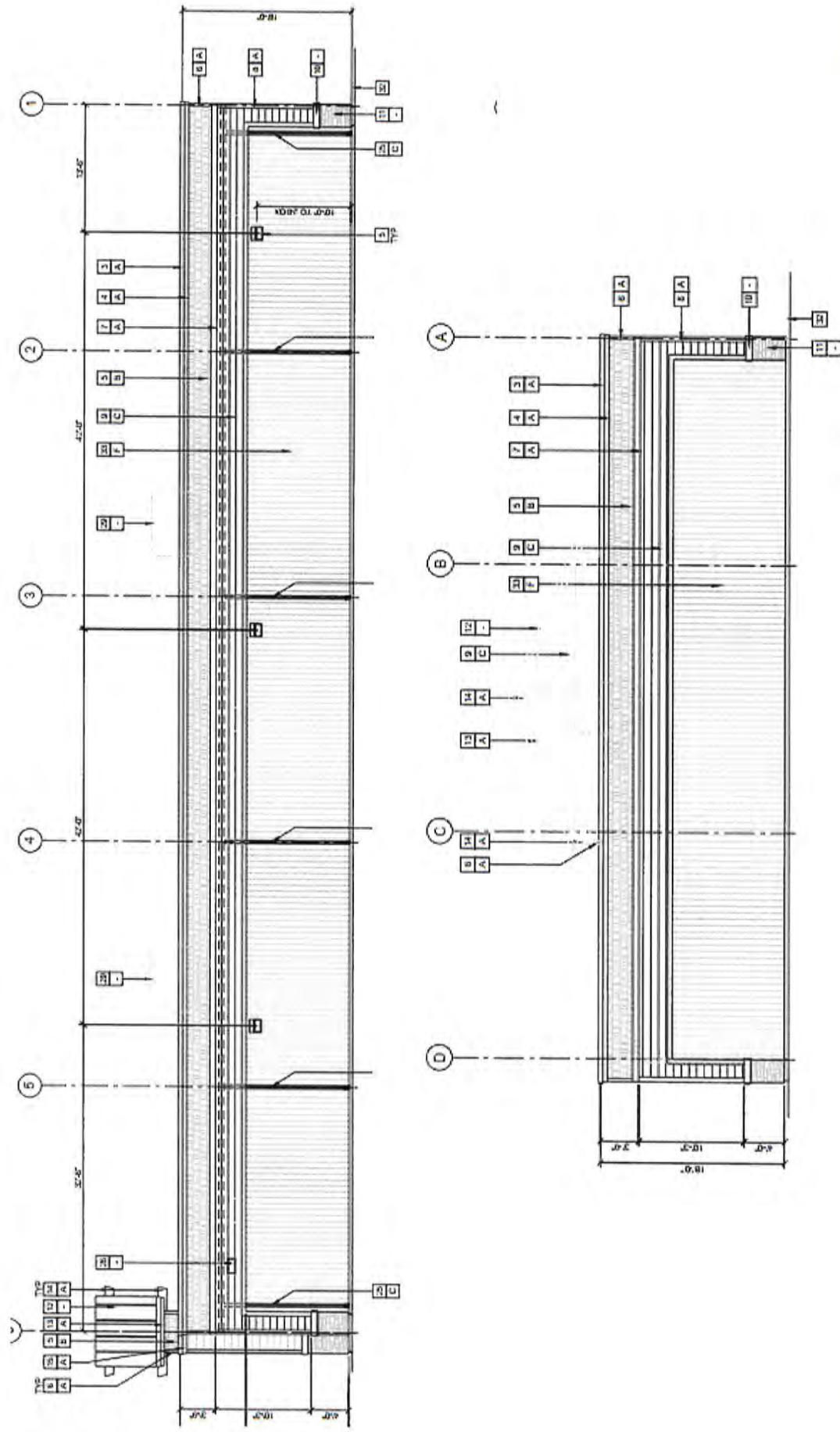
1

1/8"=1'-0"

100



Side (East) & Rear (North) Elevations



REAR ELEVATION
(NORTH ELEVATION)

Architectural Rendering



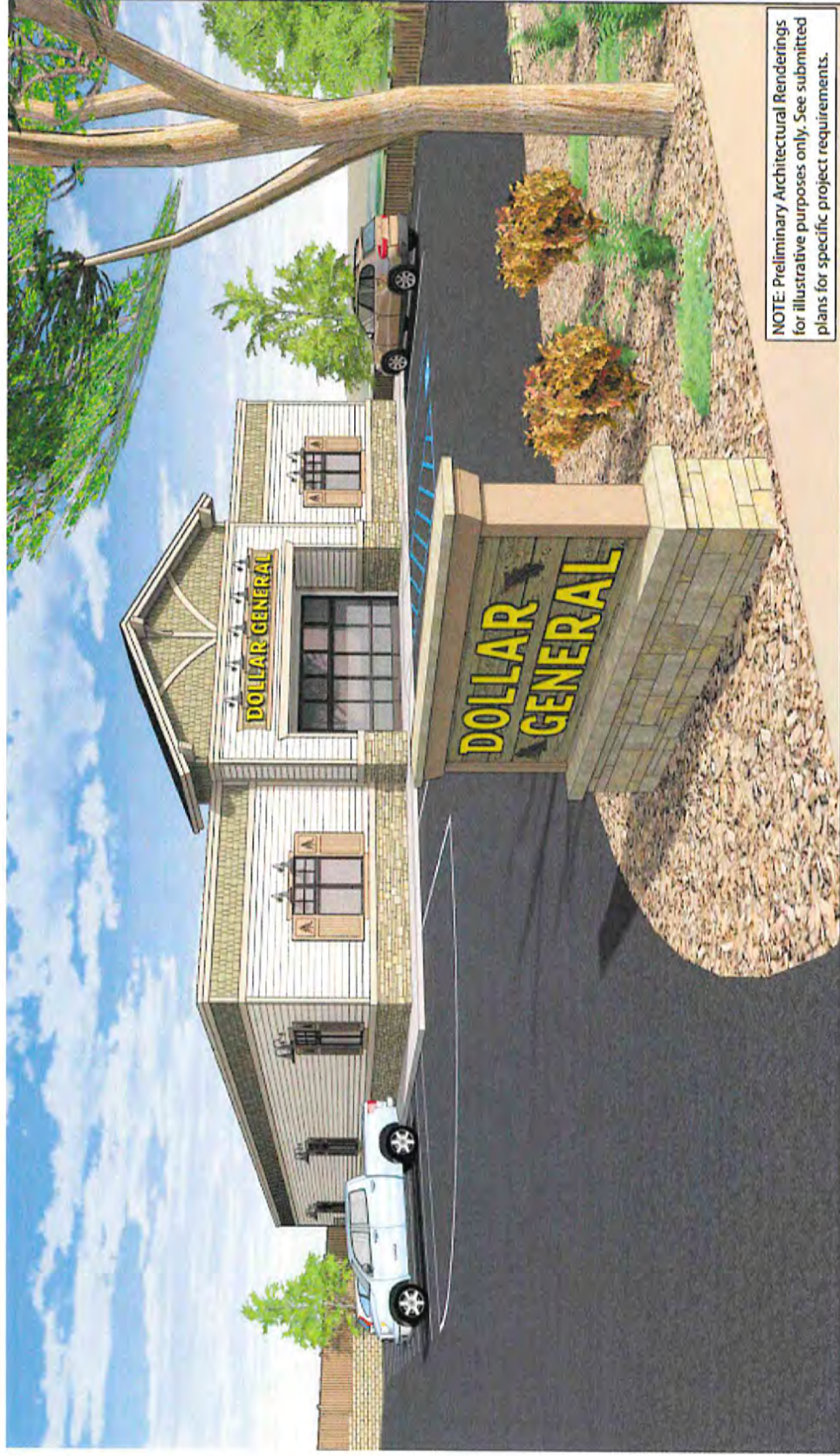
NOTE: Preliminary Architectural Renderings for illustrative purposes only. See submitted plans for specific project requirements.

 1410 MAIN STREET, SUITE C
RAMONA, CA 92065
760-789-5493

Street View Frontage

Dollar General
Forest Grove, OR

Architectural Rendering



NOTE: Preliminary Architectural Renderings for illustrative purposes only. See submitted plans for specific project requirements.

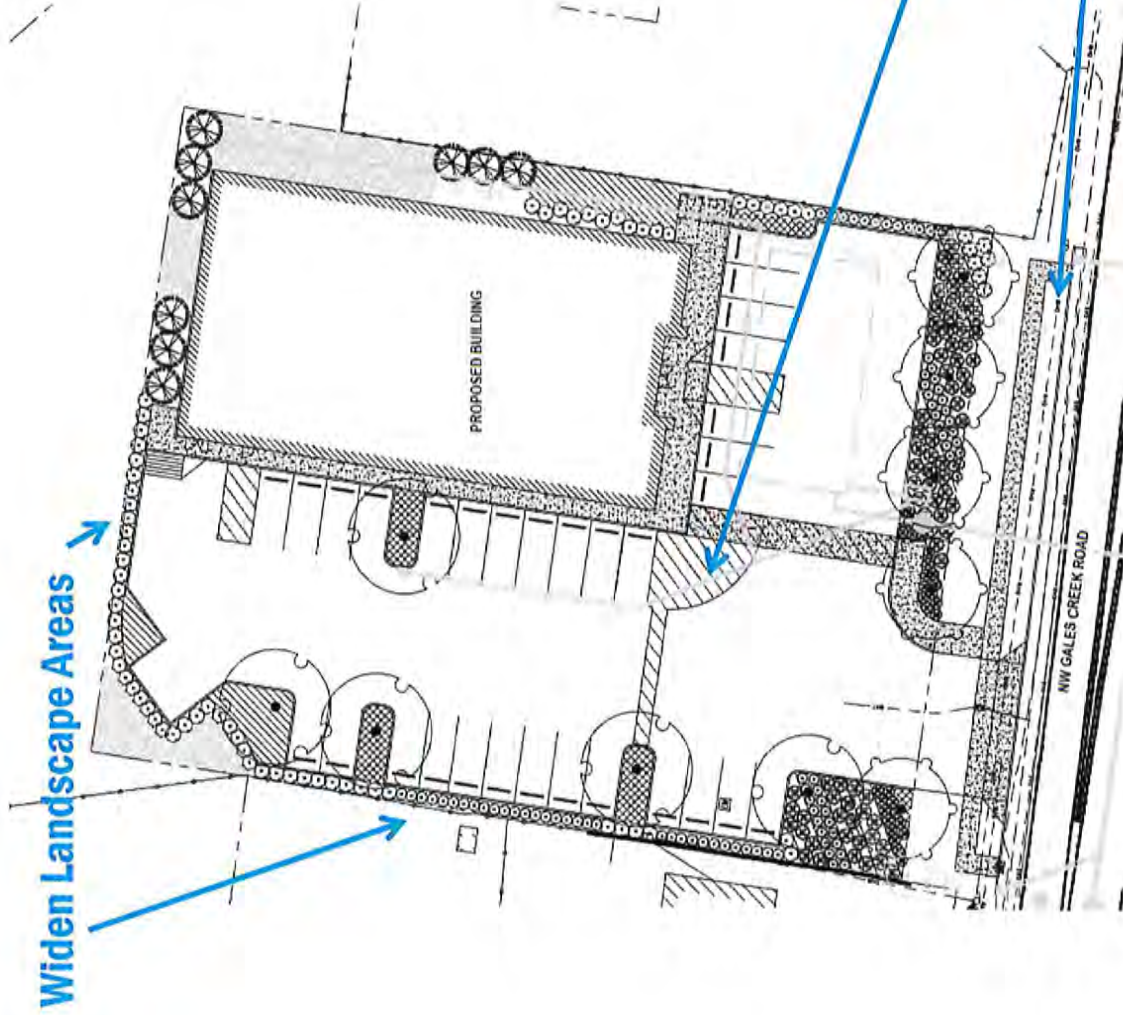
WOODCREST
1410 MAIN STREET, SUITE C
RAMONA, CA 92065
760-789-5493

Monument Sign View

Dollar General
Forest Grove, OR

FOREST GROVE
OREGON

Landscape Plan



PLANT SCHEDULE					
TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	
	AC	5	RETICULOCORNU	CHINESE RISTACHE	
	UC	5	LIABIS A 'HONOR'	AMERICAN BLM	
EVERGREEN TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	
	TH	9	THUJA PLICATA 'NORMAN'	HOGAN CEDAR	
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	
	SV	10	SEMPERVIRENS CALLOSA	WARTY SARRAZEN	
	ES	41	ELONVUS JAPONICUS 'SILVER KING'	SILVER KING DOGWOOD	
	GS	17	GALLICHEM CHALON	SALAL	
	Y	41	SANSEVIERIA PORTULACA 'YOUNGSTOWN'	CREeping JAMBEL	
	LE	7	LOOSESTRAIT CHENOPodium 'HALL'S RED'	HALL'S RED LOOSESTRAIT	
	VO	15	VACCINIUM OULIJI	BURGREEN HUCKLEBERRY	
GRASSES	CODE	QTY	BOTANICAL NAME	COMMON NAME	
	SP	40	STEGANOPHYLLIS PARSIPENSIS	FLUTE GRASS	
	PH	11	PENSTEMON SPECIOSUS 'HARVEY'	HARVEY'S PINK	
GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	
	AC	272	RETICULOCORNU	CHINESE RISTACHE	
	UC	271	LIABIS A 'HONOR'	AMERICAN BLM	

Additional Landscape Island Area

Install Landscaping in ROW

Recommended Conditions

Most conditions address specific code requirements, including -

- Dedication of right-of-way along Gales Creek Road
- Improvement of the street frontage including curbs, gutters and sidewalks
- Extension of City-standard storm and sanitary sewer lines to the west property line
- Ensuring the perimeter landscaped areas are at least 5 feet wide exclusive of curbing

Suggested conditions include -

- Reducing parking stall lengths to 16 ½ feet to the curb, and expanding the adjoining walkways and landscape areas
- Installing a landscape island at the building's southwest corner where the two pedestrian walkways converge

Other conditions to consider -

1. Reducing the length of the front car park stalls and the front walkway width, and locating the building closer to the street
2. Installing awnings over the faux windows; or
3. Installing a continuous awning over the south and west walkways.
4. Increasing the front façade window and door openings to equal or exceed 50% of the wall area between a height of 2 feet and 10 feet above grade



Appeal of Director's Interpretation Staff Report and Recommendation

Community Development Department, Planning Division

Report Date: June 12, 2017

Hearing Date: June 19, 2017

Land Use Request: Appeal of the Community Development Director's Interpretation of DC §10.12.210(L2)(o) *Rear Lot Line*

File Number: 311-17-000130-DWL

Property Location: 3402 Ivy Crest Court

Legal Description: Washington County Tax Lot 1N4 26CA 05300

Appellant: Appellants: Jason and Suzanne Jewett, 3403 Ivy Crest Court, Forest Grove, Oregon 97116

Property Owner: Property Owner: Maris Graube, 3270 Valley Crest Way, Forest Grove, Oregon 97116

Comprehensive Plan Map and Zoning Map Designations: Low Density Residential – Low (LDR-C)
R-10 Single-Family Residential

APPLICABLE STANDARDS AND CRITERIA: City of Forest Grove Development Code:

- ☐ §10.2.500 et. seq. *Director's Interpretation*
- ☐ §10.3.130(H) *Residential Zone Development Standards Table 3-7 Setback Standards*
- ☐ §10.12.210 *Meaning of Specific Words and Terms*

Reviewing Staff: Jon Holan, Community Development Director
James Reitz (AICP), Senior Planner

I. LAND USE HISTORY

The owner of 3402 Ivy Crest Court submitted a single-family home plan for review on February 27, 2017. Review of a single-family home building permit is a Type I process: *"An administrative decision ... that requires no interpretation or exercise of policy or legal judgment in evaluating approval criteria. Because the decision is made according to specific criteria where no discretion is involved, administrative decisions do not qualify as land use or limited land use decisions as defined by ORS 197.015."* (Development Code (DC) §10.1.400 *Definition*). As a Type I process, no notice is sent to the neighborhood. City staff completed the plan review on March 21, 2017, at which time the building permit was ready to be issued.

The owner's contractor then began preparing the site for construction. On April 13 the appellants sent an email to the Building Official, at which time the primary concern seemed to be the proximity of the new house to the appellant's fence, apparently based on a disagreement between the two parties as to the location of their common property line (staff understands there may be a separate legal action between the two parties; if so, that action has no bearing on the issues raised in this appeal). The new home's proximity to another property line (referred to as the "back fence" in the email) was also raised, as was the location of a proposed retaining wall.

On April 14 a second email was sent, this time to the Senior Planner. This email reiterated the house and fence proximity issue, and especially the potential damage to the fence that might occur as a result of the new construction. This email also mentioned a possible variance, and CCRs.

Staff responded on April 15 that setbacks are measured from property lines, not fences. The response included a general description of how setbacks are measured; that the City does not review or issue permits for fences; that property line location disputes are private matters; that the City does not enforce private Conditions, Covenants and Restrictions (CCR), and that no variances had been requested.

Late on April 15 the appellants responded. The response made no mention of the new home's proximity to the fence or common property line, CCRs or variances. Instead, the sole issue was the new home's proximity to an entirely different property line, and the appellants are questioning both the definition of Rear Lot Line and the application of that definition.

II. DIRECTOR'S INTERPRETATION

DC §10.2.500 *Director's Interpretation* notes that "It is expected that some terms or phrases within the Code may be ambiguous and may therefore have two or more reasonable meanings. Because it is not possible to identify or remove all ambiguities in the Code, the following process has been established for resolving these ambiguities. This process may be requested as a separate and individual action, or in advance of or concurrent with applying for a land use permit or other action."

On May 11, 2017, the Director made this determination:

Attached is the staff determination for the setbacks at 3402 Ivy Crest Court. After further review with the planner and reading the determination, the determination appears not to be an interpretation of the ordinance but applying the requirements of the Code. From our discussion, I realize you may disagree with that determination. As a result, this is being treated as a Director's Interpretation pursuant to Section 10.2.500 et. seq. Section 10.2.510 E allows the applicant and any party who received the notice of the interpretation to appeal the determination to the Planning Commission within 14 days after the determination was mailed. The filing fee is \$250. Since this notification is by email, the 14 days to submit an appeal would be from today's date. Further information on filing an appeal can be obtained from either James Reitz or me. James' contact information is as follows:

James Reitz:
Email: jreitz@forestgrove-or.gov
Phone: (503) 992-3233

The land use application form is on the City's website is the form to use for filing an appeal. The link to the appropriate page on the website is as follows:

<http://www.forestgrove-or.gov/planning/page/planning-application-information-forms>

It is identified as "Land Use" on the list of forms on that page.

Please do not hesitate to contact me if you have any further questions.

*Jon Holan
Community Development Director*

DC §10.2.510(E) *Appeal to Planning Commission* allows an applicant to appeal a Director's Interpretation, and the appellant has done so. DC §10.2.510(F) authorizes the Planning Commission to consider the appeal at a public hearing.

Notice of the appeal hearing was mailed to property owners and residents within 300 feet of the prospective site, and published in the *News Times* on May 31, 2017. As of the writing of this report, no additional comments have been received from the appellant, property owner or other party.

III. APPELLANT ARGUMENTS

The appellant has submitted the following for the Planning Commission's consideration:

Issue: Jason Jewett and Suzanne Jewett (the Jewetts), who reside at 3403 Ivy Crest Court, Forest Grove, Oregon, requested and received a Director's Interpretation of Forest Grove Development Code (DC) Section 10.12.210(L2)(o) which defines "Rear Lot Line" for purposes of setback requirements. (See Exhibit 1). The Interpretation was applied to a pending building permit for 3402 Ivy Crest Court, Forest Grove, Oregon, the adjacent property to the Jewetts. In 2010, when the Jewetts applied for and obtained a building permit (BLD-10-00294), DC Section 10.12.210(L2)(o) was applied differently to the Jewett's property.

Argument: The application of DC Section 10.12.210(L2)(o) to the Jewett property in 2010 establishes a precedent for future applications involving contiguous properties and the same extended lot line. Specifically, the pending building permit application at 3403 Ivy Crest and the Jewett's lot are virtually identically shaped and the establishment of the "Rear Lot Line" on the Jewett property in 2010 at 3402 Ivey Crest Court is the same lot line as extended on the adjacent property located at 3403 Ivy Crest Court.

Facts: In 2004, the owners prior to the Jewetts began the process to build a home on their lot in 3402 Ivy Crest Court. In 2005, a building permit was issued (BLD-04-00315) and construction began. The house, at that time, was well within the required setbacks for both side and rear lot lines. (See Exhibit 2). The lot located at 3403 Ivy Crest Court was vacant at that time. The 2005 site plan as approved by the City showed a 22 feet setback with the adjoining lot line between the now Jewett's lot and the lot located at 3403 Ivy Crest. The Jewetts purchased their property in 2006. In 2010, the Jewetts applied for and obtained a building permit from the City (BLD-10-00294) to add an addition to their residence on the side of their home adjacent to the lot located at 3403 Ivy Crest. That lot was still vacant. As part of that approval process, the City required that the additional building footprint maintain a 7.5 feet setback at the side lot line and a

15 feet setback to the rear lot line. (See Exhibit 3). It had been the Jewett's intention to build a larger addition that would have encroached on and been within that 15 feet setback to what the City then determined was the rear lot line. The City imposed interpretation of rear lot line in 2010 established that the southwest lot line, at least closest to the side lot line adjacent to 3403 Ivy Crest was considered a rear lot line and required that 15 feet setback. The Jewetts complied, downsized their addition, and the addition was built.

The lot at 3402 Ivy Crest remained vacant with no building activity until 2017. At that time, the owner of 3402 Ivy Crest, Mr. Graube, obtained a building permit which approved a site plan (See Exhibit 4) establishing and interpreting DC §10.12.210(L2)(o) to mean that the rear lot line was not the actual (southeasterly) lot line but was instead established by creating a new line drawn parallel to and directly across from a line drawn at the midpoint of the front yard. The Jewett's lot and Mr. Graube's lot have virtually identical shapes, both being five-side lots. Essentially, the current City interpretation of §10.12.210(L2)(o) allows Mr. Graube to build substantially closer to the southeasterly lot line than did the same interpretation as applied to the Jewett lot, which is the Jewett's southwesterly lot line. This now creates a situation where the approved building on the Graube lot extends virtually the entire length of the lot line adjacent to the Jewetts.

Code Provisions: This Appeal is from a Director's Interpretation pursuant to Section 10.2.500. Although the Jewett's received an email that the Director indicated was a Director's Interpretation pursuant to Section 10.2.500, the Jewetts are not contesting the procedure used although the Code does require that the determination is specifically labeled as such and is mailed to the party requesting the interpretation. The Code further provides that the applicant and any party who received notice of the interpretation or a determination not to make an interpretation may appeal to the Planning Commission within fourteen (14) days after the determination was mailed to the applicant. The appeal may be initiated by filing a notice of appeal with the Director. This Appeal is timely filed.

Section 10.12.210(L2)(o) defines "Rear Lot Line" as the recorded lot line or lines most distant from and generally opposite the front lot line, except that in the case of an interior triangular lot or lot with more than four (4) sides, it shall mean a straight line ten (10) feet in length which is parallel to the front line or its chord and intersects the other lot lines at points most distant from the lot line.

Section 10.1.120 defines how the Code is to be interpreted. It states, "INTERPRETATION

A. Except as otherwise specified, the definitions include in Article 12 shall be used to interpret the provisions of this Code.

B. The Director shall have the authority and responsibility to interpret terms, provisions and requirements of the Code. A person requesting an interpretation shall submit it in writing to the Director as described in Section 10.2.500.

C. The terms of this Code shall be interpreted in the context of the general purpose set forth in Section 10.1.105.

D. Where two or more requirements of this Code apply, the most restrictive requirement shall govern."

Section 10.1.105 defines the general purpose of the Code and states in relevant Subsections, "C. Facilitate prompt review of development proposal and the application of clear and specific standards. D. Provide for public information, review, and comment on development proposals that may have a significant impact on the community."

IV. ANALYSIS AND FINDINGS

The essential question for the Commission to consider is whether the site plan for 3402 Ivy Crest Court complies with the setbacks as defined by DC §10.12.210(L2), and more particularly with subsection (L2)(o).

Finding: Review of a single-family home building permit is a Type I process. It is “*An administrative decision (that) requires no interpretation or exercise of policy or legal judgment in evaluating approval criteria. Because the decision is made according to specific criteria where no discretion is involved, administrative decisions do not qualify as land use or limited land use decisions as defined by ORS 197.015.*”

Finding: The lot at 3402 Ivy Crest Court is an Interior Lot, which DC §10.12.210(L2)(e) defines as “*A lot other than a corner lot and having frontage on only one street.*” The lot at 3402 Ivy Crest Court complies with this definition because it has frontage only onto Ivy Crest Court.

Finding: The Development Code Definition of Rear Lot Line is “*The recorded lot line or lines most distant from and generally opposite the front lot line, except that in the case of an interior triangular lot or (a) lot with more than four (4) sides, it shall mean a straight line ten (10) feet in length which is parallel to the front line or its chord and intersects the other lot lines at points most distant from the lot line.*” The Development Code does not define Chord, but a commonly accepted definition is “*A line segment that joins two points on the circumference of a circle*”. Graphic depictions of a Rear Lot Line on irregularly-shaped lots are included in the DC §10.12.210(L2) Figure 12-4 Lot Related Definitions and Figure 12-6 Yard Definitions.

Finding: The lot at 3402 Ivy Crest Court is an Interior Lot with more than four sides. Applying the Rear Lot Line definition above, the chord would connect the east and west property corners abutting the Ivy Crest Court right-of-way. A straight line parallel to the chord located at a point most distant from the chord would be located at the southern extremity of the lot, thus establishing the rear yard. The submitted site plan indicates that the new home proposed for 3402 Ivy Crest Court would be setback from the southern extremity of the lot by at least the minimum distance required for a rear yard setback.

Finding: The Development Code Definition of Front Lot Line is “*In the case of an interior lot, a property line which abuts a street . . .*” The lot at 3402 Ivy Crest Court is an Interior Lot as defined by DC §10.12.201(L2)(f). Therefore, the front lot line of 3402 Ivy Crest Court is the property line abutting the Ivy Crest Court right-of-way.

Finding: The Development Code Definition of Side Lot Line is “*Any lot boundary not a front or rear lot line.*” With the front lot line abutting the Ivy Crest Court right-of-way, and the rear lot line established as a line parallel and most distant from the front line or its chord, any remaining lot boundary is therefore a Side Lot Line. The minimum setback from a Side Lot Line is five feet. The site plan submitted for the proposed house at 3402 Ivy Crest Court complies with the minimum side lot line setback requirement of five feet.

Finding: The appellants’ home at 3403 Ivy Crest Court was completed in 2005. The site plan indicates that the home was constructed in compliance with the setback requirements of Zoning Ordinance (ZO) §9.624 and the lot line definitions of ZO §9.603

that were in effect at the time the home was constructed. The building permit does not list any conditions of approval pertaining to setbacks.

Finding: The Development Code was adopted in 2009. DC §10.2.500 provides a process for a *Director's Interpretation* of terms, phrases and ambiguities. No such request was filed prior to the 2010 submittal of the site plan for the addition to 3403 Ivy Crest Court, and no official interpretation of what constitutes the rear lot line of this parcel was made.

Finding: An addition to the appellants' home was permitted in 2010. The site plan indicates that the addition was constructed in compliance DC §10.12.210(L2) Lot-Related Definitions and the setback requirements of §10.3.130 Table 3-7 Setback Requirements. The building permit does not list any conditions of approval pertaining to setbacks, nor does the file contain any record of an interpretation or exercise of policy or legal judgment that might have been applied during the site review of the proposed addition to the house at 3403 Ivy Crest Court.

V. CONCLUSION AND RECOMMENDATION

Approval of the site plan for the proposed house at 3402 Ivy Crest Court was based on clear and objective Development Code standards and definitions. As noted in the Director's Interpretation, staff believes that *"the determination appears not to be an interpretation of the ordinance but applying the requirements of the Code."* Further, there is no evidence or argument submitted to indicate that staff incorrectly applied the setback measurement for the proposed house at 3402 Ivy Crest Court.

Staff concludes that no interpretation or exercise of policy or legal judgment was applied during the site review of the proposed house at 3402 Ivy Crest Court, and that the proposed site plan complies with the definitions of DC §10.12.210(L2) *Lot-Related Definitions*. Staff recommends that the Planning Commission sustain the Director's Interpretation.

If the Commission concurs with the Appellant's argument, the solution would be to require the applicant submit a revised site plan to provide a larger setback between the home and the east property line.

VI. LIST OF ATTACHMENTS

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

- Attachment 1** Appellant's Material (including May 11 staff memo and Director's Interpretation)
- Attachment 2** Appellant's Email of April 13-15, 2017
- Attachment 3** Building Permits for 3403 Ivy Crest Court (original home and 2010 addition)
- Attachment 4** Site Plan for 3402 Ivy Crest Court
- Attachment 5** Whipple & Duyck Letter (in support of Director's Interpretation)

ATTACHMENT A

Appellant's Statement
and Supplemental Material
(including May 11, 2017 staff memo and
Director's Interpretation)

APPELLANT'S STATEMENT

Issue: Jason Jewett and Suzanne Jewett (the Jewetts), who reside at 3403 Ivy Crest Court, Forest Grove, Oregon, requested and received a Director's Interpretation of Forest Grove Development Code (DC) Section 10.12.210(L2)(o) which defines "Rear Lot Line" for purposes of setback requirements. (See Exhibit 1). The Interpretation was applied to a pending building permit for 3402 Ivy Crest Court, Forest Grove, Oregon, the adjacent property to the Jewetts. In 2010, when the Jewetts applied for and obtained a building permit (BLD-10-00294), DC Section 10.12.210(L2)(o) was applied differently to the Jewett's property.

Argument: The application of DC Section 10.12.210(L2)(o) to the Jewett property in 2010 establishes a precedent for future applications involving contiguous properties and the same extended lot line. Specifically, the pending building permit at 3403 Ivy Crest and the Jewett's lot are virtually identically shaped and the establishment of the "Rear Lot Line" on the Jewett property in 2010 at 3402 Ivy Crest Court is the same lot line as extended on the adjacent property located 3403 Ivy Crest Court.

Facts: In 2004, the owners prior to the Jewetts began the process to build a home on their lot at 3402 Ivy Crest Court. In 2005, a building permit was issued (BLD 04-00315) and construction began. The house, at that time, was well within the required setbacks for both side and rear lot lines. (See Exhibit 2). The lot located at 3403 Ivy Crest Court was vacant at that time. The 2005 site plan as approved by the City showed a 22 feet setback with the adjoining lot line between the now Jewett's lot and the lot located at 3403 Ivy Crest. The Jewetts purchased their property in 2006. In 2010, the Jewetts applied for and obtained a building permit from the City (BLD-10-00294) to add an addition to their residence on the side of their home adjacent to the lot located at 3403 Ivy Crest. That lot was still vacant. As part of that approval process, the City required that the additional building footprint maintain a 7.5 feet setback at the side lot line and a 15 feet setback to the rear lot line. (See Exhibit 3). It had been the Jewett's intention to build a larger addition that would have encroached on and been within that 15 feet setback to what the City then determined was the rear lot line. The City imposed interpretation of rear lot line in 2010 established that the southwest lot line, at least closest to the side lot line adjacent to 3403 Ivy Crest was considered a rear lot line and required that 15 feet setback. The Jewetts complied, downsized their addition, and the addition was built.

The lot at 3402 Ivy Crest remained vacant with no building activity until 2017. At that time, the owner of 3402 Ivy Crest, Mr. Graube, obtained a Building Permit which approved a site plan (See Exhibit 4) establishing and interpreting DC §10.12.210(L2)(o) to mean that the rear lot line was not the actual (southeasterly) lot line but was instead established by creating a new line drawn parallel to and directly across from a line drawn at the midpoint of the front yard. The Jewett's lot and Mr. Graube's lot have virtually identical shapes, both being five-sided lots. Essentially, the current City interpretation of DC §10.12.210(L2)(o) allows Mr. Graube to build substantially closer to the southeasterly lot line than did the same interpretation as applied to the Jewett lot, which is the Jewett's southwesterly lot line. This now creates a situation where the approved building on the Graube lot extends virtually the entire length of the lot line adjacent to the Jewetts.

Code Provisions: This Appeal is from a Director's Interpretation pursuant to Section 10.2.500. Although the Jewett's received an email that the Director indicated was a Director's Interpretation pursuant to Section 10.2.500, the Jewetts are not contesting the procedure used although the Code does require that the determination is specifically labeled as such and is mailed to the party requesting the interpretation. The Code further provides that the applicant and any party who received notice of the interpretation or a determination not to make an interpretation may appeal to the Planning Commission within fourteen (14) days after the determination was mailed to the applicant. The appeal may be initiated by filing a notice of appeal with the Director. This Appeal is timely filed.

Section 10.12.210(L2)(o) defines "Rear Lot Line" as the recorded lot line or lines most distant from and generally opposite the front lot line, except that in the case of an interior triangular lot or lot with more than four (4) sides, it shall mean a straight line ten (10) feet in length which is parallel to the front lot line or its chord and intersects the other lot lines at points most distant from the lot line.

Section 10.1.120 defines how the Code is to be interpreted. It states, "INTERPRETATION A. Except as otherwise specified, the definitions included in Article 12 shall be used to interpret the provisions of this Code. B. The Director shall have the authority and responsibility to interpret terms, provisions and requirements of this Code. A person requesting an interpretation shall submit it in writing to the Director as described in Section 10.2.500. C. The terms of this Code shall be interpreted in the context of the general purpose set forth in Section 10.1.105. D. Where two or more requirements of this Code apply, the most restrictive requirement shall govern."

Section 10.1.105 defines the general purpose of the Code and states in relevant Subsections, "C. Facilitate prompt review of development proposals and the application of clear and specific standards. D. Provide for public information, review, and comment on development proposals that may have a significant impact on the community."

From: Jon Holan [mailto:JHolan@forestgrove-or.gov]
Sent: Thursday, May 11, 2017 11:56 AM
To: 'jasonajewett@gmail.com' <jasonajewett@gmail.com>; Jewett, Suzi <suzi.jewett@intel.com>
Cc: 'maris.graube@relcominc.com' <maris.graube@relcominc.com>; James Reitz <jreitz@forestgrove-or.gov>
Subject: Determination on Setbacks for 3402 Ivy Crest Court

Mr. Jewett,

Attached is the staff determination for the setbacks at 3402 Ivy Crest Court. After further review with the planner and reading the determination, the determination appears not to be an interpretation of the ordinance but applying the requirements of the Code. From our discussion, I realize you may disagree with that determination. As a result, this is being treated as a Director's Interpretation pursuant to Section 10.2.500 et. seq.. Section 10.2.510 E allows the applicant and any party who received the notice of the interpretation to appeal the determination to the Planning Commission within 14 days after the determination was mailed. The filing fee is \$250. Since this notification is by email, the 14 days to submit an appeal would be from today's date. Further information on filing an appeal can be obtained from either James Reitz or me. James' contact information is as follows:

James Reitz:
Email: jreitz@forestgrove-or.gov
Phone: (503) 992-3233

The land use application form is on the City's website is the form to use for filing an appeal. The link to the appropriate page on the website is as follows:

<http://www.forestgrove-or.gov/planning/page/planning-application-information-forms>

It is identified as "Land Use" on the list of forms on that page.

Please do not hesitate to contact me if you have any further questions.

Jon Holan
Community Development Director
P.O. Box 326
1924 Council Street

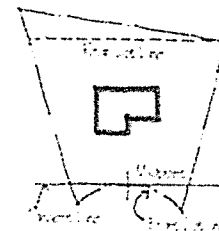
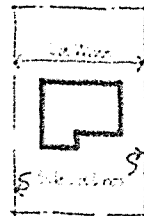
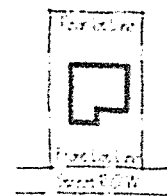
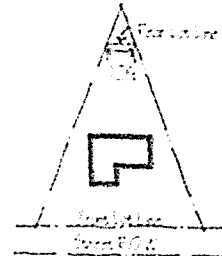
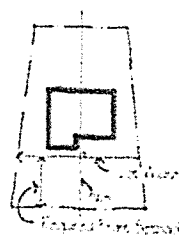
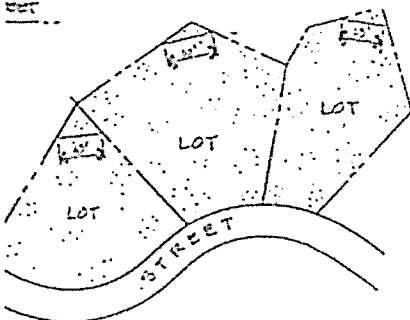
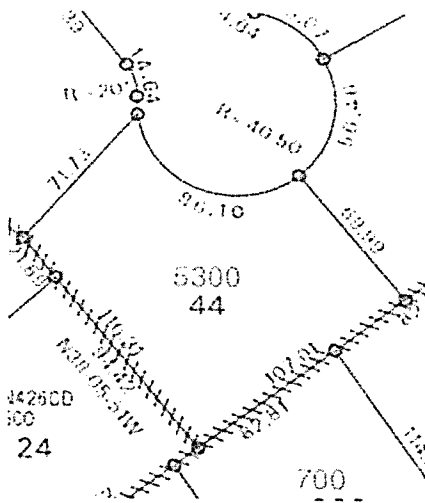
Phone: (503) 992-3224
Fax: (503) 992-3202
E-mail: jholan@forestgrove-or.gov

To: Jon
 From: James
 Re: 3402 Ivy Crest Court - Setbacks
 Date: May 11, 2017

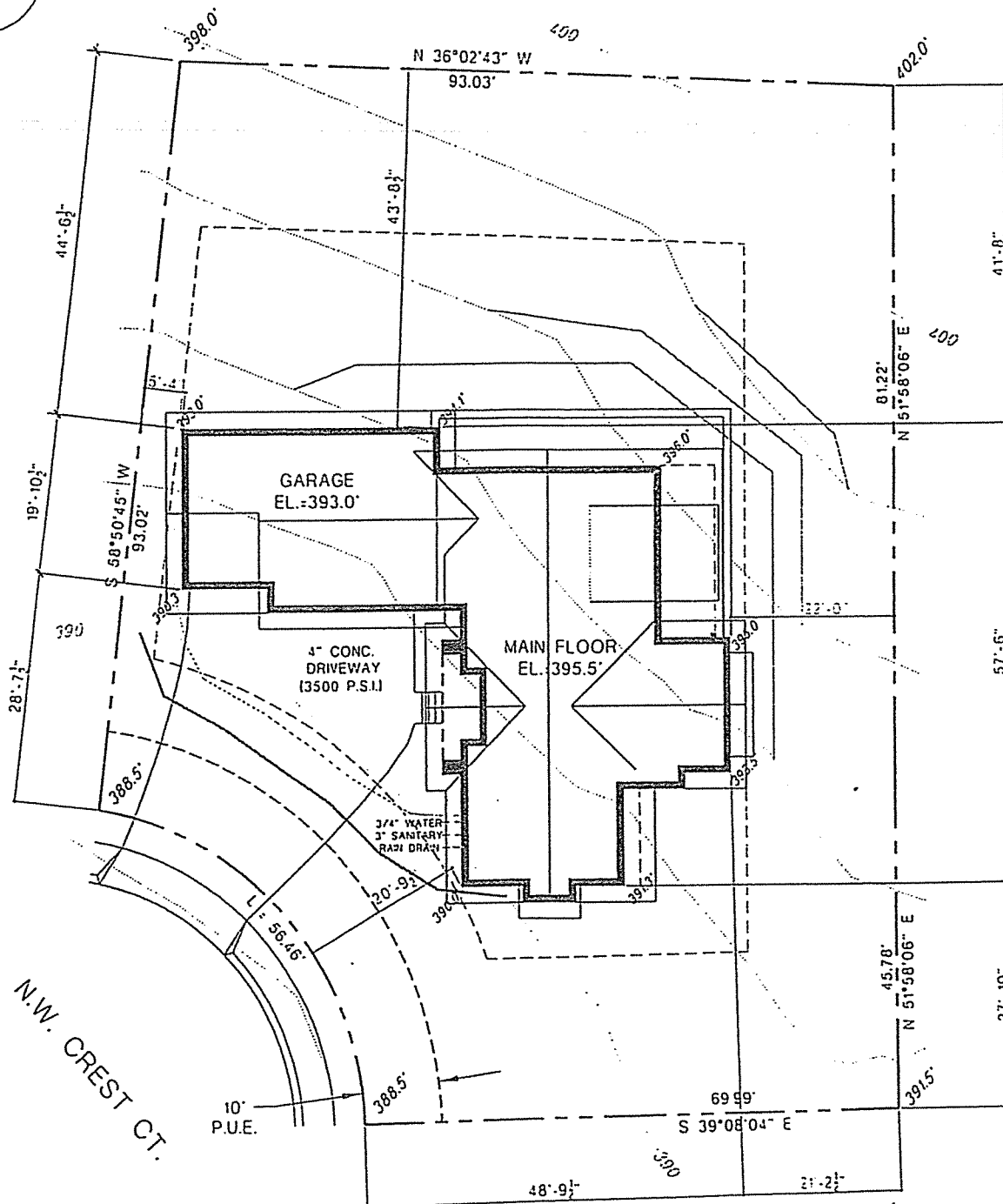
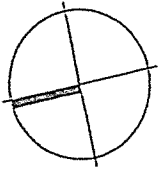
Memorandum

Development Code (DC) §10.12.210(L2)(o) defines Rear Lot Line as "The recorded lot line or lines most distant from and generally opposite the front lot line, except that in the case of an interior triangular lot or (a) lot with more than four (4) sides, it shall mean a straight line ten (10) feet in length which is parallel to the front line or its chord and intersects the other lot lines at points most distant from the lot line."

Tax Lot 5300 (below left) is 3402 Ivy Crest Court. Because the lot has more than four sides, the rear lot line was established as defined above, and as graphically depicted in DC §10.12.210(L2) Figure 12-4 *Lot Related Definitions* (below right). A 10-foot long segment was measured across Tax Lot 5300 as shown in the top right example, and the 15-foot rear yard setback was measured from there. In other words, this 10-foot segment is the rear yard based on the Development Code definitions. DC Figure 12-6 *Yard Definitions* (bottom left) provides another example. With the front and rear lot lines established thusly, the other yards would be considered side yards.



Revised Site Plan



OK
✓
1/27/05

SCALE 1" = 20' - 0"

Mascord
COLLECTION

ALAN MASCO DESIGN ASSOCIATES, INC. IS NOT
 LIABLE FOR THE ACCURACY OF THE TOPOGRAPHY
 INFORMATION IT IS THE SOLE RESPONSIBILITY OF THE
 BUILDER TO VERIFY ALL SITE CONDITIONS, INCLUDING
 ANY FILL PLACED ON THE SITE AND NOTIFY THE
 OWNERS OF ANY POTENTIAL FIELD MODIFICATIONS

ALAN MASCORD DESIGN ASSOCIATES, INC.
1505 NW 15TH AVE. PORTLAND OR 97209
503/233-8181 FAX 503/233-2923 504/776-0000 MASCORD.COM

CITY OF FOREST GROVE
SUMMIT POINTE
LOT 43

(11,982 SQ. FT.)

22119

BY GREEN CIRCLE CONST.



CITY OF FOREST GROVE
 1924 Council Street
 PO Box 326
 Forest Grove, OR 97116
 503-992-3229

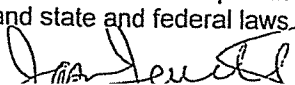
Permit No.: BLD-10-00294

For Inspections Call the 24 Hour Inspection Line
 Building (503-992-3206) Engineering (503-992-3228)

Permit Type: Single Family Addition

Site Address:	3403 IVY CRST FOREST GROVE OR 97116	OccCode R-3	Construction Type VB	SqFt 725
Owner: Address:	JEWETT, JASON A & SUZANNE E 3403 IVY CREST CT FOREST GROVE OR 97116	Phone: Fax:		
Contractor: Address:		Phone: Fax: Business Lic#:		
Contact:		Phone:		
Description:	Addition of playroom, bedroom & bath.			
SUPPLEMENTAL INFORMATION:				
BUILDING VALUATION	71013.75			
REQRD SETBACK REAR	15			
REQRD SETBACK SIDE1	7.5			
BLDG PLAN REVIEW?	Y			
FEES:				
Building Plan Review Fee	477.26	Res.Site Review Adds/Accessry	63.00	
Erosion Control Inspection-New	100.00	Building Permit Fee	734.25	
State Surcharge	88.11	S D Tax -Residential	725.00	
TOTAL FEES: 2,187.62				

I hereby acknowledge that I have read this permit and state that the above information is correct, and agree to comply with all conditions, ordinances and state and federal laws regulating activities covered by this permit.

Applicant Signature: 

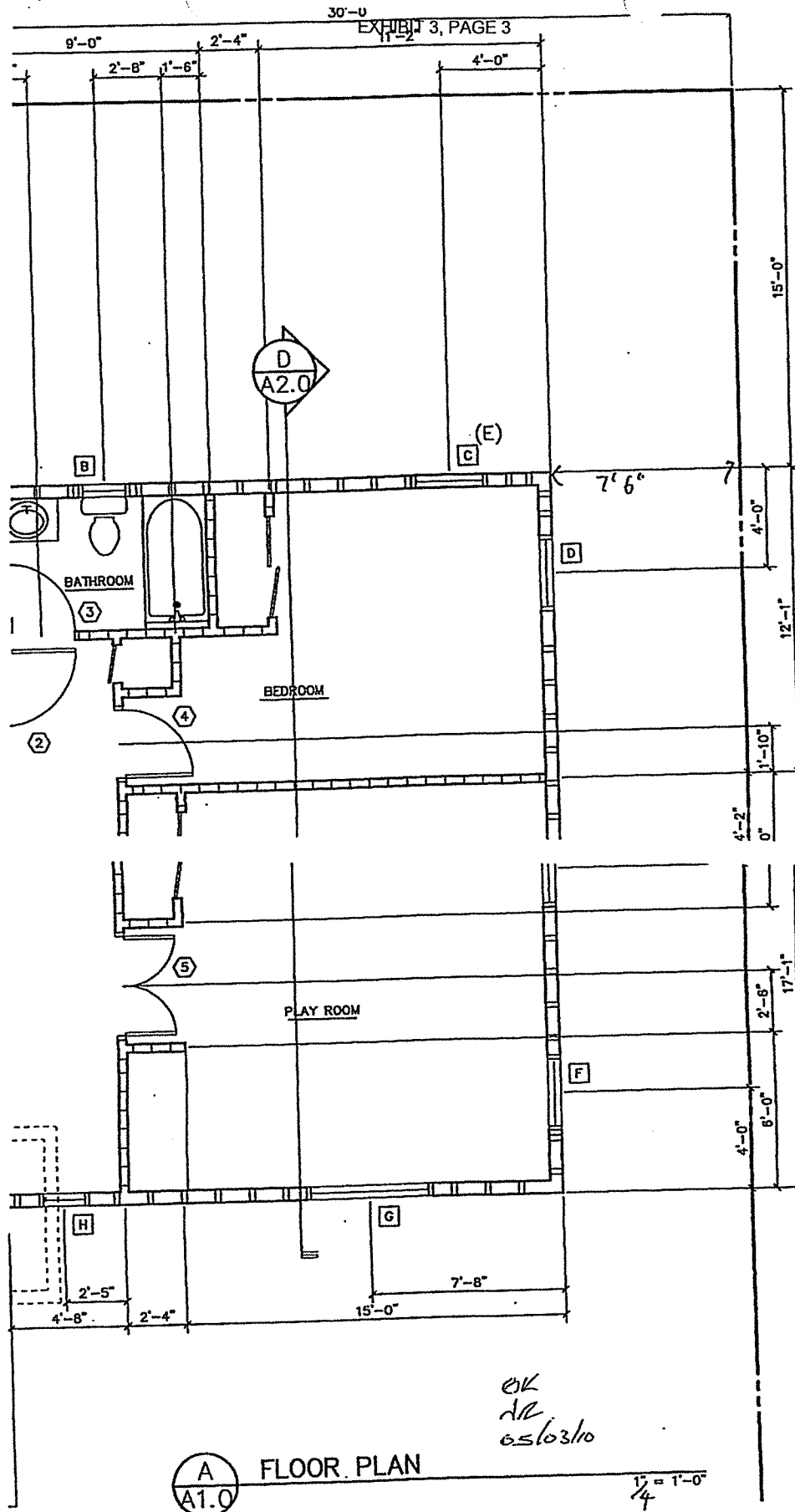
Permit No.: BLD-10-00294

CONDITIONS

INSTALL CONSTRUCTION ACCESS - 8" MINIMUM DEPTH BASE ROCK PAD, 20' MINIMUM LENGTH AND WIDTH.
DO NOT TRACK MUD ONTO STREETS.

INSTALL EROSION CONTROL FENCING AS REQUIRED PER CLEAN WATER SERVICES STANDARD SPECIFICATIONS. WHEN
THE EROSION CONTROL MEASURES ARE IN PLACE, PLEASE CALL 503-992-3228 FOR AN INSPECTION.

PIPE ALL ROOF WATER THROUGH 3" MINIMUM DIAMETER PIPE PER UNIFORM PLUMBING CODE AND THROUGH CURB
WEEP HOLES TO STREET PER CITY STANDARD SPECIFICATIONS.



WALL CONSTRUCTION NOTES:

- ① EXTERIOR WALL: SIDING AS CHOSEN BY THE OWNER OVER 15lb BUILDING PAPER OR "TYVEK" OVER (1) - LAYER OF EXTERIOR GRADE SHEATHING ON EXTERIOR SIDE OF WALL, OVER 2 X 6 WOOD STUDS AT 16" O.C. TO B.O. OF STRUCTURE ABOVE, PROVIDE (1) LAYER OF 1/2" GYP. BOARD AT INTERIOR SIDE OF WALL, INSTALL WALL R-21 INSULATION IN STUD CAVITIES.

Ridge Engineering LLC

15475 NW Pumpkin Ridge Rd, North Plalms, OR 97133
P: 503.702.9169 E: ridgeengineering@coho.net
F: 503.647.3152



Jewett Residence

ADDITION

IVY CREST COURT
FOREST GROVE, OR 97116

PARTIAL FLOOR PLAN



REVISIONS

DATE

NO.

Craube Residence

City of Forest Grove

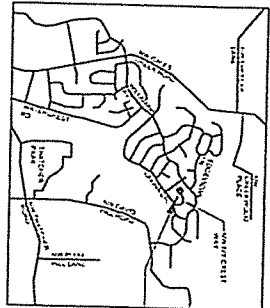
Applicant / Owner
Craube Development, LLC
11111 N. 11th St.
Portland, OR 97228
Phone: 503.251.1111

Project Address
3402 Ivy Crest Way
Forest Grove, OR 97116

Legal Description
T1N 11R 16E S34
T1N 11R 16E S34

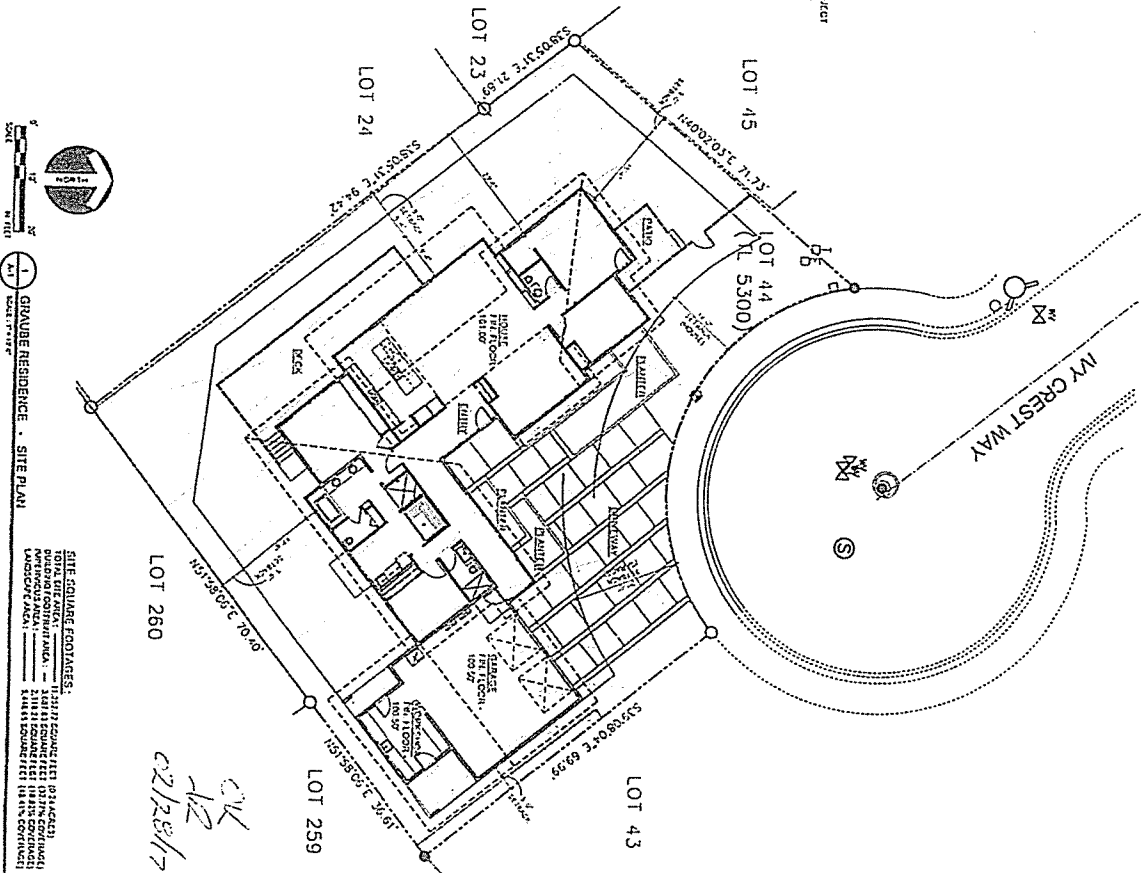
Sheet Index

- 1. SITE PLAN
- 2. FLOOR PLAN
- 3. ELEVATION
- 4. SECTION
- 5. DETAIL
- 6. FINISH
- 7. SCHEDULE
- 8. SPECIFICATION
- 9. GENERAL NOTES
- 10. LEGAL DESCRIPTION
- 11. ADJACENT PROPERTIES
- 12. ZONING
- 13. UTILITIES
- 14. TRAFFIC
- 15. ENVIRONMENT
- 16. HISTORIC
- 17. ARCHITECTURAL
- 18. STRUCTURAL
- 19. MECHANICAL
- 20. ELECTRICAL
- 21. PLUMBING
- 22. HEATING
- 23. COOLING
- 24. LIGHTING
- 25. SOUND
- 26. VIBRATION
- 27. AIR QUALITY
- 28. WATER QUALITY
- 29. SOIL
- 30. GEOTECHNICAL
- 31. SEISMIC
- 32. FLOODING
- 33. WIND
- 34. FIRE
- 35. SAFETY
- 36. SECURITY
- 37. ACCESSIBILITY
- 38. ENERGY
- 39. SUSTAINABILITY
- 40. LANDSCAPE
- 41. IRRIGATION
- 42. PEST
- 43. WEATHER
- 44. CLIMATE
- 45. VEGETATION
- 46. ANIMALS
- 47. PLANTS
- 48. TREES
- 49. SHRUBS
- 50. FLOWERS
- 51. FRUIT
- 52. SEEDS
- 53. SPORES
- 54. BACTERIA
- 55. FUNGI
- 56. VIRUSES
- 57. PARASITES
- 58. DISEASES
- 59. INJURIES
- 60. DEATHS
- 61. BURIALS
- 62. CREMATIONS
- 63. TRANSPLANTS
- 64. GRAFTS
- 65. CLONING
- 66. GENETICS
- 67. EVOLUTION
- 68. SPECIES
- 69. ECOSYSTEMS
- 70. BIOMES
- 71. CLIMATES
- 72. WEATHERS
- 73. SEASONS
- 74. MONTHS
- 75. DAYS
- 76. HOURS
- 77. MINUTES
- 78. SECONDS
- 79. MILLISECONDS
- 80. MICROSECONDS
- 81. NANoseconds
- 82. PICOseconds
- 83. FEMTOseconds
- 84. ATTOseconds
- 85. ZEPTOseconds
- 86. YOTTOseconds
- 87. RONAseconds
- 88. MOseconds
- 89. MIRAseconds
- 90. MINAseconds
- 91. MICROseconds
- 92. NANOseconds
- 93. PICOseconds
- 94. FEMTOseconds
- 95. ATTOseconds
- 96. ZEPTOseconds
- 97. YOTTOseconds
- 98. RONAseconds
- 99. MOseconds
- 100. MIRAseconds



General Notes:

1. THE PROJECT IS A RESIDENTIAL DEVELOPMENT OF 10 UNITS, 5 OF WHICH ARE SINGLE-FAMILY HOMES AND 5 ARE TOWNHOMES.
2. THE PROJECT IS SITUATED ON A 10-ACRE TRACT, 100' WIDE BY 1,000' DEEP.
3. THE PROJECT IS ZONED R-10, SINGLE-FAMILY RESIDENTIAL.
4. THE PROJECT IS DESIGNED TO BE A LOW-IMPACT DEVELOPMENT, WITH A MAXIMUM BUILDING FOOTPRINT OF 10,000 SQ. FT.
5. THE PROJECT IS DESIGNED TO BE A GREEN BUILDING, WITH A LEED CERTIFICATION OF 4.0.
6. THE PROJECT IS DESIGNED TO BE A SUSTAINABLE BUILDING, WITH A CARBON FOOTPRINT OF 100 TONS PER YEAR.
7. THE PROJECT IS DESIGNED TO BE A HEALTHY BUILDING, WITH A WELL-AIRED INTERIOR.
8. THE PROJECT IS DESIGNED TO BE A SAFE BUILDING, WITH A SEISMIC RESISTANCE OF 0.25 G.
9. THE PROJECT IS DESIGNED TO BE A SOUND BUILDING, WITH A SOUND TRANSMISSION COEFFICIENT OF 0.5.
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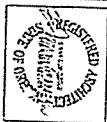
Building Permit Submittal - January 26, 2017

A-1

Site Plan and General Notes

GRAUBE RESIDENCE
3402 IVY CREST WAY
FOREST GROVE, OR 97116

247 LOT 5332 SECTION 2024
T1N, 11R, 16E



Shirley Cummings
Architectural Engineer, LLC
11111 N. 11th St.
Portland, OR 97228
Phone: 503.251.1111

Horizon Building
Design, LLC
11111 N. 11th St.
Portland, OR 97228
Phone: 503.251.1111

ATTACHMENT B

Appellant's Email of April 13-15, 2017

James Reitz

From: Jason_Jewett@cabotcmp.com
Sent: Wednesday, April 19, 2017 4:58 PM
To: James Reitz
Cc: Rich Mead
Subject: Re: 3402 Ivy Crest Court....

James ,

Please give me a call

We have a big discrepancy with the lot next door and the setbacks for the back fence. In 2009 I was told I had to have a much larger setback for any structure added in to my house and the current rules state a setback for rest of a house to be much greater than 5 ft despite being a 1 story. I am writing in the behalf of DAVE Parker as well. He is considering being included on the civil claim which will have forest grove planning included on some fashion. Please call me.

On Apr 14, 2017, at 12:59 PM, James Reitz <jreitz@forestgrove-or.gov> wrote:

Jason, you're welcome to come in and review the file. It is all public record.

Some background might help though. Setbacks are measured from property lines, not fences. The distance required is measured from the property line to the foundation. For a one-story home with an eave height of 15 feet or less, a 5-foot setback is the minimum required.

The City does not require permits for and does not inspect fences. If a fence is installed over a property line, that is strictly a private matter.

If there is a dispute as to the location of the property line, that too is a private matter. It should be pretty simple to find the property corner monuments to determine the location of the line. If they cannot be readily located, a surveyor can certainly do so.

CCRs are private; the City does not review homes for compliance with or enforce CCRs.

As for a variance: no one has contacted us about a variance for anything, and I won't speculate as to whether one would be granted. By their nature each such request is unique and the planning commission considers each one on their merits.

I'll be heading out for lunch in a bit, but I should be around later in the afternoon.

James

From: Jason_Jewett@cabotcmp.com [mailto:Jason_Jewett@cabotcmp.com]
Sent: Friday, April 14, 2017 8:52 AM
To: Rich Mead
Cc: James Reitz
Subject: RE: 3402 Ivy Crest Court....

Thank you Rich.

James - I do have some concerns, and hope that you can help here.

I was caught off guard when the builder told me his plan was to get a variance, which then opens up the fact that he did know I was in process of legal issues with Maris and I did send him an email earlier which he denied.

Bottom line - this is a complicated story, and the fact is - there is NO reason why a house should be allowed to be placed 3 ft from my fence, when in fact it is commonly known a dispute is in action - and for the summit pointe community - the actual CCR's stated a review should be done to go over his house plans, the fit to the community and to preserve the homes values around the area.

Can we meet today this afternoon to review the property and situation. In person and in the field explains more than a plot being sent to your cube.
My concern is for fence damage currently as I sit in my office.

J

Jason A. Jewett
Global Business Director, Pads
Cell: 503-481-3111

Cabot Microelectronics Corporation
7175 NW Evergreen Pkwy # 200
Hillsboro, OR 97124
<image001.gif>

From: Rich Mead <rmead@forestgrove-or.gov>
To: ""Jason_Jewett@cabotcmp.com"" <Jason_Jewett@cabotcmp.com>,
Cc: James Reitz <jreitz@forestgrove-or.gov>
Date: 04/14/2017 08:16 AM
Subject: RE: 3402 Ivy Crest Court....

Jason I'm forwarding this to James Reitz he is the setback guy I appreciate your concerns but this sounds more like a planning question. Hope everything is going good for you otherwise.

Richard Mead
Building Official
City of Forest Grove

Phone: (503)992-3155
Fax: (503)992-3202
E-mail: rmead@forestgrove-or.gov

From: Jason_Jewett@cabotcmp.com [mailto:Jason_Jewett@cabotcmp.com]
Sent: Thursday, April 13, 2017 10:24 PM
To: Rich Mead
Subject: 3402 Ivy Crest Court....

Rich,

Hi there! It's Jason. Can you please stop by tomorrow and look at the site next to me (3403 Ivy Crest).

I called the builder and he said that my fence was 2ft over and he was building and digging to 3 ft away

from fence. The reality is, I have legal papers in and the whole fence is not 2ft off (front is 6inches or so, back is ~ 2ft), but he is assuming it is entirely off. I asked him if he was notified and got my email stating this was not correct and that there was a quick claim being filed. He said he wasn't aware (but he was). After belittling me on the phone for 5 minutes, I asked him to call my lawyer. He said his plan was to file a variance on the property anyway. So.....despite knowing that it has been over 10 years and being ?? dispute, he said his plan was really to game the system. This is plain wrong, and what good are codes then?

He said he planned on doing 5 ft from the back fence as well? I thought it was a 10ft rule. I am writing to you because I really think this is not right, and honestly violates so many integrity principles. He also said he was digging 5ft down for a retaining wall.

Can you please help me out here.

I will contact my lawyer in the morning as well, but really...this guy is gaming everyone and I am really unhappy that this could be signed off? Summit pointe was supposed to be a community where we didnt have 10ft from house to house!!! Crap - property value just went down.

Jason

Jason A. Jewett
Global Business Director, Pads
Cell: 503-481-3111

Cabot Microelectronics Corporation
7175 NW Evergreen Pkwy # 200
Hillsboro, OR 97124
<image001.gif>

ATTACHMENT C

Building Permits

(with conditions)

For 3403 Ivy Crest Court

City of Forest Grove

For Inspections
Call the 24 Hour Inspection Line
(503-992-3206)

BUILDING PERMIT

PERMIT NO.: BLD04-00315
APPLIED: 12/28/2004
ISSUED: 3/2/2005
EXPIRES: 9/2/2005

SITE ADDRESS: 3403 IVY CREST CT

ASSESSOR'S PARCEL NO.: 1N426CA-05200

PROJECT DESCRIPTION: NEW SFR/LOT 43/SUMMIT POINTE/PLAN
22119

OWNER/APPLICANT	CONTRACTOR
WEISS, ED 18770 SW MARKO LANE BEAVERTON OR 97007	GREEN CIRCLE CONSTRUCTION 18770 SW MARKO LN BEAVERTON OR 97007 47637

TYPE OF WORK: **NEW**
TYPE OF USE: **SF**
CENSUS CATEGORY:
ZONING:

Occupancy Groups

1:	2:
3:	4:

Construction Types

1:	2:
3:	4:

AREA

LOT:	0sf
1ST FLR:	1,510sf
2ND FLR:	1,277sf
BASEMENT:	0sf
GAR/CARPORT:	728sf
OTHER:	0sf

NUMBER OF UNITS: 0
STORIES: 0
BUILDING HEIGHT: 0 ft

VALUE: \$275,209.20

REQUIRED SETBACKS:

FRONT:	20.75 ft
SIDE 1:	5 ft
SIDE 2:	28 ft
REAR:	22 ft

REQUIRED PARKING

TOTAL:	6
HANDICAPPED:	0
COMPACT:	0
IMPRV SURF:	0 sf

FEES			
Type	By	Date	Amount
PRMT	LVW	3/2/2005	\$1,821.25
SUCH	LVW	3/2/2005	\$145.70
PLAN	LVW	12/28/2004	\$1,183.81
SITE	LVW	12/28/2004	\$235.00
EXCA	LVW	3/2/2005	\$22.00
(additional fees not shown here)			Total: \$13,731.76

NOTES:

I hereby acknowledge that I have read this permit and state that the above information is correct, and agree to comply with all ordinances and state and federal laws regulating activities covered by this permit.

Issued by

Applicant or Owner's Signature

CONDITIONS OF APPROVAL:

- 1 INSTALL CONSTRUCTION ACCESS - 8" MINIMUM DEPTH BASE ROCK PAD, 20' MINIMUM LENGTH AND W DO NOT TRACK MUD ONTO STREETS

City of Forest Grove

For Inspections
Call the 24 Hour Inspection Line
(503-992-3206)

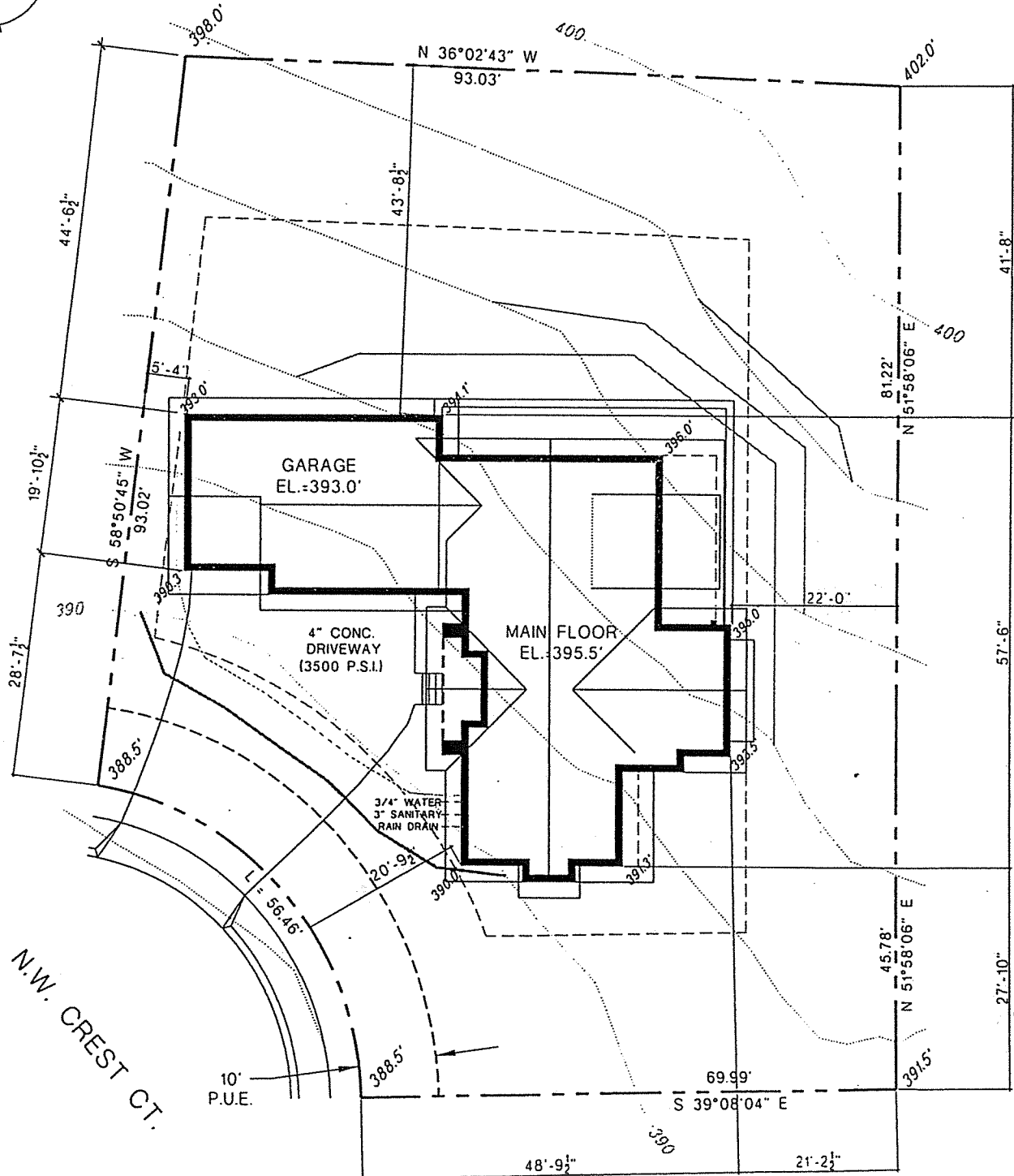
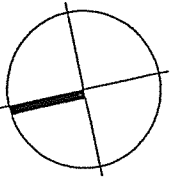
BUILDING PERMIT

PERMIT NO.: BLD04-00315
APPLIED: 12/28/2004
ISSUED: 3/2/2005
EXPIRES: 9/2/2005

- 2 INSTALL EROSION CONTROL FENCING AS REQUIRED PER CLEAN WATER SERVICES STANDARD SPECIFICATIONS.
- 3 PIPE ALL ROOF WATER THROUGH 3" MINIMUM DIAMETER PIPE PER UNIFORM PLUMBING CODE AND THROUGH CURB WEEP HOLES TO STREET PER CITY STANDARD SPECIFICATIONS.
- 4 INSTALL CONCRETE SIDEWALK AND DRIVE APPROACH PER CITY STANDARD SPECIFICATIONS.
- 5 THE STREET ADDRESS SHALL BE DISPLAYED IN A PROMINENT POSITION NEAR THE ENTRANCE TO THE BUILDING. NUMBERS SHALL BE AT LEAST 4 INCHES HIGH, OF A CONTRASTING COLOR AND VISIBLE FROM THE STREET. MUNICIPAL CODE SECTION 9.215
- 6 DRIVEWAY WIDTH NOT TO EXCEED 30 FEET AT SIDEWALK.
- 7 Note: General Contractor... See revised red-lined site plan dated 2/3/05 and attachments from the Light and Power Department; regarding electric service installation. Pass needed information on to electrical and other contractors.

24 Hour Notice Required For All Inspections

Revised Site Plan



OK
✓
1/27/05

SCALE : 1" = 20' - 0"

Mascord
COLLECTION

ALAN MASCORD DESIGN ASSOCIATES, INC. IS NOT
 LIABLE FOR THE ACCURACY OF THE TOPOGRAPHY
 INFORMATION. IT IS THE SOLE RESPONSIBILITY OF THE
 BUILDER TO VERIFY ALL SITE CONDITIONS, INCLUDING
 ANY FILL PLACED ON THE SITE AND NOTIFY THE
 OWNERS OF ANY POTENTIAL FIELD MODIFICATIONS.

ALAN MASCORD DESIGN ASSOCIATES, INC.
1303 NW 46TH AVE. PORTLAND OR 97208

CITY OF FOREST GROVE
SUMMIT POINTE
LOT 43

/ 11 022 50 57

22119

BY GREEN CIRCLE CONST.



CITY OF FOREST GROVE
1924 Council Street
PO Box 326
Forest Grove, OR 97116
503-992-3229

Permit No.: BLD-10-00294

For Inspections Call the 24 Hour Inspection Line
Building (503-992-3206) Engineering (503-992-3228)

Permit Type: **Single Family Addition**

Site Address:	3403 IVY CRST FOREST GROVE OR 97116	OccCode R-3	Construction Type VB	SqFt 725
Owner:	JEWETT, JASON A & SUZANNE E	Phone:		
Address:	3403 IVY CREST CT FOREST GROVE OR 97116	Fax:		
Contractor:		Phone:		
Address:		Fax:		
		Business Lic#:		
Contact:		Phone:		
Description:	Addition of playroom, bedroom & bath.			

SUPPLEMENTAL INFORMATION:

BUILDING VALUATION	71013.75
REQRD SETBACK REAR	15
REQRD SETBACK SIDE1	7.5
BLDG PLAN REVIEW?	Y

FEES:

Building Plan Review Fee	477.26	Res.Site Review Adds/Accessry	63.00
Erosion Control Inspection-New	100.00	Building Permit Fee	734.25
State Surcharge	88.11	S D Tax -Residential	725.00

TOTAL FEES: 2,187.62

I hereby acknowledge that I have read this permit and state that the above information is correct, and agree to comply with all conditions, ordinances and state and federal laws regulating activities covered by this permit.

Applicant Signature:

Date:

5/15/2010

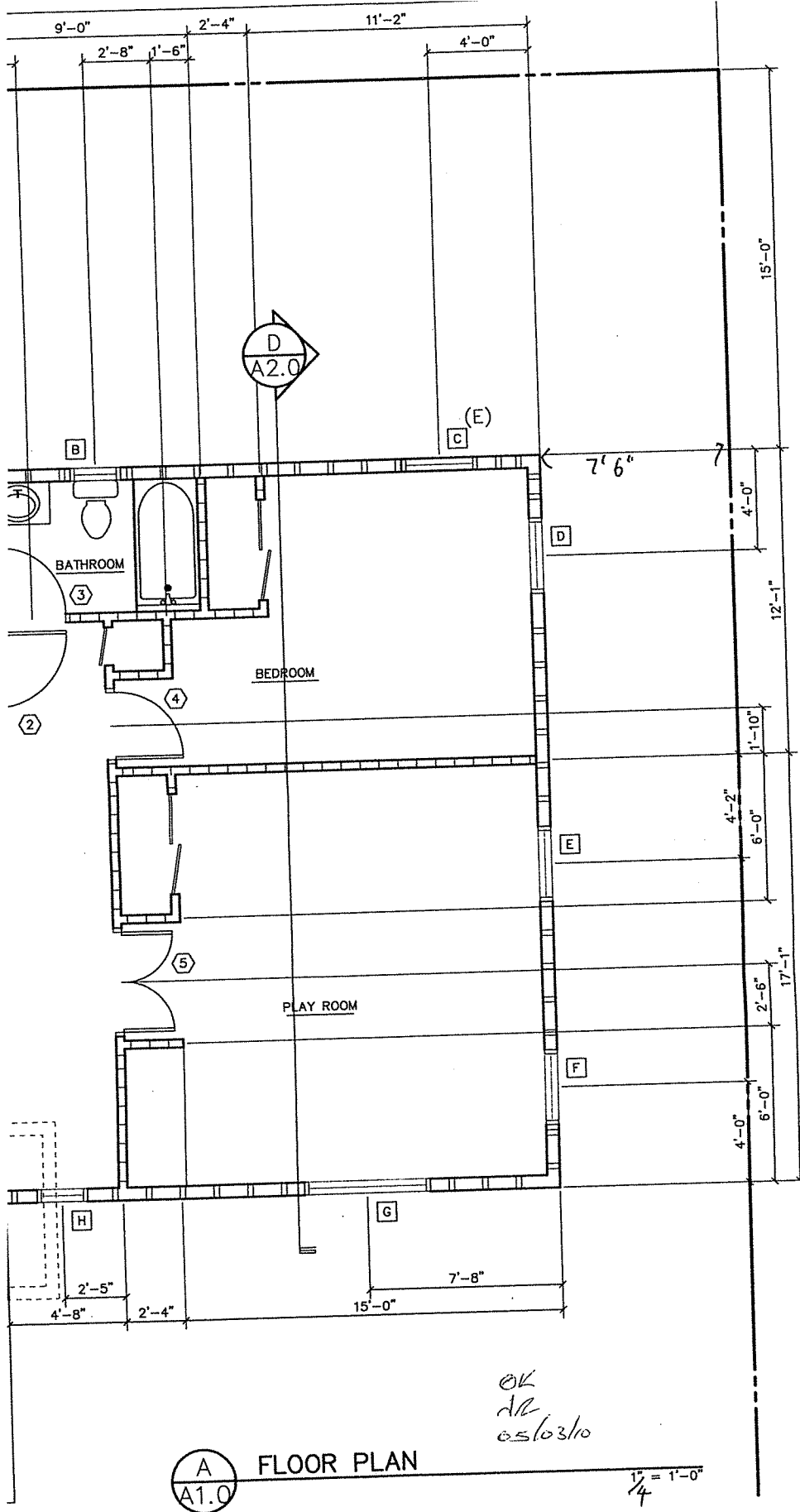
Issued by:

CONDITIONS

INSTALL CONSTRUCTION ACCESS - 8" MINIMUM DEPTH BASE ROCK PAD, 20' MINIMUM LENGTH AND WIDTH.
DO NOT TRACK MUD ONTO STREETS.

INSTALL EROSION CONTROL FENCING AS REQUIRED PER CLEAN WATER SERVICES STANDARD SPECIFICATIONS. WHEN
THE EROSION CONTROL MEASURES ARE IN PLACE, PLEASE CALL 503-992-3228 FOR AN INSPECTION.

PIPE ALL ROOF WATER THROUGH 3" MINIMUM DIAMETER PIPE PER UNIFORM PLUMBING CODE AND THROUGH CURB
WEEP HOLES TO STREET PER CITY STANDARD SPECIFICATIONS.



WALL CONSTRUCTION NOTES:

- ① **EXTERIOR WALL:** SIDING AS CHOSEN BY THE OWNER OVER 15lb BUILDING PAPER OR "TYVEK" OVER (1) - LAYER OF EXTERIOR GRADE SHEATHING ON EXTERIOR SIDE OF WALL, OVER 2 X 6 WOOD STUDS AT 16" O.C. TO B.O. OF STRUCTURE ABOVE, PROVIDE (1) LAYER OF 1/2" GYP. BOARD AT INTERIOR SIDE OF WALL, INSTALL WALL R-21 INSULATION IN STUD CAVITIES.
- ② **INTERIOR WALL:** PROVIDE (1) LAYER OF 1/2" OR 5/8" GYP. (OWNERS CHOICE) TO EACH SIDE OF 2 X 4 STUDS AT 16" O.C. TO B.O. OF STRUCTURE ABOVE. PROVIDE

Ridge Engineering LLC



15475 NW Pumpkin Ridge Rd, North Plains, OR 97133
P: 503.702.9169 E: ridgeengineering@coho.net
F: 503.647.5152

Jewett Residence
ADDITION

IVY CREST COURT
FOREST GROVE, OR 97116

PARTIAL FLOOR PLAN



REVISIONS

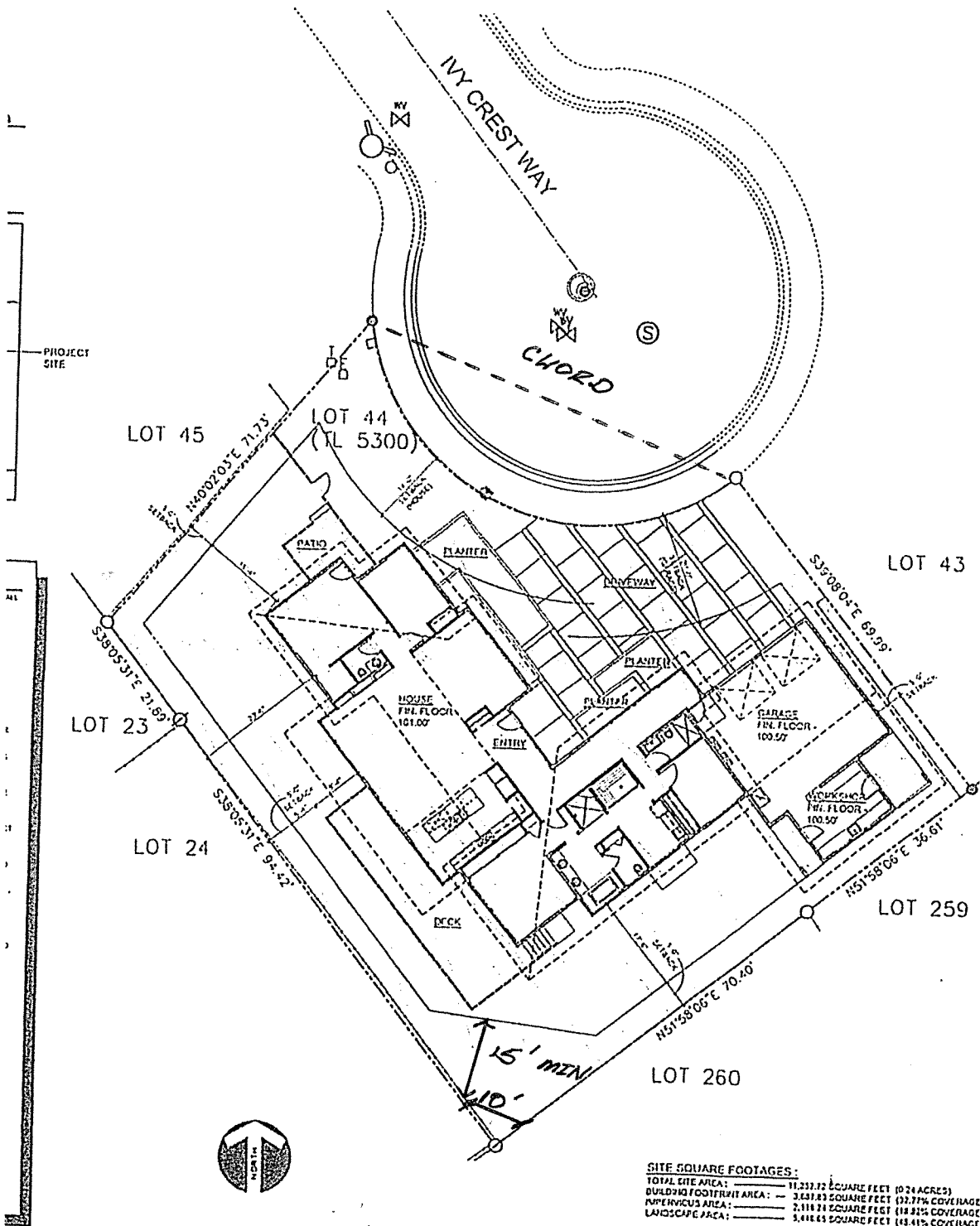
DATE

NO.

ATTACHMENT D

3402 Ivy Crest Court

Site Plan



SITE SQUARE FOOTAGES:

TOTAL SITE AREA:	11,231.82 SQUARE FEET (0.26 ACRES)
BUILDING FOOTPRINT AREA:	3,641.83 SQUARE FEET (32.37% COVERAGE)
IMPERVIOUS AREA:	2,118.21 SQUARE FEET (18.81% COVERAGE)
LANDSCAPE AREA:	5,414.55 SQUARE FEET (48.41% COVERAGE)

Sinan Gumusoglu
Architecture, LLC
12254 SW USA Street
Portland, OR 97223
971 335 8178

Morton Building
Design, LLC
5020 SE 44th Ave.
Portland, OR 97206
971 221 6585



GRAUBE RESIDENCE
3402 IVY CREST WAY
FOREST GROVE, OR, 97116
TAX LOT 5302, SECTION 26C
T11E, R14E, W1E

Building Permit Submittal - January 26, 2017
Site Plan and
General Notes

ATTACHMENT E

Whipple & Duyck Letter

Whipple & Duyck, P.C.

Attorneys at Law

1500 SW First Ave., Suite 1170, Portland, OR 97201 | www.whippeduyck.com

DANIEL L. DUYCK

Licensed in Oregon and Washington

Telephone: 503.222.6191

E-Mail: dduyck@whippeduyck.com

June 12, 2017

Via Electronic Mail

Forest Grove Planning Commission

Re: Jewett Appeal on Setbacks

To The Forest Grove Planning Commissioners:

This office represents Maris Graube in the June 17, 2017 administrative hearing regarding Jason Jewett and Suzanne Jewett's (the Jewetts) appeal of the May 11, 2017 Director's Interpretation regarding setbacks for 3402 Ivy Crest Court / Tax Lot 5300. Mr. Graube is the owner of 3402 Ivy Crest Court. We also represent Mr. Graube in the Washington County Circuit Court quiet title action between Mr. Graube and the Jewetts that was filed on or about May 9th, 2017. The purpose of this letter is to provide a written record of why the Director's Interpretation regarding setbacks should be affirmed by the Planning Commission from Mr. Graube's perspective.

We greatly appreciate your time and consideration of this matter and strongly urge that you affirm the Director's Interpretation. There are four reasons why the Commission should affirm the Director's Interpretation regarding the setbacks on Mr. Graube's property: 1) Mr. James Reitz and Mr. John Holan correctly applied DC 10.12.210(L2)(o) to Mr. Graube's property, 2) there is no evidence to support the allegation that the Jewetts were required by Forest Grove to have the setbacks that they now complain about, 3) even if the Commission were to accept that such a requirement was placed on the Jewetts in 2010, such a precedent is not binding on the Commission, and 4) the Jewetts appear to be using this appeals process simply to create pain for Mr. Graube due to the ongoing adverse possession dispute.

Argument

1. Mr. Reitz and Mr. Holan correctly applied DC 10.12.210(L2)(o) to Mr. Graube's Property.

As Mr. Reitz clearly and correctly explains in his May 11th 2017 email to Jon Holan (Appellant's Exhibit 1, Page 2), DC 10.12.210(L2)(o) establishes that the rear lot line for a 5-sided lot is created by drawing a 10 foot line that is parallel to the front line and intersects with the other lot lines as far away as possible from the front lot line. Figure 12-4: Lot Related Definitions of DC 10.12.210(L2) perfectly illustrates the application of the rear lot line for non 4-sided properties in the top right example.

Here, the very clear application of the development code places the rear lot line exactly where the Community Development Director and the Senior Planner have placed it in the Director's Interpretation and in the site plan for the Graube Residence (Appellant's Exhibit 4). The Appellant does not dispute the site plan's application of the development code, meaning that any overturning of the Director's Interpretation would, necessarily, be against Forest Grove's own code. For the simple reason that nobody disputes that the development code was correctly applied to Mr. Graube's property, the Commission should deny the Jewett's appeal.

2. There is no evidence to support the Jewett's allegations regarding the supposed 2010 setback requirements.

In their statement, the Jewetts have stated that "As a part of that approval process, the City required that the additional building footprint maintain a 7.5 feet setback at the side lot line and a 15 feet setback to the rear lot line.... It had been the Jewett's intention to build a larger addition that would have encroached on and been within that 15 feet setback to what the City then determined was the rear lot line." As supporting evidence, they have offered their Exhibit 3 – the three-page Permit No.: BLD-10-00294. The permit correctly states that rear setbacks are 15 feet and side setbacks are 7.5 feet, but nowhere in the permit does it show that the City required the Jewetts to change building their plans based on any determination of the City of Forest Grove. The permit, on its own, shows nothing about what the City required them to change at the time. There is no written statement, determination, or interpretation by any City employee insisting on larger setbacks. There is no testimony by any City employee stating that they made such a decision regarding the Jewett's site plan. If such a decision was actually made, the Jewetts took no apparent steps to challenge the decision or make any sort of record regarding it.

Because there is no evidence of an agency decision beyond the Jewett's own allegations about what they were told in 2010, the Commission should not find there to be any precedent based on the current setbacks on the Jewett's property.

3. Even if the Commission were to find that there is precedent based on the Jewett's setbacks, it should ignore that precedent.

While Mr. Graube disputes that there is any precedent regarding the setbacks along the northeast of his property based on the Jewett's setbacks, should the Commission find there to be such a precedent for 15 feet setbacks at that location rather than 7.5 feet setbacks, it should disregard that precedent and apply the code as it is written, not as it may or may not have been misapplied in 2010. As the old adage goes, two wrongs do not make a right.

The Oregon Court of Appeals and the US District of Court for the State of Oregon have stated that an agency may depart from a precedent with good reason. *Moki, Inc. v. Oregon Liquor Control Com.*, 68 Or App 800, 803, 683 P2d 159 (1984); *Oregon Natural Resources Council v. Daley*, 6 F Supp2d 1139, 1157 (D Or 1998); *Friends of the Wild Swan v. United States Fish & Wildlife Serv.*, 12 F Supp2d 1121, 1135 (D Or 1997). Here, the good reason is clear: the prior decision (if it even happened) was an incorrect application of the Development Code.

Because the alleged precedent is not binding on the Commission, and the misapplication of the Development Code to Mr. Graube would be at best unfair and at worst illegal, the Commission should not apply any incorrect precedent regarding the Jewett's setback to Mr. Graube's property.

4. The Commission should view this appeal as simply another baseless attempt by the Jewetts to control Mr. Graube's property.

The Jewetts and Mr. Graube are in the midst of an ongoing legal fight that has lasted for over a year now. As the Jewetts commented on in their statement, Mr. Graube's lot had been empty and vacant from when the Jewett's bought their property through today. It is apparent that the Jewetts enjoyed having a large empty lot next door to them, as many people do. They apparently see the construction of a home there as some sort of affront. They now seek to impose their own, incorrect interpretation of the Development Code on Mr. Graube as well take part of his property for their own though an baseless adverse possession claim.

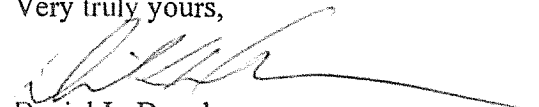
The Commission should see this appeal for what it is, the Jewetts aren't happy that they have a new neighbor and are attempting to use the powers of this Commission to improperly limit his property rights.

Conclusion

The Commission's role here today is to apply the Development Code to the facts of Mr. Graube's property. The Commission should listen to the City of Forest Grove's own employees, who are experts on the code and its application. Mr. Reitz and Mr. Holan got it right the first time. The Commission should uphold the Director's Interpretation, the Development Code, and common sense.

Thank you for your time and consideration. Please call me at 503-222-6191 if you have any questions about this matter.

Very truly yours,


Daniel L. Duyck

DD:ap
cc: Client, Scott Eisenstein