

**KING CITY PLANNING COMMISSION
MEETING**

Wednesday December 5, 2018
9:30 a.m

Tempary Location
Crown Center
16880 SW 126th Ave,
King City, Oregon

1. Call to Order:
2. Roll Call:
3. Consider Minutes:

AGENDA

3. PUBLIC HEARING:

To consider Case No. LU 18-03 (Northwest corner of SW 131st Avenue and SW Fischer Road), Zone Change, Subdivision, Tree Removal, and Goal 5 Safe Harbor Review.

4. Commissioner Reports:
5. Staff Reports:
6. Adjourn.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Michael Weston, City Recorder, 503-639-4082

Staff Report

MEMORANDUM

TO: King City Planning Commission
FROM: Keith Liden, Planning Consultant
SUBJECT: SW 131st/Fischer Zone Change and Subdivision Staff Report - File No. LU 18-03
Zone Change and Subdivision Application
DATE: November 28, 2018

GENERAL INFORMATION

Application

Case No. LU 18-03

Zone Change-Plan Amendment/Subdivision/Goal 5 Safe Harbor Review/Tree Removal

Applicant

Mark Dane
Mark Dane Planning
14631 SW Millikan Way, Suite 6
Beaverton, OR 97003

Owner

Summa Lodge Homes, LLC
1925 NW Amberglen Parkway, Suite 100
Beaverton, OR 97006

Request

Approval of a zone change from the R-12 to the NMU (Neighborhood Mixed-Use) zone; subdivision approval to create 16 residential lots and one additional parcel for future neighborhood commercial, residential, or mixed-use development; a tree removal permit; and Goal 5 Safe Harbor review regarding the drainageway and habitat on the west edge of the property.

Location

Northwest corner of SW 131st Avenue and SW Fischer Road. Assessors Map No. 2S1 16AC, Tax Lot 800). See map.

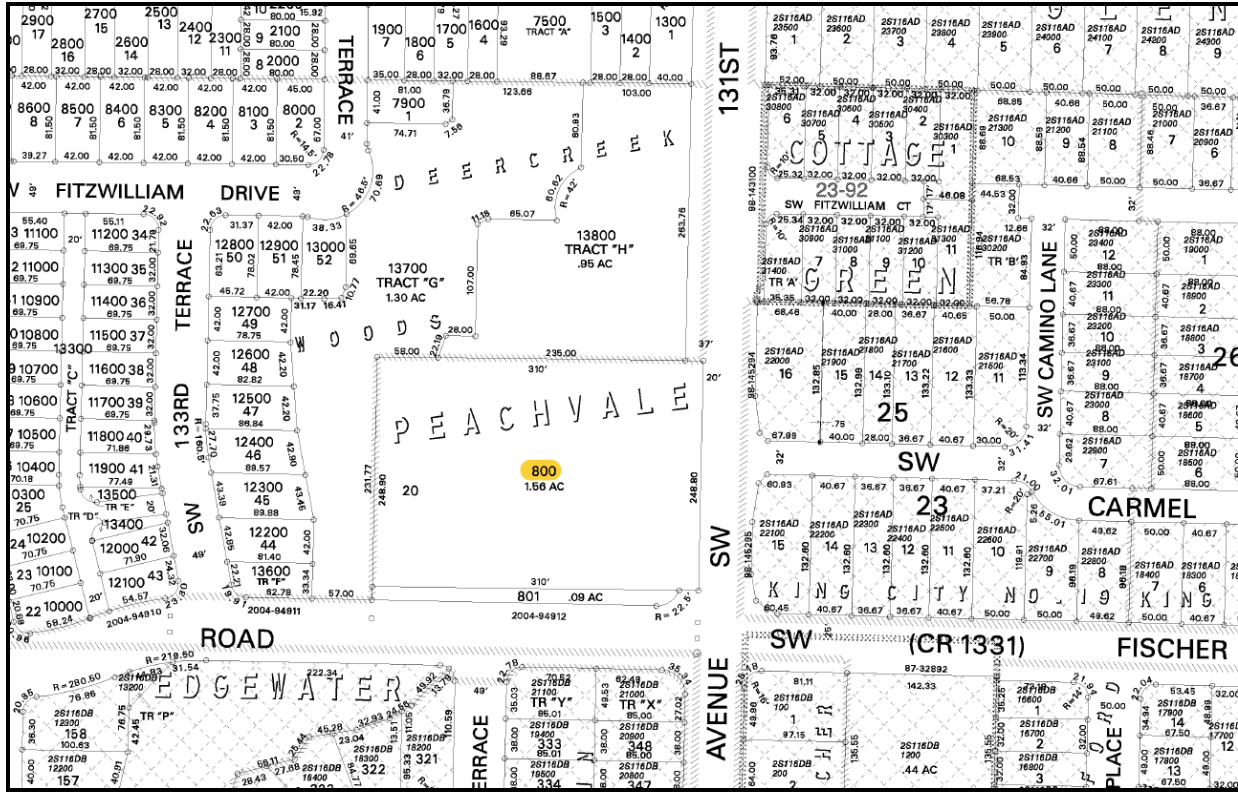
Comprehensive Plan Designation

Medium Density Residential.

Zoning Designation

R-12 (Attached Residential) Zone

Site Map



BACKGROUND INFORMATION

Site Conditions

The property is developed with one single family residence. It has frontage on SW 131st Avenue to the east and SW Fischer Road on the south. A drainageway is located along the western boundary of the property. As described in the application, there are a number of mature trees on the site. The total property area is 1.56 acres. Except for the drainageway, the property is relatively level and covered with grass and several mature trees. One small wetland area has been identified within this drainageway along the western property boundary (Exhibit 6 of this application).

Access to the existing residence, located in the northwestern portion of the property is provided by an existing driveway on SW 131st Avenue. The SW 131st Avenue frontage improvements do not include curb or sidewalk, while the SW Fischer Road frontage is fully improved.

Vicinity Description

The plan and zoning designations and current land use of the surrounding area are summarized in the table below:

Land Use Summary

Parcels	Plan/Zone Designation	Land Use
Subject	King City R-12 (Attached Residential)	One single family residence
Property		
North	King City R-12 (Attached Residential)	Multi-family residences
East	King City AT (Apartment Townhouse)	Single and multi-family residences
South	King City R-9 (Small Lot & Attached Residential)	Single family residences

Project Description

The application consists of four parts that are summarized below.

Zone Change/Comprehensive Plan Amendment

The property is currently zoned R-12 – Attached Residential, which allows a variety of housing types with a maximum density of 12 units per acre. The applicant requests a change in the zoning to NMU – Neighborhood Mixed-Use, which allows the same residential uses as R-12 with the addition of neighborhood-scale commercial uses. The King City Comprehensive Plan provides criteria for evaluating changes in zoning.

Zone changes and plan amendments must be approved by the King City Council. The remaining elements of this application may be approved by the Planning Commission, and no City Council review is required (however, Planning Commission decisions may be appealed to the City Council). Therefore, the Planning Commission action has two parts: 1) recommendation to the City Council regarding the zone change; and 2) a decision pertaining to the subdivision, tree removal, and Goal 5 safe harbor review subject to City Council approval of the zone change.

Subdivision Review

The applicant proposes to develop the property with 16 residential lots and one larger parcel (Lot 17) on the corner of SW 131st Avenue and SW Fischer Road, which is intended for future neighborhood commercial, residential, and/or mixed-use development. *The site layout and buildings shown on the 17 lots are illustrative only, and they are not formally considered as part of this application.* Future development of Lot 17 will be subject to review and approval of a site development review application (Exhibit 8 Plan Set, Sheet P2 – Preliminary Plat). The townhomes on Lots 1 – 16 will be subject to building permit review and confirmation of compliance with applicable zoning requirements, such as height, setbacks, and building façade design.

Access is proposed by creating a street with an entrance and exit on both SW 131st Avenue and SW Fischer Road. This street, located in Tract B, is proposed to be 26 feet wide with an allowance for parking on one side. An additional 22-foot wide street access is proposed to serve Lots 7 – 11. None of the lots would have direct access to either SW 131st Avenue or SW Fischer Road. The entire street system is proposed to be private.

Proposed pedestrian access improvements include completing the missing sidewalk along the SW 131st Street frontage, sidewalk along both sides of the 28-foot wide private street, and sidewalk on one side of the 22-foot wide private street. An additional pedestrian connection is proposed within Tract C between Lots 4 and 5 to connect with an existing public walkway, which is located within the recently completed apartment complex to the north.

A traffic report, submitted by ARD Engineering (Exhibit 9 of the application), evaluates the operation of the new street access points on SW 131st Avenue and SW Fischer Road as well as the 131st/Fischer intersection. The analysis takes potential future traffic volumes following development of Urban Reserve Area 6D (URA 6D) into account. The SW 131st Avenue access is directly across from SW Carmel Street, and the southern access on SW Fischer Road is offset to the east from SW 132nd Terrace.

The report concludes that the additional traffic will not have a significant detrimental impact on the street system and that the intersection off-set at SW 132nd Terrace will not pose operational or safety issues. Even with additional traffic forecast for the future, the operation of the two new access points and the 131st/Fischer intersection are anticipated to operate satisfactorily.

Tree Removal

A tree removal plan was submitted. The applicant indicates that 15 trees, located on the upland portion of the site, and 5 street trees are proposed for removal to accommodate necessary site grading, homes, and the completion of frontage improvement along SW Fischer Road (Exhibit 2 of the application). Trees within the western drainageway are proposed to be retained. The applicant did not submit a protection plan for the trees that are to remain.

Goal 5 Safe Harbor Review

The western drainageway is identified as an area that could be subject to periodic flooding. In addition, the environmental and habitat value of this drainage course is protected through a combination of city, Clean Water Services (CWS) and state regulations. CWS has issued a Service Provider Letter (Exhibit 6 of the application) outlining the requirements for development of this property.

In addition, a wetland delineation report was submitted to and approved by the Oregon Division of State Lands (Exhibit 6 of the application). As indicated in the report, a very small wetland was identified along the western property line. The applicant proposes to protect the wetland and larger drainageway area, shown as Tract A in the preliminary plat, from development impacts.

Community Meeting

Chapter 16.46 of the King City Community Development Code (CDC) requires applicants to hold a community meeting to introduce a development proposal to neighboring property owners prior to submitting a formal application. As described in the application, this meeting was held on January 8, 2018 in compliance with the requirements stipulated in Chapter 16.46

Agency Comments

The City Engineer submitted a memorandum noting a number of applicable requirements and coordination obligations as the applicant finalizes the design and builds the project. (Attachment A).

Pride Disposal Co. indicated that it can serve the residential portion of the development and will need to review a specific development application for Lot 17 in the future (Attachment B).

No other agency comments have been received.

FINDINGS AND CONCLUSIONS

The King City Comprehensive Plan contains the applicable evaluation criteria when considering a zone change in the Land Use Designations and Location Criteria section.

The King City Community Development Code (CDC) contains the applicable review standards. The relevant evaluation criteria related to the remaining three applications are found in CDC Chapters:

- 16.102 Neighborhood Mixed-Use (NMU) Zone;
- 16.124 Landscaping and Beautification;
- 16.128 Tree Removal;
- 16.132 Parking and Loading;
- 16.136 Circulation and Access;
- 16.142 Goal 5 Safe Harbor Review;
- 16.144 Vision Clearance;
- 16.146 Residential Density Calculation;
- 16.148 Signs;
- 16.196 Subdivision;
- 16.208 Improvements; and
- 16.212 Neighborhood Circulation.

Land Use Designations and Location Criteria – Mixed Use (Comprehensive Plan)

The location criteria are intended to provide guidance for the Planning Commission and City Council when land use and zoning designations for specific properties are proposed to be amended. They describe the basic characteristics a property or properties should have to be eligible for a particular land use designation.

The NMU Zone is designed to allow for a mix of neighborhood-scale and medium density residential uses. Properties designated NMU should have six basic location characteristics.:

1. *The site shall have direct access to a collector or arterial street. Access to a collector or arterial street via a local street may be appropriate to comply with driveway access requirements and*

if it is found that adverse traffic impacts will not be created for surrounding properties, which are greater than what is possible under the existing zoning.

The property has access to SW 131st Avenue, which is designated as a collector street. The portion of SW Fischer Road, which abuts the property, is designated as a neighborhood collector. SW Fischer Road is designated as a collector to the east of the SW 131st Avenue intersection.

2. *Sufficient facility and service capacity to accommodate this type of development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.*

The facilities serving the West King City area were designed to accommodate development of the properties including this one. The proposed zone change will affect the mix of uses on the property but the intensity of development and its potential demand on public facilities and services will remain comparable to the current R-12 Zone. Necessary public facilities and services can be provided.

3. *Traffic congestion, parking, or safety problems shall not be created or exacerbated by commercial development on the site. This determination shall be based upon such considerations as street capacity, existing and projected traffic volumes, speed limits, number and type of turning movements, and the traffic generating characteristics of the potential commercial and residential activities on the site.*

The potential traffic impacts of this development have been analyzed by a qualified traffic engineer. Given the comparable level of development allowed by the R-12 and proposed NMU zones, the traffic impact of the proposed zone change and resulting development is found to be a negligible difference from the existing R-12 zoning. The NMU Zone includes development limitations (Section 16.102.040) including 12 units per acre for residential development and a Floor Area Ratio (FAR) of 1.5 to 1 to ensure that resulting development is consistent with surrounding residential neighborhoods. The applicant has demonstrated that functional and safe access can be provided.

4. *No natural development limitations such as unstable soils or flooding that affect significant portions of the property.*

The only development limitations are found in the extreme western portion of the property. This area will be protected, and no development is proposed for this area.

5. *Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:*

- *The site configuration and characteristics that allow for the privacy of adjacent residential uses.*
- *Commercial activities on the site that will not interfere with nearby residential uses.*

SW 131st Avenue and SW Fischer Road provide physical separation from residences across the street, and street trees will provide some visual screening. The residences on the east side of SW 131st Avenue are oriented toward SW Carmel Street and have a solid fence and vegetative screening along the SW 131st frontage. The residences along the south side of SW Fischer on both sides of SW 131st, have a landscaped buffer between the homes and the street. The two recently completed three-story apartment buildings to the north have a landscaped buffer along the south property line. The single family homes to the west are separated by the vegetated drainageway, which is protected from development.

As noted herein, the commercial uses allowed in the NMU Zone include a limited array of neighborhood-scale service, retail, and dining uses. Auto-oriented uses and drive-through windows are not permitted. The NMU Zone also features a full range of design requirements, such as maximum height limits, parking lots only to the rear or side of buildings, buffering from noise, lights, and limits on hours of operation, which are all designed to address potential compatibility issues. Finally, the future development of Lot 17 will be subject to site development review approval, where CDC requirements and a specific development proposal will be reviewed by the city, including a public hearing with the Planning Commission. The commission would have the authority to impose conditions of approval to further address specific compatibility issues.

6. *Significant unique natural features on the site which can be maintained.*

The significant natural resource area on the site is the drainageway on the western boundary of the property. As noted herein, it will be protected from development and preserved.

The applicable criteria in the Comprehensive Plan are satisfied, and the proposed zone change from R-12 to NMU should be approved.

Neighborhood Mixed-Use Zone (16.102)

CDC Sections 16.102.020 through 16.102.030 list the uses that are permitted or conditional. Townhomes (attached single family) on Lots 1-16 and commercial uses on Lot 17 are either permitted or conditional uses as described in these two CDC sections.

CDC Section 16.102.040 contains the dimensional standards for the NMU Zone. The proposed subdivision features lot sizes and dimensions, which satisfy the basic dimensional standards for lots.

The applicable dimensional standards for single family attached lots and the proposed dimensions are noted in the following table. There are no minimum dimensional standards for commercial or mixed-use development (Lot 17).

Minimum Standard – Single Family Attached		Proposed
Lot size	1,500 square feet	1,500 to 2,495 square feet
Lot width	20 feet	20 to 25 feet
Lot depth	60 feet	75 to 80± feet*

*This measurement is from the proposed private street curb.

While the building footprints of the proposed townhomes are shown, they are technically not part of subdivision review, and the building dimensions are reviewed and approved during the building permit review process. However, it is important to ensure that the subdivision design will enable subsequent development to meet CDC standards. Perhaps the most significant will be to design the townhomes to satisfy the 18-foot garage door setback to enable parking in the driveways.

Subdivision design issues related to the NMU Zone standards along with standards for parking (16.132) circulation and access (16.136), and neighborhood circulation (16.212) will need to be considered to enable the residential development in the subdivision to ultimately comply with all applicable standards.

Landscaping and Beautification (16.124)

Sections 16.124.050 and 060 require street trees along street frontages with an average spacing between 20 to 40 feet depending upon tree species.

The landscaping plan (Exhibit 8 Plan Set, Sheet P4) includes trees along the private street frontages within the development and along SW 131st Avenue and SW Fischer Road. Section 16.124.060 requires yard trees have an average spacing of 25 to 40 feet, depending upon the mature size of the tree. Trees are shown with spacing of 20 to 30 feet. However, the plan does not indicate a proposed tree species. The tree species and spacing should be reviewed as a condition of approval to ensure appropriate street tree selection and planting. Landscaping for Lot 17 shall be reviewed as part of a future site development review application.

Tree Removal (16.128)

Chapter 16.128 is intended to minimize the number of trees removed and to encourage the retention of trees as property is developed.

Section 16.128.050 B. requires consideration of the following criteria:

- 1. The condition of the trees with respect to disease, danger of falling, proximity to existing or proposed structures, and interference with utility services or pedestrian or vehicular traffic safety.*
- 2. The necessity to remove trees in order to construct proposed improvements, or to otherwise utilize the applicant's property in a reasonable manner.*
- 3. The topography of the land and the effect of tree removal on erosion, soil retention, stability of earth, flow of surface waters, protection of nearby trees and wind breaks.*

4. *The number and density of trees existing in the neighborhood, the character and property uses in the neighborhood, and the effect of the tree removal upon neighborhood characteristics, beauty and property values.*
5. *The tree(s) is necessary to comply with conditions of development approval or compliance with provisions of Chapter 16.124.*
6. *The adequacy of the applicant's proposals, if any, to plant new trees or vegetation as a substitute for the trees to be cut.*

Of the 20 trees to be removed, 5 street trees are proposed for removal to allow minor reconfiguration of the existing street improvements, and replacement with 7 new trees. The remaining trees are proposed for removal to accommodate the proposed development. The majority of the trees are old fruit trees of limited environmental or aesthetic value. The development will provide mitigation for the tree removal with the planting of street trees as noted above. The trees within the western drainageway shall be retained. The applicant should provide a tree protection plan to demonstrate how the trees to be retained will be protected during construction.

Parking and Loading (16.132)

Section 16.132.030 requires one parking space per residential unit.

The applicant proposes to provide a one-car garage for each unit. Although house plans have not been provided, the landscaping plan (Exhibit 8 Plan Set, Sheet P4) suggests that each townhome is envisioned to have a recessed garage door, providing sufficient room to park an additional vehicle in the driveway with sufficient room to not block the sidewalk (18-foot garage setback is required from the edge of the sidewalk). In addition, it appears that approximately 8 on-street parking spaces will be possible on the internal street, plus 8-9 parallel spaces along the SW 131st Avenue and SW Fischer Road frontages. Required parking for development on Lot 17 will be determined as part of a future site development review application. Comments have not been received from Tualatin Valley Fire and Rescue (TVFR). However, in the review of previous subdivisions, TVFR consistently has not allowed parking on one side of a two-way street that is less than 28 feet wide. The applicant will either need to remove parking on one side or widen the street to a curb-to-curb minimum of 28 feet.

Circulation and Access (16.136)

Section 16.132.030 B. requires private streets or driveways to be a minimum of 24 feet wide with a walkway on at least one side when more than three dwelling units are served.

A 22-foot wide common driveway with a 5-foot sidewalk on one side is proposed to serve Lots 7 – 11. This driveway standard in CDC 16.132.030 is admittedly unclear about whether the 24-foot width requirement for private driveways serving this number of units includes the walkway. To assist in interpreting this provision, the city's standards for minor local public streets is considered. Local, low traffic streets may be built with a 22-foot curb-to-curb width plus a 5-foot sidewalk on one side. The proposed driveway is consistent with these standards, and is interpreted to satisfy the driveway standards in CDC 16.136.030.

Section 16.136.030 C. requires more than 6 lots to be served by a public street.

Section 16.136.030 D. states that uniform fire code requirements must be met.

The applicant is proposing only private streets within the subdivision. The main circulation street is proposed to be 26-foot wide with sidewalks on both sides. As noted above, parallel parking is proposed on one side. TVFR requires a minimum of 20 feet clear, and as noted above, a 28-foot street width would be required to allow parking on one side and meet the emergency access requirement.

Section 16.136.050 C. requires efficient pedestrian connections internally and with adjacent facilities.

This would include the street sidewalks and the pedestrian pathway to the north. At a minimum, this northern pathway connection and sidewalk along the main circulation street should be within a public access easement.

Given the issues pertaining to providing adequate parking, fire access, and pedestrian circulation, the main internal street connection between SW 131st Avenue and SW Fischer Road should be publicly dedicated and have a width of 28 feet. The pedestrian connection to the north, via Tract C, should be within a public access easement. This will result in reducing the size of Lot 17 slightly, but the subdivision can fundamentally be maintained and constructed as proposed.

Goal 5 Safe Harbor Review (16.142)

Section 16.142.060 contains the requirements for the types of development allowed within drainage areas.

The applicant does not propose any development within the sensitive areas as demonstrated in wetland delineation report and related materials in Exhibit 6 of the application. Section 16.142.060 B. has general approval criteria for vegetation removal within identified drainage areas. Because no vegetation removal is proposed, this section is satisfied. In addition, CWS will ensure that its requirements, as noted in the Service Provider Letter (Exhibit 6), are satisfied.

Vision Clearance (16.144)

Section 16.144.030 requires vision triangles of 35 feet at street intersections and 15 feet at driveway entrances.

The vision clearance triangles required in this CDC chapter can be satisfied in the development. The requirements of this chapter will be reviewed again for compliance during the final plat review, approval of final landscaping plans, and future site development review for Lot 17.

Residential Density Calculation (16.146)

This chapter sets forth the methodology for calculating development density. The NMU Zone requires a maximum density of 18 units per acre for developments that are entirely residential. Developments that are either commercial or mixed-use are not limited by the number of units but by total floor area ratio (FAR) of 1.5 to 1.0. This means that the total floor area of buildings may not be more than 1.5

times the area of the site. For this application, there are two alternatives for calculating the allowable density. One would be to subtract the area of the future commercial site (Lot 17) from the total area of the property (67,820 sf) minus the size of Lot 17 (14,826 sf) yielding 52,994 sf (or 1.22 acres) times 12 du/ac, which equals 14.6 or 15 units.

The second would be to calculate the entire development on all 17 lots based upon a maximum FAR of 1.5 to 1.0. With a total site area of 67,820 square feet, a 1.5 to 1.0 FAR would yield a total allowable floor area (residential and commercial) of 101,730 square feet. As shown, the proposed 3-story townhomes would have the potential for a floor area of approximately 3,000 square feet each or a total of 48,000 square feet of floor area for the 16 townhomes. This would leave 53,730 square feet of floor area available for the commercial/mixed use development on Lot 17. The applicant shows two conceptual buildings that would have 4,200 square feet of floor area at one story and up to 12,600 square feet at three stories.

The proposed 16 townhome units plus the future development on Lot 17 can meet the overall density requirement for the entire property.

Signs (16.148)

Signs are not included in the application. Sign permits must be approved by the city prior to installation of any future signs.

Fences and Walls (16.180)

Section 16.180.040 imposes a 6-foot maximum height limit on fences located in the rear or side yard.

The applicant indicates that a 6-foot good neighbor fence is proposed along rear and side yards. This satisfies the 6-foot maximum height standard in Section 16.180.040 A. for fences in the side or rear yard.

Subdivision (16.196)

Section 16.196.060 A contains the approval standards for a preliminary plan:

- 1. The proposed preliminary plat and the neighborhood circulation plan (Section 16.212.040) comply with the applicable provisions of this title;*

The circulation plan is addressed later in this report.

- 2. The proposed plat name is not duplicative;*

The plat name will be reviewed and approved by Washington County to meet this criterion.

- 3. The proposed street and accessways are designed in accordance with Chapter 16.212;*

The circulation plan is addressed later in this report.

4. *Parks shall be conveniently located so as to provide direct public access and availability from a public street; and*
5. *Park shall be bordered by at least one public street to encourage public use and provide visual access.*

The open space areas, including the city park to the southwest and Deer Creek greenway access, are readily available to this development. In addition, a public space is proposed as part of the future development of Lot 17.

Improvements (16.208)

This chapter requires that public improvements be made to support development, and applies during construction and recording the final subdivision plat.

The recommended conditions of approval will satisfy the city requirements.

Neighborhood Circulation (16.212)

Section 16.212.050 contains the following approval standards for on-site street and accessway circulation.

- A. *The following review standards in this section shall be used to:*
 1. *Provide a generally direct and interconnected pattern of streets and accessways to ensure safe and convenient access for motor vehicles, pedestrians, bicyclists, and transit users; and*
 2. *Ensure that proposed development will be designed in a manner, which will not preclude properties within the circulation analysis area from meeting the requirements of this section.*

The proposed circulation on the property and the surrounding area will provide for a system with internal access for vehicles, pedestrians, and bicyclists. The connections SW 131st Avenue and SW Fischer Road will provide adequate access in and out of the development.

- B. *On-site streets for residential, office, retail, and institutional development shall satisfy the following criteria:*
 1. *Block lengths for local and collector streets shall not exceed 530 feet between through streets, measured along the nearside right-of-way line of the through street.*

The blocks will all be less than 200 feet.

2. *The total length of a perimeter of a block for local and collector streets shall not exceed 1,800 feet between through streets, measured along the nearside right-of-way line.*

The block surrounding Lot 17 will be less than 500 feet.

3. *Streets shall connect to all existing or approved public stub streets, which abut the development site.*

No street stubs are, or will be, available.

4. *Within the West King City Planning Area, local streets shall be located and aligned to connect with the planned neighborhood collector street extending west from SW Fischer Road and/or to SW 131st Avenue.*

The proposed street connection between SW 131st Avenue and SW Fischer Road satisfies this requirement.

5. *Within the West King City Planning Area, street system design shall include a minimum of two future local street connections to SW 137th Avenue*

Not applicable – this property is well removed from SW 137th Avenue.

6. *Although an interconnected street system is required by the provisions of this chapter, local street systems shall be designed to discourage motorists traveling between destinations that are outside of the neighborhood being served by the local streets.*

The proposed street system is for local access only and will not encourage through traffic from outside the area.

7. *Cul-de-sacs and permanent dead-end streets shall be prohibited except where construction of a through street is found to be impractical according to the provisions of Section 16.212.080 A.*

Only a common driveway is proposed to serve Lots 7 – 11, and a dead-end street is not proposed.

8. *When cul-de-sacs are allowed, they shall be limited to 200 feet and no more than 25 dwelling units unless a modification is justified as provided in Section 16.212.080 A.*

This is not applicable because a cul-de-sac is not proposed.

C. *On-site sidewalks and accessways for residential, office, retail, and institutional development shall satisfy the following criteria:*

1. *For blocks abutting an arterial or major collector and exceed lengths of 530 feet, an accessway shall be provided to connect streets for every 330 feet of block length or portion thereof.*

Not applicable – no arterial or major collector streets are involved.

2. *Accessways shall connect with all existing or approved accessways, which abut the*

development site.

A connection to the existing pedestrian accessway to the north will be provided.

3. *Accessways shall provide direct access to abutting pedestrian-oriented uses and transit facilities, which are not served by a direct street connection from the subject property. Accessways shall provide future connection to abutting underdeveloped or undeveloped property, which is not served by a direct street connection from the subject property, where the abutting property line exceeds 330 feet. Where the abutting property line exceeds 530 feet, additional accessways may be required by the approval authority based on expected pedestrian demand. In the case where the abutting properties are Limited Commercial and/or residential, the approval authority may determine that such a connection or connections are not feasible or present public safety issues. The approval authority may reduce the number of required accessways to abutting properties if:*
 - a. *Such a reduction results in spacing of streets and/or accessways of 330 feet or less; and*
 - b. *Reasonably direct routes are still provided for pedestrian and bicycle travel in areas where pedestrians and bicycle travel is likely if connections are provided.*

Direct pedestrian access will be provided to the proposed future commercial and/or mixed-use development on Lot 17. This will be accomplished by completing the sidewalk system along SW 131st Avenue and completing the accessway connection to the north.

4. *Direct connection of cul-de-sacs and dead-end streets to the nearest available street or pedestrian oriented use.*

Not applicable – no cul-de-sac streets are proposed.

5. *Accessways may be required to stub into adjacent developed property if the approval authority determines that existing development patterns or other constraints do not physically preclude future development of an accessway on the developed property and the adjacent developed property attracts, or is expected to attract, a greater than average level of pedestrian use.*

As noted above, provision has been made to allow a connected pathway system to the north.

6. *The city design standards for neighborhood collector and local streets include sidewalks on both sides of the street.*

Sidewalks are proposed on both sides of the main interior street and along one side of the driveway serving Lots 7 - 11.

D. *The King City Comprehensive Plan includes capacity guidelines for neighborhood collector and local streets. To ensure that new development does not place undue traffic burdens on neighborhood streets, the following maximum dwelling unit standards shall apply to any subdivision, site plan review, or conditional use in the SF, AT, R-9, R-12, R-15, and R-24 zone:*

1. *A maximum of 300 single and/or multiple family dwellings shall be served exclusively by one neighborhood collector street to reach the regional street system of major collector and arterial streets. In the case of single family residential subdivisions, a preliminary plat approval may exceed this standard, but all final plats shall comply with this section.*

Not applicable – the property is connected to SW 131st Avenue and SW Fischer Road by a local street and driveway system, not a neighborhood collector.

2. *A maximum of 120 single and/or multiple family dwellings shall be served exclusively by one local street to reach a neighborhood collector street or the regional street system of major collector and arterial streets. In the case of single family residential subdivisions, a preliminary plat approval may exceed this standard, but all final plats shall comply with this section.*

This 17-lot subdivision complies with this standard.

3. *The circulation analysis required in Section 16.212.040 shall demonstrate how the standards in subsections 1 and 2 above will be satisfied when full development or development phases are completed.*

The subdivision and the subsequent development will be consistent with the local street access standard noted above.

Section 16.212.070 contains the following approval standards regarding accessway and greenway design.

- A. *Accessways shall be direct with at least one end of the accessway always visible from any point along the accessway.*

The pedestrian accessway connection to the north will be short, direct, and capable of meeting this standard.

- B. *Accessways shall have a maximum slope of 5 percent wherever practical.*

The slope shall be addressed as part of the final plat, but it should not be a problem.

- C. *Accessways shall be no longer than 300 feet in length between streets. The length of the accessway shall be measured from the edge of right-of-way between streets. Accessways shall include a 10-foot wide right-of-way with a minimum 8-foot wide paved surface to safely accommodate both pedestrians and bicyclists. When the approval authority determines that a proposed accessway will accommodate significant volumes of pedestrian and/or bicycle traffic,*

the right-of-way width and pavement width may be increased to a maximum of 15 feet and 12 feet respectively.

The accessway should be less than 150 feet and will be able to meet the length standard. The preliminary plat shows a width of 9.38 feet for tract C at the street and 10.1 feet at the northern property line. This width will need to be adjusted to comply with minimum 10-foot width standard.

- D. Fencing along or within 10 feet of lot lines adjacent to accessways is permitted, provided that it complies with the provisions of Chapter 16.180 – Fences and Walls.*

Fencing will probably be used, consistent with this requirement.

- E. The paved portion of the accessway shall be free of horizontal obstruction and shall have a 9-foot, 6-inch vertical clearance to accommodate bicyclists.*

No overhead obstructions will be present.

- F. All unpaved portions of accessways shall be landscaped. New landscaping materials shall be selected and sited in conformity with Chapter 16.124, Landscaping and Beautification, and be limited to canopy trees, shrubs, ground cover, vines, flowers, lawns, brick, bark, timber, decorative rock, or other decorative materials.*

Landscaping and specific design details can be addressed as part of final plat approval.

- G. Existing trees within the right-of-way are subject to preservation or removal according to procedures in Chapter 16.128, Tree Removal.*

No significant tree removal will be necessary.

- H. Where street lighting is not present at accessway entrances, pedestrian scale lighting shall be provided, which:*

- 1. Does not exceed 16 feet in height;*
- 2. Has a minimum of 0.5 footcandles average illumination and a uniformity ratio not exceeding 5:1;*
- 3. The lamp shall include a high-pressure sodium bulb with an unbreakable lens; and*
- 4. Lamps shall be oriented so as not to shine excessive amounts of light upon adjacent residences.*

Exterior lighting details shall be reviewed for CDC compliance as part of final design approval.

- I. Accessway lighting, as described in the Section 16.212.060 H. may also be required at intermediate points along the accessway as determined by the city engineer.*

Lighting details shall be addressed as part of final design approval.

- J. *Accessway surfaces shall be constructed of asphaltic concrete or other all-weather surfaces approved by the city engineer.*

The pavement type will be identified as part of final design approval.

- K. *Accessway curb ramps shall be provided where accessways intersect with streets.*

Specific design details shall be addressed as part of final approval.

- L. *Accessways shall be signed to prohibit access by unauthorized motor vehicles where accessways intersect with streets.*

This shall be addressed as part of final design approval.

- M. *Accessways shall require a physical barrier at all intersections with streets, to prevent use of the facility by unauthorized motor vehicles. Barriers shall:*

1. *Be removable, lockable posts permitting access by authorized vehicles;*
2. *Be reflectorized for night visibility and painted a bright color for day visibility; and*
3. *Be spaced 5 feet apart.*

Specific design details for pedestrians shall be addressed as part of final approval.

- N. *When an accessway is provided between two properties, and at least one of the accessways is an internal connection, the accessway shall be 10 feet wide. For example, a shopping center required to provide a connection to an undeveloped office commercial property shall leave at least a 10-foot wide gap in any fence or berm built near the property line at the end of the connection.*

Specific design details for pedestrians shall be addressed as part of final approval.

- O. *When an accessway is required to connect to an existing accessway, and the existing accessway has a paved width less than 10 feet, a transition shall be provided between the two accessways as part of the required accessway.*

Specific design details for pedestrians shall be addressed as part of final approval.

- P. *Greenways, intended to partially fulfill the circulation review standards of this chapter shall meet the standards of Section 16.212.060, with the following modifications:*

1. *A minimum 30-foot wide right-of-way width;*
2. *A minimum 10-foot wide paved accessway surface; and*
3. *A greenway may exceed 300 feet in length.*

Not applicable – a greenway path is not proposed.

Section 16.212.080 allows the Planning Commission to modify the circulation analysis review standards of Sections 16.212.050 through 070 through a planning commission review based upon the relevant

approval criteria in this section. The following modifications should be considered by the Planning Commission:

Not applicable – no modifications are requested or necessary.

RECOMMENDATION

Based upon the above facts, findings, and conclusions, the planning consultant recommends that the Planning Commission RECOMMEND APPROVAL of the proposed zone change-plan amendment from R-12 to NMU to the King City Council.

Based upon the above facts, findings, and conclusions, the planning consultant recommends that the Planning Commission APPROVE the proposed subdivision, tree removal, and Goal 5 safe harbor review applications subject to King City Council approval of the zone change application and the following conditions:

Subdivision

1. Conditions 2 through 32 below shall be satisfied prior to recording the final subdivision plat with Washington County.
2. The final plat shall contain lots in a configuration that is consistent with the preliminary plat:
 - a. The minimum and maximum density requirements of the NMU zone shall be satisfied.
 - b. The main circulation street shall be publicly dedicated and built to a sufficient width to satisfy city and TVFR standards.
 - c. The access serving Lots 7 – 11 may be private and located within a tract.
 - d. The north pathway connection shall be within a public access easement and shall satisfy city standards.
 - e. The final plat shall be approved by the City Manager and the City Engineer as provided in CDC Section 16.196.070-130.
3. The applicant shall provide verification to the City Manager that all necessary permits and public facility improvements have been obtained and are financially assured. These shall include:
 - a. CWS requirements identified in the Service Provider Letter.
 - b. The applicant shall provide suitable access as determined by TVFR.
 - c. City Engineer requirements as identified in Conditions 9 through 28.
 - d. Tigard Water District approval of public water facilities.
 - e. Verification of Pride Disposal approval for waste and recyclable facilities.
 - f. Utility facilities approved by the service providers including, but not limited to: electricity, street lighting, natural gas, cable access, and telephone.
4. The proposed tracts shown on the preliminary plat shall be designated on the final plat in a manner that is approved by the City Manager and/or CWS.
5. A final plan for providing the street trees, as required by the CDC, shall be provided for City Manager approval, which includes:
 - a. Street trees that meet the CDC minimum size requirement of 2 inches at 4 feet above grade.
 - b. A plan for when the trees will be planted, by whom, and how they will be maintained.
 - c. A method for financially ensuring the installation and long-term survival of the trees.

4. *Parks shall be conveniently located so as to provide direct public access and availability from a public street; and*
5. *Park shall be bordered by at least one public street to encourage public use and provide visual access.*

The open space areas, including the city park to the southwest and Deer Creek greenway access, are readily available to this development. In addition, a public space is proposed as part of the future development of Lot 17.

Improvements (16.208)

This chapter requires that public improvements be made to support development, and applies during construction and recording the final subdivision plat.

The recommended conditions of approval will satisfy the city requirements.

Neighborhood Circulation (16.212)

Section 16.212.050 contains the following approval standards for on-site street and accessway circulation.

- A. *The following review standards in this section shall be used to:*
 1. *Provide a generally direct and interconnected pattern of streets and accessways to ensure safe and convenient access for motor vehicles, pedestrians, bicyclists, and transit users; and*
 2. *Ensure that proposed development will be designed in a manner, which will not preclude properties within the circulation analysis area from meeting the requirements of this section.*

The proposed circulation on the property and the surrounding area will provide for a system with internal access for vehicles, pedestrians, and bicyclists. The connections SW 131st Avenue and SW Fischer Road will provide adequate access in and out of the development.

- B. *On-site streets for residential, office, retail, and institutional development shall satisfy the following criteria:*
 1. *Block lengths for local and collector streets shall not exceed 530 feet between through streets, measured along the nearside right-of-way line of the through street.*

The blocks will all be less than 200 feet.

2. *The total length of a perimeter of a block for local and collector streets shall not exceed 1,800 feet between through streets, measured along the nearside right-of-way line.*

The block surrounding Lot 17 will be less than 500 feet.

3. *Streets shall connect to all existing or approved public stub streets, which abut the development site.*

No street stubs are, or will be, available.

4. *Within the West King City Planning Area, local streets shall be located and aligned to connect with the planned neighborhood collector street extending west from SW Fischer Road and/or to SW 131st Avenue.*

The proposed street connection between SW 131st Avenue and SW Fischer Road satisfies this requirement.

5. *Within the West King City Planning Area, street system design shall include a minimum of two future local street connections to SW 137th Avenue*

Not applicable – this property is well removed from SW 137th Avenue.

6. *Although an interconnected street system is required by the provisions of this chapter, local street systems shall be designed to discourage motorists traveling between destinations that are outside of the neighborhood being served by the local streets.*

The proposed street system is for local access only and will not encourage through traffic from outside the area.

7. *Cul-de-sacs and permanent dead-end streets shall be prohibited except where construction of a through street is found to be impractical according to the provisions of Section 16.212.080 A.*

Only a common driveway is proposed to serve Lots 7 – 11, and a dead-end street is not proposed.

8. *When cul-de-sacs are allowed, they shall be limited to 200 feet and no more than 25 dwelling units unless a modification is justified as provided in Section 16.212.080 A.*

This is not applicable because a cul-de-sac is not proposed.

C. *On-site sidewalks and accessways for residential, office, retail, and institutional development shall satisfy the following criteria:*

1. *For blocks abutting an arterial or major collector and exceed lengths of 530 feet, an accessway shall be provided to connect streets for every 330 feet of block length or portion thereof.*

Not applicable – no arterial or major collector streets are involved.

2. *Accessways shall connect with all existing or approved accessways, which abut the*

development site.

A connection to the existing pedestrian accessway to the north will be provided.

3. *Accessways shall provide direct access to abutting pedestrian-oriented uses and transit facilities, which are not served by a direct street connection from the subject property. Accessways shall provide future connection to abutting underdeveloped or undeveloped property, which is not served by a direct street connection from the subject property, where the abutting property line exceeds 330 feet. Where the abutting property line exceeds 530 feet, additional accessways may be required by the approval authority based on expected pedestrian demand. In the case where the abutting properties are Limited Commercial and/or residential, the approval authority may determine that such a connection or connections are not feasible or present public safety issues. The approval authority may reduce the number of required accessways to abutting properties if:*
 - a. *Such a reduction results in spacing of streets and/or accessways of 330 feet or less; and*
 - b. *Reasonably direct routes are still provided for pedestrian and bicycle travel in areas where pedestrians and bicycle travel is likely if connections are provided.*

Direct pedestrian access will be provided to the proposed future commercial and/or mixed-use development on Lot 17. This will be accomplished by completing the sidewalk system along SW 131st Avenue and completing the accessway connection to the north.

4. *Direct connection of cul-de-sacs and dead-end streets to the nearest available street or pedestrian oriented use.*

Not applicable – no cul-de-sac streets are proposed.

5. *Accessways may be required to stub into adjacent developed property if the approval authority determines that existing development patterns or other constraints do not physically preclude future development of an accessway on the developed property and the adjacent developed property attracts, or is expected to attract, a greater than average level of pedestrian use.*

As noted above, provision has been made to allow a connected pathway system to the north.

6. *The city design standards for neighborhood collector and local streets include sidewalks on both sides of the street.*

Sidewalks are proposed on both sides of the main interior street and along one side of the driveway serving Lots 7 - 11.

D. *The King City Comprehensive Plan includes capacity guidelines for neighborhood collector and local streets. To ensure that new development does not place undue traffic burdens on neighborhood streets, the following maximum dwelling unit standards shall apply to any subdivision, site plan review, or conditional use in the SF, AT, R-9, R-12, R-15, and R-24 zone:*

1. *A maximum of 300 single and/or multiple family dwellings shall be served exclusively by one neighborhood collector street to reach the regional street system of major collector and arterial streets. In the case of single family residential subdivisions, a preliminary plat approval may exceed this standard, but all final plats shall comply with this section.*

Not applicable – the property is connected to SW 131st Avenue and SW Fischer Road by a local street and driveway system, not a neighborhood collector.

2. *A maximum of 120 single and/or multiple family dwellings shall be served exclusively by one local street to reach a neighborhood collector street or the regional street system of major collector and arterial streets. In the case of single family residential subdivisions, a preliminary plat approval may exceed this standard, but all final plats shall comply with this section.*

This 17-lot subdivision complies with this standard.

3. *The circulation analysis required in Section 16.212.040 shall demonstrate how the standards in subsections 1 and 2 above will be satisfied when full development or development phases are completed.*

The subdivision and the subsequent development will be consistent with the local street access standard noted above.

Section 16.212.070 contains the following approval standards regarding accessway and greenway design.

- A. *Accessways shall be direct with at least one end of the accessway always visible from any point along the accessway.*

The pedestrian accessway connection to the north will be short, direct, and capable of meeting this standard.

- B. *Accessways shall have a maximum slope of 5 percent wherever practical.*

The slope shall be addressed as part of the final plat, but it should not be a problem.

- C. *Accessways shall be no longer than 300 feet in length between streets. The length of the accessway shall be measured from the edge of right-of-way between streets. Accessways shall include a 10-foot wide right-of-way with a minimum 8-foot wide paved surface to safely accommodate both pedestrians and bicyclists. When the approval authority determines that a proposed accessway will accommodate significant volumes of pedestrian and/or bicycle traffic,*

the right-of-way width and pavement width may be increased to a maximum of 15 feet and 12 feet respectively.

The accessway should be less than 150 feet and will be able to meet the length standard. The preliminary plat shows a width of 9.38 feet for tract C at the street and 10.1 feet at the northern property line. This width will need to be adjusted to comply with minimum 10-foot width standard.

- D. Fencing along or within 10 feet of lot lines adjacent to accessways is permitted, provided that it complies with the provisions of Chapter 16.180 – Fences and Walls.*

Fencing will probably be used, consistent with this requirement.

- E. The paved portion of the accessway shall be free of horizontal obstruction and shall have a 9-foot, 6-inch vertical clearance to accommodate bicyclists.*

No overhead obstructions will be present.

- F. All unpaved portions of accessways shall be landscaped. New landscaping materials shall be selected and sited in conformity with Chapter 16.124, Landscaping and Beautification, and be limited to canopy trees, shrubs, ground cover, vines, flowers, lawns, brick, bark, timber, decorative rock, or other decorative materials.*

Landscaping and specific design details can be addressed as part of final plat approval.

- G. Existing trees within the right-of-way are subject to preservation or removal according to procedures in Chapter 16.128, Tree Removal.*

No significant tree removal will be necessary.

- H. Where street lighting is not present at accessway entrances, pedestrian scale lighting shall be provided, which:*

- 1. Does not exceed 16 feet in height;*
- 2. Has a minimum of 0.5 footcandles average illumination and a uniformity ratio not exceeding 5:1;*
- 3. The lamp shall include a high-pressure sodium bulb with an unbreakable lens; and*
- 4. Lamps shall be oriented so as not to shine excessive amounts of light upon adjacent residences.*

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1. *Be removable, lockable posts permitting access by authorized vehicles;*
2. *Be reflectorized for night visibility and painted a bright color for day visibility; and*
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Specific design details for pedestrians shall be addressed as part of final approval.

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Section 16.212.080 allows the Planning Commission to modify the circulation analysis review standards of Sections 16.212.050 through 070 through a planning commission review based upon the relevant

approval criteria in this section. The following modifications should be considered by the Planning Commission:

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 - d. The north pathway connection shall be within a public access easement and shall satisfy city standards.
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3. The applicant shall provide verification to the City Manager that all necessary permits and public facility improvements have been obtained and are financially assured. These shall include:
 - a. CWS requirements identified in the Service Provider Letter.
 - b. The applicant shall provide suitable access as determined by TVFR.
 - c. City Engineer requirements as identified in Conditions 9 through 28.
 - d. Tigard Water District approval of public water facilities.
 - e. Verification of Pride Disposal approval for waste and recyclable facilities.
 - f. Utility facilities approved by the service providers including, but not limited to: electricity, street lighting, natural gas, cable access, and telephone.
4. The proposed tracts shown on the preliminary plat shall be designated on the final plat in a manner that is approved by the City Manager and/or CWS.
5. A final plan for providing the street trees, as required by the CDC, shall be provided for City Manager approval, which includes:
 - a. Street trees that meet the CDC minimum size requirement of 2 inches at 4 feet above grade.
 - b. A plan for when the trees will be planted, by whom, and how they will be maintained.
 - c. A method for financially ensuring the installation and long-term survival of the trees.

- d. City Manager review and approval of selected trees before they are planted.
- 6. Prior to issuance of any development or building permits, site and landscaping plans and supporting information shall be submitted for City Manager approval. The plans and related information shall include:
 - a. Final landscaping plan for all common tracts.
 - b. Final grading plan.
 - c. A pathway connection with the existing public pathway to the north in Tract C.
 - d. An exterior lighting plan that will provide sufficient shielding from light and glare for nearby residential uses and security for common areas and the pathway.
- 7. Prior to occupancy of the residences, the improvements and landscaping described in Conditions 5 and 6 above shall be installed or financially assured.
- 8. Signs shall be approved and permitted by the city prior to installation.
- 9. Development of this site will require public and private facility improvements designed and constructed in accordance with the current City-adopted Zoning and Development Ordinance and City design and construction standards. Current City Standards include the most recent version of the Washington County Uniform Road Improvement Design Standards and the American Public Works Association (APWA) Standard Specification for Public Works Construction. In addition, improvements must be designed and constructed in accordance with all City requirements and conditions of approval. All final design plans and documents must be stamped by a Professional Engineer (P.E.) licensed in the State of Oregon.
- 10. Construction plans will generally include but not limited to the following:
 - a. Cover sheet
 - b. Existing site conditions
 - c. Site plan
 - d. Grading and erosion control plan
 - e. Utility plan
 - f. Plan and profile for street and storm
 - g. Plan and profile for sanitary and water
 - h. Street illumination plan
 - i. Street tree plan
 - j. Signing plan
 - k. Stormwater quality facility
 - l. Miscellaneous details for street, sanitary, storm, signing...
- 11. An electronic copy and three sets of complete construction plans shall be submitted to the City for preliminary review and comment. The design engineer shall submit a construction cost estimate for the required public improvements with the preliminary construction plans for review and comment. A deposit in the amount of five percent of the total accepted engineer's estimated value of public improvements must be provided to the City. The engineer's estimate is to be presented in a "schedule of unit prices" format, reflecting cost estimates for the various anticipated construction bid items.

- d. City Manager review and approval of selected trees before they are planted.
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12. Following receipt of City review and comment on preliminary construction plans and after required revisions are made, the applicant shall circulate construction plans to all utility service companies within the City and other agencies as required. Prior to final approval of construction plans, all proposed utility and agency comments, revisions, and drawings must be received and approved by the City. A revised engineer's construction cost estimate for public improvements shall be submitted with the final construction plans for review and acceptance by the City prior to approval of the construction plans.
13. A public improvements performance bond shall be provided to the City prior to construction in an amount equal to 125 percent of the final accepted engineer's estimate.
14. A maintenance bond in the amount of 20 percent of the final accepted engineer's estimate is required prior to final City acceptance of constructed public improvements. The maintenance bond shall remain in effect for a period of not less than one year after all public improvements are accepted by the City.
15. A development agreement between Applicant and the City must be executed prior to construction of public improvements.

City/Agency Coordination

16. The Applicant is to coordinate with the City and all appropriate utilities and agencies throughout the application, review, and construction process. Agency/utility coordination includes, but is not limited to, Clean Water Services (CWS) regarding sanitary and storm sewer system improvements, Tualatin Valley Fire & Rescue (TVF&R) regarding emergency access, City of Tigard Water for water system improvements, City of King City and Washington County for work relating to SW Fischer Road, Pride Disposal Company for garbage and recycling collection, and the City of King City regarding planning, street improvements, surface water drainage improvements, and site development interests including on-site grading and other work requiring building permits. Throughout the land-use and development process the applicant is to provide copies of all agency or utility approvals and permits to the City for its permanent files. The City is to be notified of any potential design conflicts, and/or any other potential conflicts between the various utility and agency requirements.

Street Improvements

17. General access is proposed from both SW 131st Avenue and SW Fischer Road through a 26-foot wide paved street within a 28-foot right-of-way, approximately 300 feet long to access all lots. To meet City standards, the access shall be through a public 28-foot wide paved street within a 39-foot right-of-way to include the sidewalks on both side of the main street. In addition, access to Lot 7 through Lot 11 is proposed thru a private paved alley, approximately 89 feet long. Plans identify the access to be 22 feet wide, however the actual measurement shows 17 feet between property lines. Corrections are required. As proposed, circulation internal to the Development allows adequate circulation of fire trucks provided the paved area is adjusted to 28 feet, however final approval from TVFR regarding safety and firefighting apparatus access is still required.

18. As currently proposed, the public sidewalks are outside of public right-of-way. All curb-tight sidewalks on the main street are to be on public right-of-way. Design shall show a cross section to illustrate the proposed right-of-way and 8-foot wide utility easement.
19. SW Fischer Road east of SW 131st Avenue is a Washington County Road. As a county road, any further improvements that may impact County right-of-way are to be coordinated with Washington County. Improvements on SW Fischer Road west of SW 131st Avenue are to be coordinated with the City.
20. SW 131st Avenue was a collector under the jurisdiction of Washington County. The City maintained the collector status for SW 131st when jurisdiction was transferred from the county. Status includes required dedication of right-of-way and half street improvement to County Standards along the site frontage of the 131st Avenue right-of-way. The proposed improvements are also to include an 8-foot-wide public utility easement (PUE) along SW 131st Avenue as required along the frontage of all existing and proposed public streets including SW Fischer Road.
21. The City currently has improvements planned on SW 131st Avenue. Applicant is to coordinate the improvements with the City for the section adjacent to the new subdivision mainly between SW Carmel Street and SW Fischer Road.

Storm Drainage Improvements

22. The applicant is to coordinate with Clean Water Services to design needed storm drainage improvements in accordance with Clean Water Services requirements. Typically, both storm water quality provisions as well as storm water conveyance provisions are required. Private facilities and connections are to be designed and constructed in accordance with all applicable City codes and standards. Public facilities require public easements, including the proposed storm Water Quality Swale between Lot 11 and Lot 12.

Sanitary Sewer Improvements

23. The applicant is to coordinate with CWS to determine sanitary service availability and to design and construct needed sanitary sewer improvements in accordance with CWS requirements. Privately owned facilities are to be designed and constructed in accordance with all applicable City codes and standards.

Water System Improvements

24. The applicant is to coordinate with City of Tigard Water to design needed water system improvements. New public water system improvements are to be constructed in accordance with the current City of Tigard Water adopted design and construction standards. Permits from City of Tigard Water will be required.

Sensitive Area/Wetland Mitigation

25. The applicant shall coordinate with CWS to provide an off-site wetland mitigation plan, if required. Typically, CWS require review and permits separate from the City. An approved SPL, in accordance with CWS design and construction standards (R&O 07-20), shall be required

prior to land use approval for the Subdivision.

Pedestrian Pathway

26. To allow pedestrian path connection to existing public pedestrian path north of the new development, a 9-foot wide access is proposed between Lot 4 and Lot 5. It is recommended that a 5-foot wide concrete paved pedestrian pathway be constructed within a public easement, minimum width of 10 feet, between lots 4 and 5, to allow straight pedestrian access. The pathway shall meet current ADA standards and all other applicable City design and construction standards.
27. The applicant shall provide verification to the City Manager that all necessary permits and public facility improvements have been obtained and are financially assured. These shall include Washington County, CWS, Division of State Lands, Tigard Water, TVFR, and Pride Disposal.
28. The final subdivision plat (or first phase if platted in phases) and supplemental information, as required this decision and the CDC, shall be submitted within one year of this decision for approval by the City Manager.

Tree Removal

29. The tree protection program and methods described in an arborist's report shall be provided to City Manager review and approval. It will then be followed at all times during construction. Prior to approving an occupancy permit, the applicant shall submit an arborist report to the City Manager confirming that the trees to be retained are in healthy and stable condition following construction.
30. Prior to removal of any trees, the applicant shall identify the trees in the field for review and approval by the City Manager.
31. Once the specific trees to be saved are identified in the field, a tree protection program and methods shall be submitted to the City Manager for approval prior to tree removal, grading, or construction. At a minimum, this program shall not allow work, construction, parking, storage, vegetation removal, or similar activities in identified areas necessary for tree survival and health. A fence or similar barrier shall be erected and maintained until construction is completed and occupancy permits are obtained. The approved protection program shall be followed at all times during construction. Prior to approving any phase of the final plat, the applicant shall submit an arborist report to the City Manager confirming that the provisions of the protection program were followed during construction and that the trees are in healthy and stable condition.

Goal 5 Safe Harbor Review

32. Final grading and construction plans shall be submitted to CWS and the City Engineer for approval.

ATTACHMENT A
City Engineer Comments

MEMORANDUM

DATE: November 28, 2018

PROJECT: 92-0251.127
City of King City, Land Use Action Referral – Subdivision of 16935 SW 131St Avenue, Tax Lot 800.

TO: Michael Weston, City Manager
Keith Liden, City Planner

FROM: Fulgence Bugingo, P.E.
Murraysmith

RE: City Engineer Review: Preliminary Application Review Comments

Purpose

This memorandum presents City Engineer review comments on the City of King City (City) Land Use Action Referral, dated November 6, 2018, for Tax Lot 800, Tax Map 2S, 1W, 16AC, to develop this lot into 16 townhomes within new Neighborhood Mixed-Use zone (NMU). Preliminary plans identify the property at address 16935 SW 131 St Avenue, north of SW Fischer Road.

General

Presently, the tax lot is approximately 1.55 acres and is undeveloped. The proposed development will consist of 16 residential lots and one lot for commercial use and associated parking. A two-way access to the subdivision is proposed from both SW 131St Avenue to the east and SW Fischer Road to the south. The current zoning designation has been requested to be changed to Neighborhood Mixed-Use zone (NMU).

1. Development of this site will require public and private facility improvements designed and constructed in accordance with the current City-adopted Zoning and Development Ordinance and City design and construction standards. Current City Standards include the most recent version of the Washington County Uniform Road Improvement Design Standards and the American Public Works Association (APWA) Standard Specification for Public Works Construction. In addition, improvements must be designed and constructed in accordance with all City requirements and conditions of approval. All final design plans and documents must be stamped by a Professional Engineer (P.E.) licensed in the State of Oregon.

2. Construction plans will generally include but not limited to the following:
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 - i. Street tree plan
 - j. Signing plan
 - k. Stormwater quality facility
 - l. Miscellaneous details for street, sanitary, storm, signing...
3. An electronic copy and three sets of complete construction plans shall be submitted to the City for preliminary review and comment. The design engineer shall submit a construction cost estimate for the required public improvements with the preliminary construction plans for review and comment. A deposit in the amount of five percent of the total accepted engineer's estimated value of public improvements must be provided to the City. The engineer's estimate is to be presented in a "schedule of unit prices" format, reflecting cost estimates for the various anticipated construction bid items.
4. Following receipt of City review and comment on preliminary construction plans and after required revisions are made, the applicant shall circulate construction plans to all utility service companies within the City and other agencies as required. Prior to final approval of construction plans, all proposed utility and agency comments, revisions, and drawings must be received and approved by the City. A revised engineer's construction cost estimate for public improvements shall be submitted with the final construction plans for review and acceptance by the City prior to approval of the construction plans.
5. A public improvements performance bond shall be provided to the City prior to construction in an amount equal to 125 percent of the final accepted engineer's estimate.
6. A maintenance bond in the amount of 20 percent of the final accepted engineer's estimate is required prior to final City acceptance of constructed public improvements. The maintenance bond shall remain in effect for a period of not less than one year after all public improvements are accepted by the City.
7. A development agreement between Applicant and the City must be executed prior to construction of public improvements.

City/Agency Coordination

8. The Applicant is to coordinate with the City and all appropriate utilities and agencies throughout the application, review, and construction process. Agency/utility coordination

includes, but is not limited to, Clean Water Services (CWS) regarding sanitary and storm sewer system improvements, Tualatin Valley Fire & Rescue (TVF&R) regarding emergency access, City of Tigard Water for water system improvements, City of King City and Washington County for work relating to SW Fischer Road, Pride Disposal Company for garbage and recycling collection, and the City of King City regarding planning, street improvements, surface water drainage improvements, and site development interests including on-site grading and other work requiring building permits. Throughout the land-use and development process the applicant is to provide copies of all agency or utility approvals and permits to the City for its permanent files. The City is to be notified of any potential design conflicts, and/or any other potential conflicts between the various utility and agency requirements.

Street Improvements

9. General access is proposed from both SW 131st Avenue and SW Fischer Road through a 26 foot wide paved street within a 28 foot right-of-way, approximately 300 feet long to access all lots. To meet City standards, the access shall be through a public 28 foot wide paved street within a 39 foot right-of-way to include the sidewalks on both side of the main street. In addition, access to Lot 7 through Lot 11 is proposed thru a private paved alley, approximately 89 feet long. Plans identify the access to be 22 feet wide, however the actual measurement shows 17 feet between property lines. Corrections are required. As proposed, circulation internal to the Development allows adequate circulation of fire trucks provided the paved area is adjusted to 28 feet, however final approval from TVFR regarding safety and firefighting apparatus access is still required.
10. As currently proposed, the public sidewalks are outside of public right-of-way. All curb-tight sidewalks on the main street are to be on public right-of-way. Design shall show a cross section to illustrate the proposed right-of-way and 8 foot wide utility easement.
11. SW Fischer Road east of SW 131St Avenue is a Washington County Road. As a county road, any further improvements that may impact County right-of-way are to be coordinated with Washington County. Improvements on SW Fischer Road west of SW 131 St Avenue are to be coordinated with the City.
12. SW 131St Avenue was a collector under the jurisdiction of Washington County. The City maintained the collector status for SW 131 St when jurisdiction was transferred from the county. Status includes required dedication of right-of-way and half street improvement to County Standards along the site frontage of the 131 St Avenue right-of-way. The proposed improvements are also to include an 8-foot-wide public utility easement (PUE) along SW 131St Avenue as required along the frontage of all existing and proposed public streets including SW Fischer Road.
13. The City currently has improvements planned on SW 131 St Avenue. Applicant is to coordinate the improvements with the City for the section adjacent to the new subdivision mainly between SW Carmel Street and SW Fischer Road.

Storm Drainage Improvements

14. The applicant is to coordinate with Clean Water Services to design needed storm drainage improvements in accordance with Clean Water Services requirements. Typically, both storm water quality provisions as well as storm water conveyance provisions are required. Private facilities and connections are to be designed and constructed in accordance with all applicable City codes and standards. Public facilities require public easements, including the proposed storm Water Quality Swale between Lot 11 and Lot 12.

Sanitary Sewer Improvements

15. The applicant is to coordinate with CWS to determine sanitary service availability and to design and construct needed sanitary sewer improvements in accordance with CWS requirements. Privately owned facilities are to be designed and constructed in accordance with all applicable City codes and standards.

Water System Improvements

16. The applicant is to coordinate with City of Tigard Water to design needed water system improvements. New public water system improvements are to be constructed in accordance with the current City of Tigard Water adopted design and construction standards. Permits from City of Tigard Water will be required.

Sensitive Area/Wetland Mitigation

17. The Applicant shall coordinate with CWS to provide an off-site wetland mitigation plan, if required. Typically, CWS require review and permits separate from the City. An approved SPL, in accordance with CWS design and construction standards (R&O 07-20), shall be required prior to land use approval for the Subdivision.

Pedestrian Pathway

18. To allow pedestrian path connection to existing public pedestrian path north of the new development, a 9 foot wide access is proposed between Lot 4 and Lot 5. It is recommended that a 5 foot wide concrete paved pedestrian pathway be constructed within a public easement, minimum width of 10 feet, between lots 4 and 5, to allow straight pedestrian access. The pathway shall meet current ADA standards and all other applicable City design and construction standards.

EXHIBIT B
Pride Disposal Comments



DISPOSAL COMPANY

P.O. Box 820 Sherwood, OR 97140

Phone: (503) 625-6177 Fax: (503) 625-6179

November 20, 2018

Michael Weston
City Manager
City of King City
15300 SW 116th Ave
King City, OR 97224

Re: Case #LU 18-03 NW Corner of 131st Ave and SW Fischer Rd

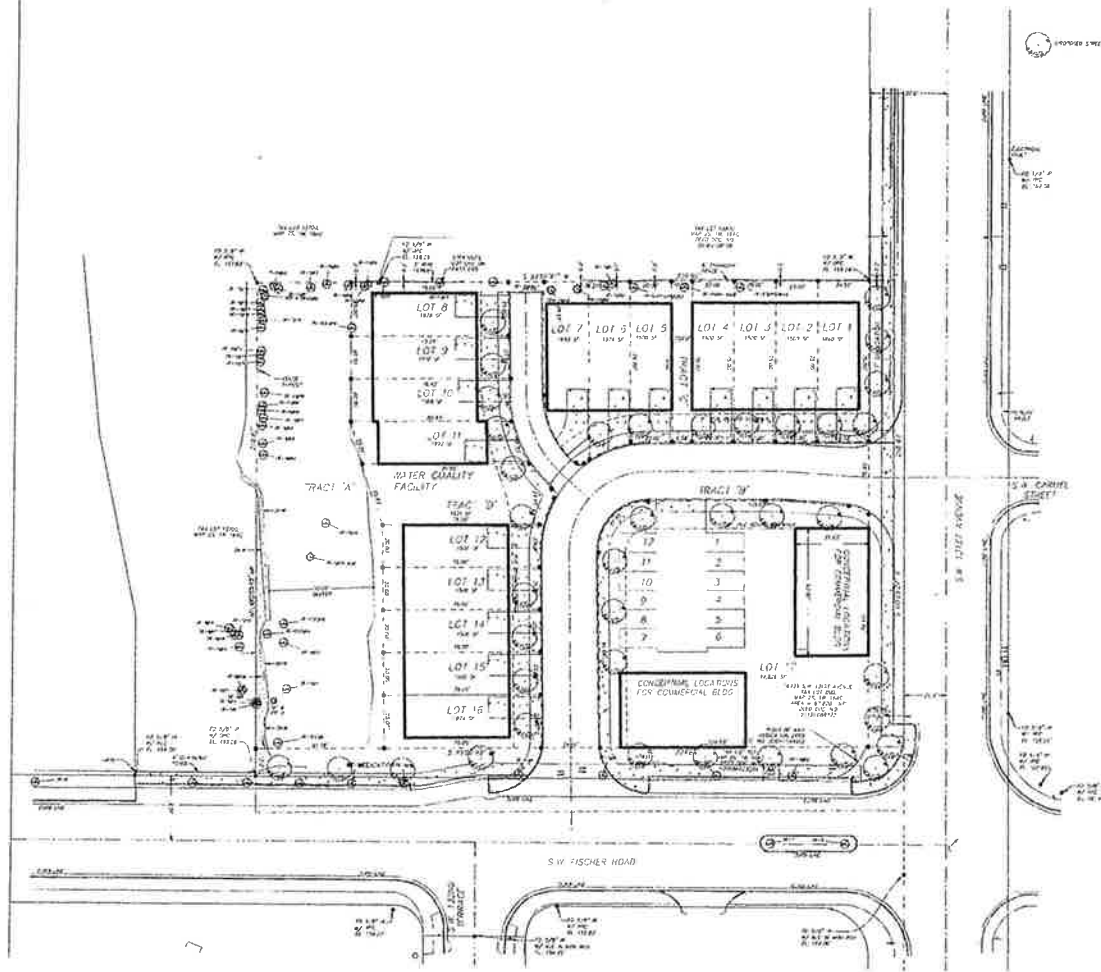
We have reviewed the site plan for the above mentioned development. We will be able to service the development as it's been laid out. All residents will need to bring their receptacles to the nearest public road. With the exception of lots 8 thru 11, if the street is marked for no parking they will be able to put their receptacles curbside for service. If it is not marked for no parking then they will need to bring their receptacles to the nearest public road.

We are not approving the commercial concept at this time, we will need to see and review the enclosure prior to giving an approval letter.

If you have any additional questions, feel free to contact me.

Sincerely,

Kristen Tabscott
Pride Disposal Company
ktabscott@pridedisposal.com
(503) 625-6177



- LEGEND:
- PROPOSED STREET TREE
 - EXISTING TREE 4" DBH
 - EXISTING TREE 6" DBH
 - EXISTING TREE 8" DBH
 - EXISTING TREE 10" DBH
 - EXISTING TREE 12" DBH
 - EXISTING TREE 14" DBH
 - EXISTING TREE 16" DBH
 - EXISTING TREE 18" DBH
 - EXISTING TREE 20" DBH
 - EXISTING TREE 24" DBH
 - EXISTING TREE 30" DBH
 - EXISTING TREE 36" DBH
 - EXISTING TREE 42" DBH
 - EXISTING TREE 48" DBH
 - EXISTING TREE 54" DBH
 - EXISTING TREE 60" DBH
 - EXISTING TREE 66" DBH
 - EXISTING TREE 72" DBH
 - EXISTING TREE 78" DBH
 - EXISTING TREE 84" DBH
 - EXISTING TREE 90" DBH
 - EXISTING TREE 96" DBH
 - EXISTING TREE 102" DBH
 - EXISTING TREE 108" DBH
 - EXISTING TREE 114" DBH
 - EXISTING TREE 120" DBH
 - EXISTING TREE 126" DBH
 - EXISTING TREE 132" DBH
 - EXISTING TREE 138" DBH
 - EXISTING TREE 144" DBH
 - EXISTING TREE 150" DBH
 - EXISTING TREE 156" DBH
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 - EXISTING TREE 810" DBH
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 - EXISTING TREE 858" DBH
 - EXISTING TREE 864" DBH
 - EXISTING TREE 870" DBH
 - EXISTING TREE 876" DBH
 - EXISTING TREE 882" DBH
 - EXISTING TREE 888" DBH
 - EXISTING TREE 894" DBH
 - EXISTING TREE 900" DBH
 - EXISTING TREE 906" DBH
 - EXISTING TREE 912" DBH
 - EXISTING TREE 918" DBH
 - EXISTING TREE 924" DBH
 - EXISTING TREE 930" DBH
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 - EXISTING TREE 972" DBH
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 - EXISTING TREE 990" DBH
 - EXISTING TREE 996" DBH
 - EXISTING TREE 1000" DBH

MARK DANE PLANNING

INCORPORATED
14631 SW Millikan Way
Beaverton OR 97005
503-332-7167
markdaneplanning@gmail.com

LANDSCAPE PLAN

131ST / FISCHER PROJECT
FOR TIM FORST
CITY OF KING CITY

PROJECT NO: HOR-003
DATE: 2/1/18
DESIGNED: MBD
DRAWN: MBD
TOWNSHIP/RANGE/SECTION: 15 3E 18D
COUNTY: WASHINGTON
TAX LOTS

SHEET TITLE: PRELIMINARY PLAT
SHEET NUMBER: P4

Application

COVER SHEET FOR:

APPLICATION FOR ZONE CHANGE, AND SUBDIVISION OF 16935 SW 131st

- 1) ZONE CHANGE, AND SUBDIVISION APPLICATION
- 2) TREE REMOVAL APPLICATION AND MAP
- 3) NARRATIVE FOR ZONE CHANGE, AND SUBDIVISION
- 4) PRE-APPLICATION REQUEST
- 5) NEIGHBORHOOD MEETING MATERIALS:
 - LETTER TO NEIGHBORS
 - CONCEPT PLAN SENT WITH LETTER
 - LIST OF ADDRESSES
 - LIST OF ATTENDEES
 - MINUTES OF MEETING
- 6) WETLAND DELINEATION, AND CONCURANCE LETTER FROM THE STATE
- 7) TITLE DOCUMENTS, AND PROOF OF OWNERSHIP
- 8) PLAN SET
- 9) TRAFFIC REPORT

1) ZONE CHANGE, AND SUBDIVISION APPLICATION



THE CITY OF KING CITY
15300 SW 116th Avenue
King City, OR 97224
Ph: 503-639-4082 · Fax: 503-639-3771

APPLICATION FOR LAND USE ACTION

TYPE OF LAND USE ACTION REQUESTED

☐ Annexation
☒ Plan Amendment
☐ Variance
☐ Planned Unit Development
☐ Sign Permit

☐ Conditional Use
☐ Minor Partition
☒ Subdivision
☐ Site Plan
☒ Other: ZONE CHANGE
☐ Temporary

OWNER/APPLICANT INFORMATION:

Applicant: MARK DANE PLANNING Phone: 503-332-7167

Address: 14631 SW MILLIEAN WAY, BEAVERTON, OR 97003 SUITE #6

Owner: SUMMA LODGE HOMES LLC, 1925 NW. AMBERGLEN PARKWAY
SUITE 100

Address: BEAVERTON, OR 97006 Phone: 503-332-7167

Contact for Additional Information: _____

PROPERTY INFORMATION:

Street Location: 16935 SW 131ST AVE

Tax Lot and Map No.: TL 800 2S116AC

Existing Structure/Use: SINGLE FAMILY DWELLING

Existing Plan/Zone Designation:
R-12 / NMU 16.102

PROPOSED ACTION:

Proposed Use: 16 SINGLE FAMILY ATTACHED + NEIGHBORHOOD

Proposed Plan/Zone Designation: NMU

Proposed No. of Phases (one year each): 1

Standard to be Varied & How Varied (Variance Only): N/A

AUTHORIZING SIGNATURES:

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.

 6.1.18
Applicants Signature Date

Tim Hart 6-1-18
Owners Signature Date

TO BE SUBMITTED WITH THE APPLICATION:

To complete the application, submit fifteen (15) copies of the following:

1. A brief statement describing how the proposed action satisfies the requested findings criteria contained in the Comprehensive Plan for the action requested.
2. Applicable existing conditions and proposed development plan information and materials listed in part ___ Chapter ___ Section ___ of the Comprehensive Plan. The information in Section 4.100 which is applicable to a given application shall be determined during a pre-application conference with the Planning Department.

2) TREE REMOVAL APPLICATION AND MAP



KING CITY

15300 SW. 116th Avenue, King City, Oregon 97224-2693
Phone: (503) 639-4082 • FAX (503) 639-3771

TREE CUTTING APPLICATION

NAME OF APPLICANT: MARK DANE PLANNING.

ADDRESS: 14631 SW MILLIKAN WAY #6 BEAVERTON OR 97006

APPLICANT IS: Owner _____ Renter _____ Other PLANNER.

PROPERTY OWNER NAME: SUMMA LODGE HOMES

PROPERTY OWNER ADDRESS: 1925 NW AMBERGLEN PARKWAY #100 BEAVERTON OR 97006

ADDRESS OF TREE REMOVAL SITE: 16935 SW

TAX MAP 251 16AC TAX LOT TL 800

NUMBER OF TREES TO BE REMOVED: 20+/-

List the size, specie, location, and reason for each tree to be cut. An example of reasons would be dead, diseased, blocks solar access, construction, etc.

<u>Diameter</u>	<u>Specie</u>	<u>Location</u>	<u>Reason</u>
Tree 1.		<div>Attach site plan showing location of each tree to be cut.</div>	
Tree 2.			
Tree 3.			

Attach an additional list if more than three trees are to be cut. SEE ATTACHED

Method of cutting: CHAIN SAW

Please state or attach a plan of proposed landscaping or planting of new trees.

It shall be the responsibility of the undersigned to comply with King City Development Code, Chapter 16.128.

Tim Harst

Signature of Property Owner

[Signature]

Signature of Applicant (if different)

Application recieved by: _____ Date: _____

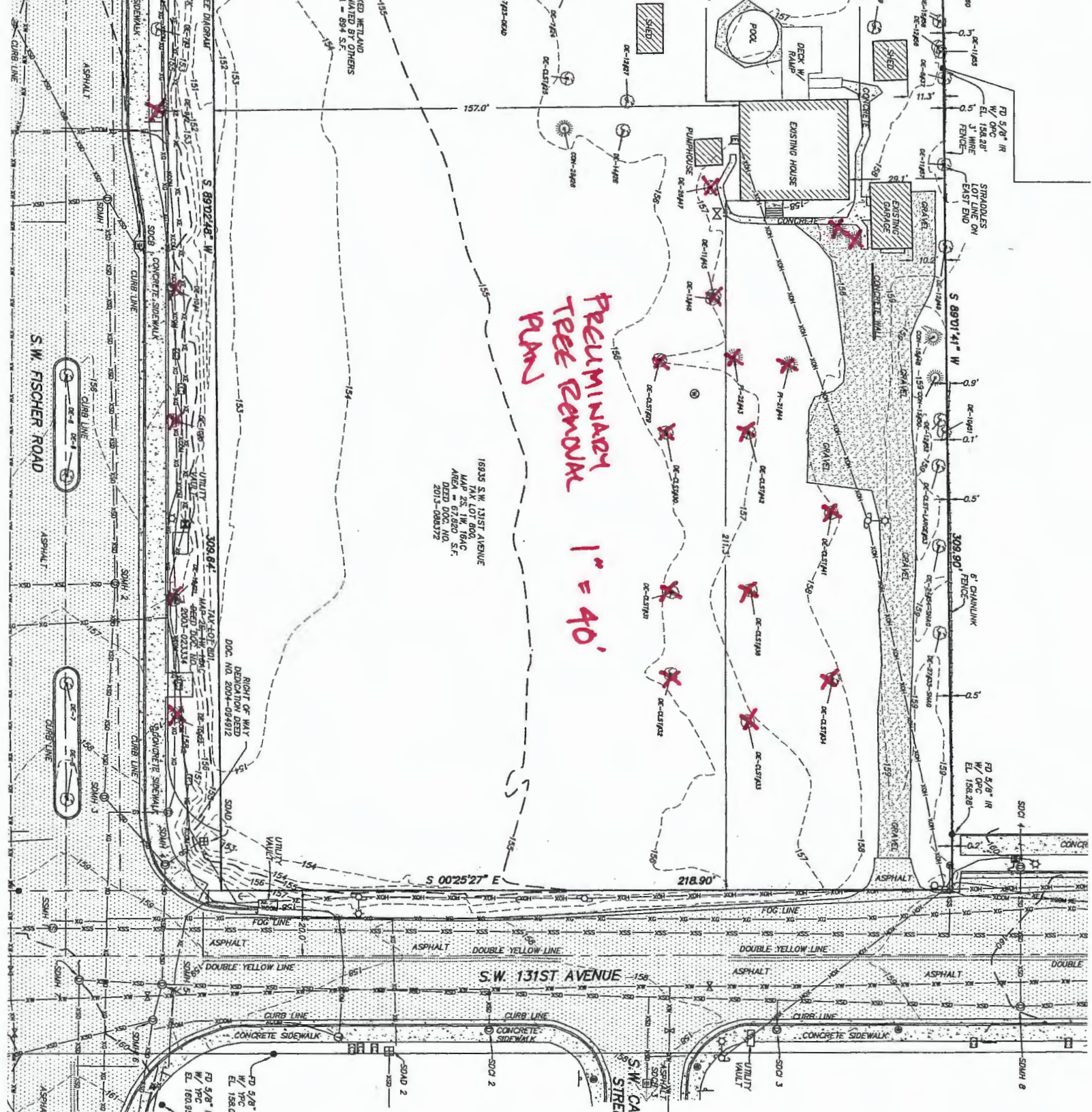
Fee: _____

Approved _____ Disapproved _____

Conditions of approval: _____

Approved by _____

Date _____



3) NARRATIVE FOR ZONE CHANGE, AND SUBDIVISION

MARK DANE PLANNING INC.

14631 S.W. MILLIKAN WAY, SUITE 6, BEAVERTON OR 97003 / 503-332-7167 / markdaneplanning@gmail.com

City of King City 6-1-18 / updated 10-1-18

City Manager : Michael Weston 530-639-4082

City Planner : Keith S. Liden, AICP (City Planning Consultant) 503-757-5501

The applicant is proposing the developing the parcel located at the NW corner of SW Fischer, and SW 131st Avenue with a mixed use project. Our intent is to develop the western and north edges of the property with three story town homes. The homes to west will back out on the to 50-ft riparian corridor. The homes along the north property line will be adjacent to the newly proposed apartments on the adjacent parcel to the north. The southeast corner of the property will be developed with a commercial element which will include 1-2 retail buildings, the appropriate off-street parking as well as a communal gathering space.

The applicant anticipates being required to construct half street improvements along the west right-of-way of SW 131st. It is anticipated that the proposal will require a Comprehensive Plan Map Amendment, and Zone Change. The application will also require a subdivision approval for the town homes, and a design review at least for the townhomes to be built. It is anticipated that at the very least the infrastructure, and parking, and pad improvements will be required for the commercial element of the property. The applicant would seek a commercial partner to bring in a specific building as the keystone element.

For our subdivision application on the plan are sixteen townhomes. Each to be on their own lot. They are currently proposed at 20-feet in width, and between 40-50 feet in depth. Given the anticipated restriction of a wetland buffer along the west property line, the construction of a public through street in a 49-ft right-of-way from SW Carmel Street through to SW 132nd Terrace. Lot 17. Is proposed as a commercial parcel with a plaza area (plaza parking also) accounting for the 20%, the applicant is requesting the private street tract be built with a private 26-foot street to allow for fire access, and parking on the south, and curbs – adjacent to the commercial development. With a curb-sidewalk along the west and north curb lines. And two-way egress out onto Fischer. The subdivision along with the appropriate zone change should allow for the modifications to the City standards necessary to construct a feasible development.

The applicant anticipates having to submit a sperate Design Review Document for the Commercial Portion of the project. Currently the property is zoned R-12 – Attached Residential, which requires residential densities between 9.6 and 12 units per acre. This zoning designation does not allow commercial use in any form. The city has only one zone that allows commercial uses (LC – Limited Commercial), but in the opinion of city staff, this zone includes uses that would be too intensive for this location. The property is however being updated with a Neighborhood Mixed Use Zone. To this end the applicant has included the comments responding to the new zone rather than the current R-12 zone. Though it should be noted the residential density permitted in both zones is no different.

The applicant and City Staff have discussed the potential of a mixed-use commercial and residential proposal This requires city adoption of: A Comprehensive Plan amendment to include a mixed-use commercial and residential designation that would be suitable within a residential neighborhood; A corresponding mixed-use zoning district that would allow a neighborhood-scale blend of commercial and residential uses; A zoning map amendment to apply the new mixed-use zone to the property.

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Chapter 16.46 REQUIREMENT FOR COMMUNITY MEETINGS

Sections:

- 16.46.010 Community meeting required.
- 16.46.020 Proof of meeting.
- 16.46.030 Purpose of meeting.
- 16.46.040 Notices.

16.46.010 Community meeting required.

The following types of development applications inside the UGB shall be subject to a requirement for a community meeting:

- A. Major Partitions;
- B. Subdivisions and planned developments;
- C. Manufactured dwelling or mobile home parks; and
- D. Development review for commercial or industrial uses. (Ord. O-06-01 (part), 2006)

Comment: *The applicant is proposing a zone change, and subdivision and therefore is required to hold a community meeting. / Said Meeting was held on Monday January 8th, 2018*

16.46.020 Proof of meeting.

The applicant shall be required to hold at least one community meeting prior to submitting an application for approval of one of the above uses. Applications for development shall not be complete until substantiation of the community meeting has been submitted to the city manager. Substantiation shall include:

- A. Copy of notice of community meeting posted;
- B. Copy of notice mailed to neighbors;
- C. Affidavit, signed by applicant that notice was mailed and posted as required. The affidavit shall be notarized;
- D. Copy of meeting minutes and notes taken to provide a record, including names and addresses of people attending and all issues raised. (Ord. O-06-01 (part), 2006)

Comment: *In the Exhibits attached to this application are: a copy of notice of community meeting posted; a copy of notice mailed to neighbors; an affidavit, signed by applicant that notice was mailed and posted as required. The affidavit has been notarized; and a copy of meeting minutes and notes taken to provide a record, including names and addresses of people attending and all issues raised.*

16.46.030 Purpose of meeting.

The purpose of the community meeting is to provide an opportunity for neighbors to review a development proposal and identify issues that may be addressed in a manner consistent with the King City code and to address the issues prior to submission of the application. The community meeting shall occur within one hundred eighty days before submitting a land development application. (Ord. O-06-01 (part), 2006)

Comment: *The Community Meeting was held on January 8th. This application is being submitted on Friday, June 1st, 2018*

16.46.040 Notices.

MARK DANE PLANNING INC.

14631 S.W. MILLIKAN WAY, SUITE 6, BEAVERTON OR 97003 / 503-332-7167 / markdaneplanning@gmail.com

The applicant shall post a notice of the community meeting on the site of the proposed development not less than twenty days prior to the meeting. The notice shall state that the site may be subject to a proposed development (e.g., subdivision, variance, special use), shall indicate the date, time and location of a community meeting, and shall indicate the name of the applicant and telephone number where applicant or its representative may be reached for more information. In addition, the applicant shall mail written notice of the meeting to the city manager and to all neighbors within five hundred feet of the property that is proposed to be developed. The notice shall also provide tax lot number(s) of the proposed site, site address, acreage and land use designation and a brief description of the nature of the proposed development. (Ord. O-06-01 (part),

Comment: A photograph of the posted sign is attached to the Exhibits. A copy of the letter mailed out, along with a list of neighbors to whom the letter was mailed to is also attached.

Chapter 16.102

NEIGHBORHOOD MIXED-USE ZONE (NMU)

16.102.010 Purpose.

The purpose of the NMU zone is to provide a mix of residential, retail, service, and business needs of surrounding residential neighborhoods while maintaining a compatible scale and character with those neighborhoods. It is intended for relatively small sites within or adjacent to residential neighborhoods.

16.102.020 Permitted uses.

A permitted use is a use which is allowed outright but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the NMU district are as follows:

- A. Dwelling, single-family attached and detached 0-foot side yard;
- B. Dwelling, multi-family;
- C. Duplex;
- D. Office;
- E. Retail sales and service conducted entirely indoors except for outdoor display as provided in 16.102.060 C. or is subject to liquor license review according to Chapter 5.05 of this title;

Comment: The applicant is proposing 16 single family attached townhomes which are permitted outright. Lot 17 is intended for commercial purposes. However the application for the commercial portion of the project will be made under a separate and later Design Review Application.

16.102.030 Conditional uses.

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the NMU district are as follows:

- A. Live-work unit that does not qualify for Type I or II home occupation approval as provided in Chapter 16.172;
- B. Retail sales and service conducted partially or completely outside of a building or subject to liquor license review according to Chapter 5.05 of this title;
 - 1. Sales-oriented,
 - 2. Personal service-oriented, and

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- 3. Entertainment-oriented;
- C. Utilities;
- D. Public safety facilities; and
- E. Parks and open space.

Comment: the applicant has determined that a part of lot 17 will be retained in a common open space format. That this space will be located at the southeast corner of the site adjacent to both SW 131st and SW Fischer.

16.102.040 Dimensional and density requirements.

- A. The dimensional requirements in the NMU district are:

Comment: The applicant has proposed 16 residential lots. All lots will bat least:

- 1) 1500 SF in size
- 2) 20 feet in width
- 3) 75 feet in depth

With

- 4) At least 18-feet from the back of walk to the face of the garage
- 5) 10 feet to the closest front wall to the property line, and
- 6) 6-feet to any form of covered porch
- 7) A 0-ft interior sideyard setback, and adjacent tract
- 8) A rear yard of least 10-feet
- 9) With 20% of the lot area or 300 SF landscaped in every lot*
- 10) And a maximum Height of 35-feet

The site contains 67,820SF, thus a maximum density of 12 x 1.56 acres of 18.68 units. The applicant is proposing 16 residential units. Lot 17 will be for commercial purposes

**There will be additional common open space provided on Lot 17 as part of the commercial development*

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16.102.050 Design requirements.

In addition to the dimensional requirements in Section 16.102.040, the following design requirements of this section shall apply.

A. Residential development shall comply with the following standards:

Comment: For all the town homes the following standards will be met:

- 1) *The main entrance will be within 8-feet of the longest front wall*
- 2) *Each front entry will have a 25-ft square porch at least 4-feet in depth*
- 3) *The first floor will have at least 20-SF of Glazing (excluding the front or garage doors) with a low sill of 4ft above ground*
- 4) *The garage doors will be 8-feet in width (40%) and setback 8-ft from the main façade.*
- 5) *There will be no more than 5 units attached in a single structure.*
- 6) *The rear yard will be at least 10 x 20 (200 SF)*

B. Non-residential and mixed-use development shall comply with the following standards:

Comment: the non-residential portion of the property will be submitted in a separate Design Review Application, upon approval of the subdivision, and the townhomes.

The remaining sections of this Zoning Code are applicable to commercial development and will be applied under the design review of Lot 17.

Chapter 16.124, Landscaping and Beautification.

Comment: This chapter includes landscaping requirements for new development. Section 16.124.050 and 16.124.060 require street trees and this will be applicable along the SW 131st Avenue and Fischer Road frontages and the new internal streets. Because the commercial portion of the project will be subject to site plan review, the landscaping standards relevant to this development type must also be satisfied.

Chapter 16.128, Tree Removal.

Comment: This portion of the CDC generally prohibits tree removal ($\geq 6"$ caliper) without a permit. Because trees are proposed to be removed, the applicant is submitting an arborist's report, which describes the trees that need to be removed along with the protection methods for those to be retained. The applicant understands that The arborist report may not be necessary if the only trees to be removed are old fruit trees or similar.

The applicant notes that tree removal within the wetland buffer area on the west side of the property will be subject to Clean Water Services requirements.

Chapter 16.132 PARKING AND LOADING

- 16.132.030 Minimum off-street parking requirements.
- 16.132.040 Parking dimensional standards.
- 16.132.050 Parking design standards.
- 16.132.060 Minimum bicycle parking requirements.
- 16.132.070 Bicycle parking design standards.
- 16.132.080 Loading area standards.

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16.132.030 Minimum off-street parking requirements.

16.132.040 Parking dimensional standards.

Comment: The applicant is proposing all parking spaces in the commercial portion of the site on Lot 17, be 9 x 18, with a 24-ft aisle. There will be one handicapped space per 16.132.050.A.1. However the proposed review of this parking area will be accompanying the review of the buildings proposed for said Lot 17.

16.132.050 Parking design standards.

- A. Parking for Handicapped. All parking lots in conjunction with government and public buildings, as defined by Chapter 31 of the uniform building code, are to include parking for the handicapped as set forth below. These spaces may be included to satisfy the total number of parking spaces required.
 - 1. One space for the first fifty spaces or fraction thereof; and one additional space for each additional fifty spaces or fraction thereof.
 - 2. Parking lot and parking spaces shall conform to the requirements of Chapter 31 of the uniform building code.
 - 3. Spaces shall be located nearest to the main pedestrian access point from the parking area to building or use serviced by the parking, and are to be designed so persons using wheelchairs or assisted walking are not compelled to pass behind parked vehicles.
 - 4. Parking for the handicapped shall be identified in accordance with the international symbol of accessibility for the handicapped.
- B. Lighting. Any lights provided to illuminate public or private parking areas or vehicle sales areas shall be arranged to reflect the light away from any neighboring residential district.
- C. Pavement. All parking spaces and access drives shall be paved to specifications approved by the city manager.
- D. Drainage.
 - 1. Off-street parking and loading areas shall be drained in accordance with specifications approved by the city manager to ensure that ponding of storm water does not occur.
 - 2. Except for single-family and two-family residences, off-street parking and loading facilities shall be drained to avoid flow of water across public sidewalks and streets.
- E. Wheel Stops.
 - 1. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop that is at least four inches high located three feet back from the front of the parking space.
 - 2. The front three feet of the parking stall may be concrete, asphalt or low lying landscape material that does not exceed the height of the wheel stop. This area cannot be calculated to meet landscaping or sidewalk requirements.
- F. Maintenance of Parking Areas. 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. (Ord. 96-4 § 1 (part), 1996)

Comment: The Commercial Parking lot associated with the design Review for Lot 17 will be submitted along with the commercial building plans, and will be subject to review at that time.

16.132.060 Minimum bicycle parking requirements.

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- * All spaces shall be covered and fifty percent of the spaces shall be lockable enclosures.

16.132.070 Bicycle parking design standards.

A. Parking Facility Design.

1. Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored, or secure stationary rack which support the frame so the bicycle cannot easily be pushed or fall to one side. Racks that require a user-supplied lock shall accommodate locking the frame and both wheels using either a cable or U-shaped lock.
2. Bicycle parking spaces shall be at least six feet long and two and one-half feet wide, and overhead clearance in covered spaces shall be a minimum of seven feet.
3. A five foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.
4. Bicycle racks or lockers shall be securely anchored.
5. Required bicycle parking shall be located in a well lighted, secure location within fifty feet of an entrance to the building, but not farther from the entrance of the building than the closest standard or compact vehicle parking space.
6. Bicycle parking shall not obstruct walkways. A minimum five foot wide aisle shall remain clear.
7. If ten or more bicycle spaces are required for commercial development, then at least fifty percent of the bicycle spaces must be covered. A lockable enclosure shall be considered as a covered parking space.
8. All of the required bicycle parking for residential uses shall be covered. This may include space provided in a carport or garage.

Comment: All long-term bicycle parking associated with the townhome units will be internal to the garages. Short term spaces can be included at a street corner if required by staff. However, the commercial bicycle spaces will be handled as part of the Design Review of Lot 17.

B. Locational Standards for Bicycle Parking.

1. All required bicycle parking shall be located on the site within fifty feet of main building entrances and not farther from the entrance than the closest standard or compact motor vehicle parking space. Bicycle parking shall have direct access to both the public right-of-way and to the main entrance of the principal use.
2. For buildings or development with multiple entrances, required short term bicycle parking shall be distributed proportionally at the various public entrances. Required long-term public parking shall also be distributed at the various public entrances, while employee parking shall be located at the employee entrance, if appropriate.
3. Bicycle parking may be located in the public right-of-way with the approval of the city manager. 4. Bicycle parking may be provided within a building, but the location must be easily accessible for bicyclists. (Ord. 96-4 § 1 (part), 1996)

Comment: The Commercial Bicycle Standards are applicable to the Design Review of Lot 17, and will be reviewed at the time of submittal for the Commercial buildings

16.132.080 Loading area standards.

A. Off-Street Loading Dimensions.

1. The design, entrances, exits, and location of each loading berth or area shall be approved by the city manager.

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2. Each loading space shall have sufficient area for turning and maneuvering of vehicles on the site, and at a minimum, the maneuvering length shall not be less than twice the overall length of the longest vehicle using the loading space.
3. Landscaping for off-street loading facilities is required and shall comply with Chapter 16.124.

B. Loading/Unloading Driveways Required OnSite. A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading passengers shall be located on the site of any school, community center or other meeting place which is designed to accommodate more than twenty-five people at one time.

C. Off-Street Loading Spaces. Buildings or structures to be built or altered which receive and distribute material or merchandise by truck shall provide and maintain off-street loading and maneuvering space as follows:

1. Every commercial use having floor area of ten thousand square feet or more, shall have at least one off-street loading space on the site;
2. One additional off-street loading space shall be provided for each additional twenty thousand square feet or fraction thereof; and
3. Loading spaces and areas shall be located in a manner that does not conflict with customer and pedestrian traffic on the site. (Ord. 96-4 § 1 (part), 1996)

Comment: The Commercial loading Area standards are applicable to the Design Review of Lot 17, and will be reviewed at the time of submittal for the Commercial buildings

Chapter 16.136

CIRCULATION AND ACCESS

Sections:

16.136.010	Purpose.
16.136.020	General provisions.
16.136.030	Access standards—Residential.
16.136.040	Access standards—Nonresidential.
16.136.050	Design standards.
16.136.060	Reservoir areas required for drive-in use.
16.136.070	Access restrictions.
16.136.080	Surfacing requirements.

16.136.030 Access standards—Residential.

- A. Vehicular access and egress for single-family, duplex, or attached single-family dwelling units on individual lots shall not be less than the following:
- B. Vehicular access and egress for multiple-family residential uses shall not be less than the following: A public street right-of-way and improvement shall be required when more than six separate lots are served by a street or access drive.
- C. Private residential access drives shall be provided and maintained in accordance with the applicable provisions of the uniform fire code.
- D. Access drives in excess of one hundred fifty feet in length shall be provided with approved provisions for the turning around of fire apparatus by one of the following:

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1. A level, circular, paved surface having a minimum turn radius measured from center point to outside edge of forty-five feet.
2. A level, hammerhead-configured, paved surface with each leg of the hammerhead having a minimum depth of forty feet and a minimum width of twenty feet. (Ord. 96-4 § 1 (part), 1996)

Comment: The applicant is proposing the development of a 28-ft tract with a 26-foot pavement, to allow 20-feet of fire access, and 6-feet for on street parking. The property line pins will be located behind the curb, in the sidewalk. The tract will be constructed to a public street structural section, and will be overlaid with a Public right-of-way easement across the entire Tract. This tract will also serve lot 17, which is proposed as a non-residential tract under 16.136.040

16.136.050 Design standards.

A. Access Drives.

Access drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site. Parking spaces on major access driveways shall be designed to reduce or eliminate backing movements and other conflicts with the driveway traffic. In order to slow traffic speeds on access drives, speed bumps, speed limit signs and similar techniques may be required by the approval authority to enhance safety for pedestrians, bicyclists and motorists on the site. In order to improve traffic flow, the approval authority may require directional signs on the site to guide pedestrians, bicyclists or motorists.

Comment: Lot 17 shall be developed with a parking lot. Said lot will have a 24-drive aisle, and each parking space will be 9-ft wide by 18-ft deep. Access to the parking lot will come internally from the private Street Tract 'B'.

B. One-Way Vehicular Access.

Comment: For purposes of fire safety, and for better circulation the applicant is requesting full access, and two way movement out to both SW 131st Avenue, and to SW Fischer. This will require the removal of an existing landscape Island in Fischer Road.

C. On-Site Bicycle and Pedestrian Circulation.

1. Walkways and driveways shall provide a direct connection to existing and planned walkways and driveways on adjacent developments. Sidewalks and walkways must connect the pedestrian circulation system to other areas of the site such as buildings, vehicle and bicycle parking, children's play areas, required outdoor areas and any pedestrian amenities, such as open space, plazas resting areas and viewpoints. The pedestrian system must connect the site to adjacent streets and nearby transit stops. Walkways shall be located so that pedestrians have a short distance to walk between a transit stop or public sidewalk and building entrances. Pedestrian and bicycle connections shall be direct and circuitous routes shall be avoided. Where pedestrian or bicycle routes cross driveways, parking area or loading areas, the connection must be clearly identifiable through the use of striping, elevation changes, speed bumps, a different paving material or other similar method. Where pedestrian or bicycle routes are parallel and adjacent to an auto travel lane, the connection must be safely separated from the auto travel lane through the use of raised path, a raised curb, bollards, landscaping or other physical barrier. (Ord. 96-4 § 1 (part), 1996)

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Comment: The applicant is proposing the construction of sidewalks both along the perimeter of the property on 131st, and Fischer, and also internally to the side on both sides of Tract 'B'. This will ensure complete and continuous pedestrian, and bicycle circulation.

Article V. Development Review

Chapter 16.144, Vision Clearance.

A 15-foot vision triangle is required on both sides of driveways. A 35-foot vision triangle is required for street intersections. It appears this standard can be satisfied. In addition, Washington County street standards will apply for the SW 131st Avenue intersection.

Comment: All VCTs will be shown on the final Construction Documents of this development.

Chapter 16.146, Residential Density Calculation.

This chapter describes how density is calculated, and it would potentially continue to apply to residential development in the new mixed-use zone.

Comment: The residential density Calculation has been included in narrative addressing the newly adopted Zone for this application

Chapter 16.148, Signs.

Comment: The applicant proposes that signs be reviewed as part of a subdivision/site plan review application or as a separate permit application. Section 16.148.030 applies to commercial uses, and Section 16.148.050 applies to signs for residential development.

Chapter 16.150, Planned Development.

Comment: After initial discussion its was determined that the applicant would not submit this application through the Planned Development process

Chapter 16.152 SITE PLAN REVIEW

Sections:

- 16.152.040 Submittal requirements.
- 16.152.050 Site conditions.
- 16.152.060 Site plan.
- 16.152.070 Grading plan.
- 16.152.080 Architectural drawings.
- 16.152.090 Landscape plans.
- 16.152.100 Sign plan.
- 16.152.110 Approval standards.
- 16.152.120 Exceptions to provisions.
- 16.152.130 Agreement and security.
- 16.152.140 Maintenance.

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16.152.040 Submittal requirements.

- A. In addition to the application form and information required in Section 16.44.030, the applicant shall submit each of the following:
1. A site plan, with the number of copies to be determined at the preapplication conference, and necessary data or narrative which explains how the development conforms to the standards, and:
 - a. The site plans and required drawings shall be drawn on sheets preferably not exceeding eighteen inches by twenty-four inches;
 - b. The scale for site plan shall be an engineering scale; and
 - c. All drawings of structure elevations or floor plans shall be a standard architectural scale, being one-fourth inch or one-eighth inch.
 2. The site plan, data and narrative shall include the following:
 - a. An existing site conditions analysis as described in Section 16.152.050;
 - b. A site plan, as detailed in Section 16.152.060;
 - c. A grading plan as detailed in Section 16.152.070;
 - d. Architectural elevations of all structures as detailed in Section 16.152.080;
 - e. A landscape plan as detailed in Section 16.152.090;
 - f. A sign plan as detailed in Section 16.152.100; and
 - g. A copy of all existing and proposed restrictions or covenants.

Comment: All plans submitted for Preliminary approval will be 18 x 24, with an engineered scale, and shall include those elements necessary to obtain preliminary approval for this project

16.152.050 Site conditions.

The site analysis drawings shall include:

- A. A vicinity map showing streets and access points, pedestrian and bicycle pathways, transit stops and utility locations;
- B. The site size and its dimensions;
- C. Contour lines at two-foot contour intervals for grades zero to ten percent and five-foot intervals for grades over ten percent;
- D. The location of drainage patterns and drainage courses;
- E. The location of natural hazard areas including:
 1. The one hundred-year floodplain;
 2. Slopes in excess of twenty-five percent;
 3. Unstable ground (areas subject to slumping, earth slides or movement);
 4. Areas having a high seasonal water table within zero to twenty-four inches of the surface for two weeks or more of the year;
 5. Areas having a severe soil erosion potential;
 6. Areas having severe weak foundation soils;
- F. The location of resource areas including those shown on the comprehensive plan inventory data:
 1. Wildlife habitats; and

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- 2. Wetlands;
- G. The location of resource areas including those shown on the comprehensive plan inventory data:
 - 1. Rock outcroppings;
 - 2. Trees with six inches diameter or greater measured four feet from ground level;
 - 3. Streams and drainageways;
 - and
- H. The location of existing structures on the site and proposed use of those structures; and I. The locations and types of noise sources on the site or on adjoining property such as traffic ways, mechanical equipment or noise producing land uses if requested by the city manager. See Section 8.04.130 for noise provisions. (Ord. 96-4 § 1 (part), 1996)

Comment: The applicant has submitted an Existing Conditions Plan that identifies all items required under this section.

16.152.060 Site plan.

The proposed site plan shall be at the same scale as the site analysis and shall include the following information:

- A. The proposed site and surrounding properties;
- B. Contour line intervals as required by Section 16.152.050(C);
- C. The location, dimensions and names of all:
 - 1. Existing and platted streets and other public ways and easements on the site and on adjoining properties, and
 - 2. Proposed streets or other public ways and easements on the site;
- D. The location and dimensions of:
 - 1. Entrances and exits on the site,
 - 2. Parking and circulation areas,
 - 3. Loading and service areas,
 - 4. Pedestrian and bicycle circulation,
 - 5. Outdoor common areas, and
 - 6. Above ground utilities;
- E. The location, dimensions and setback distances of all:
 - 1. Existing structures, improvements and utilities on the site or which are located on adjacent property within twenty-five feet of the site and are permanent in nature, and
 - 2. Proposed structures, improvements and utilities on the site;
- F. The location of all areas to be landscaped;
- G. The location and type of outdoor lighting, considering crime prevention techniques;
- H. The location of mailboxes;
- I. The location of proposed utility lines;
- J. The location of all structures and their orientation; and
- K. The size and location of mixed solid waste and recyclables storage areas. (Ord. 96-4 § 1 (part), 1996)

Comment The proposed Preliminary Site plan calls out the building locations, the locations of the proposed streets sidewalks, street trees et al. Final Construction Plans including all finalized private Utility plans like those of PGE, and Comcast, and the Gas company will be submitted as part of the Permit set for this application.

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16.152.070 Grading plan.

The site plan shall include a grading plan at the same scale as the site analysis drawings and shall contain the following information:

- A. Requirements in Sections 16.152.050 and 16.152.060;
- B. The location and extent to which grading will take place indicating general contour lines, slope ratios and slope stabilization proposals;
- C. A statement from a registered engineer supported by factual data substantiating:
 - 1. The validity of the slope stabilization proposals;
 - 2. That any increase in intensity of the runoff caused by development must be facilitated on the site and the intensity of runoff leaving the site in its developed state shall not exceed that in its undeveloped state. The statement shall include as a minimum a storm frequency of occurrence of ten years or greater, depending upon evaluation of potential for damage when a storm of higher frequency occurs;
 - 3. When on-site detention of an increased volume of water caused by development is not feasible or acceptable, a plan which identifies and which mitigates any off-site adverse effects resulting from increased runoff shall be prepared by a registered civil engineer; and
 - 4. Compliance with clean water services requirements for erosion control during construction.

Comment: This application includes a preliminary Grading and Erosion Control Plan, that also includes the proposed Public Utilities – water, sanitary, and storm. The applicant will be utilizing the adjacent water quality facility that was constructed as part of the apartment complex and is and a public facility. The applicant has included storm drainage calcs confirming the facilities ability to handle the additional capacity.

16.152.080 Architectural drawings.

The application shall include:

- A. Floor plans indicating the square footage of all structures proposed for use on-site; and
- B. Typical elevation and section drawings of each structure. (Ord. 96-4 § 1 (part), 1996)

Comment: No architectural drawings are required for the submittal, and planning approval of townhomes that comply with the underlying zoning standards of the current zone. Upon the submittal of the commercial portion of the project on Lot 17 the applicant will submit detailed drawings for design review. For the Final Construction approval of both elements final plan sets will be submitted for internal Review.

16.152.090 Landscape plans.

A. The landscape plan shall be drawn at the same scale as the site analysis plan, or a larger scale if necessary, and shall indicate:

- 1. Location of underground irrigation system sprinkler heads where applicable;
- 2. Location and height of fences, buffers and screening;
- 3. Location of terraces, decks, shelters, play areas and common open spaces; and
- 4. Location, type, size and species of existing and proposed plant materials.

B. The landscape plan shall include a narrative which addresses:

- 1. Soil conditions;

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2. Erosion control measures that will be used; and
3. A plan for soil treatment such as stockpiling the top soil. (Ord. 96-4 § 1 (part), 1996)

16.152.100 Sign plan.

- A. Sign drawings shall be submitted in accordance with Chapter 16.148 of this title.
- B. Freestanding signs shall be described at the time of site plan review by identifying:
 1. Location of any freestanding signs shown on the site plan; and
 2. A drawing to scale submitted to the city manager showing the dimensions, height, color, material and means of illumination of the sign. (Ord. 96-4 § 1 (part), 1996)

16.152.110 Approval standards.

The planning commission shall approve, approve with conditions or deny an application based on findings of fact with respect to the approval standards of this section.

- A. Provisions of the following parts of this title:
 1. Accessory uses and structures—Chapter 16.176;
 2. Additional yard and setback requirements—Section 16.80.060;
 3. Base zone requirements—Chapters 16.80 through 16.112;
 4. Building height exceptions—Section 16.80.070;
 5. Circulation and access—Chapter 16.136;
 6. Landscaping and screening—Chapter 16.124;
 7. Parking and loading—Chapter 16.132;
 8. Public facility and service requirements— Chapter 16.196;
 9. Flood plain and drainage hazard areas—Chapter 16.140;
 10. Signs—Chapter 16.148;
 11. Solar balance point standards—Chapter 16.116;
 12. Tree removal—Chapter 16.128;
 13. Vision clearance—Chapter 16.144; and
 14. 14. Neighborhood circulation—Chapter 16.212.

B. Relationship of the Natural and Physical Environment.

1. Buildings shall be:
 - a. Located to preserve existing trees, topography and natural drainage to the degree possible;
 - b. Located in areas not subject to ground slumping or sliding;
 - c. Located to provide adequate distance between adjoining buildings on-site and off-site to provide for adequate light, air circulation and fire fighting; and
 - d. Oriented with consideration for sun and wind.
2. Trees having a six-inch diameter or greater diameter, four feet from the base, shall be preserved or replaced by new plantings of equal character.

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Comment: Those trees to be removed by the proposed subdivision will be mitigated both with street trees, and the plantings in the proposed Riparian Buffer. The specific tree count is to be determined through the Construction Documents

C. Exterior Elevations.

1. Along the vertical face of single-family attached and multi-family structures, offsets shall occur at a minimum of every thirty feet by providing any two of the following:

- a. Recesses (decks, patios, entrances, floor area, etc.), of minimum depth of eight feet,
- b. Extensions (decks, patios, entrances, floor area, etc.), of minimum depth of eight feet, a maximum length of an overhang shall be twenty-five feet, or
- c. Offsets or breaks in roof elevations of three or more feet in height.

Comment: The proposed entrances of all the homes will be setback 8-feet from the main façade of the buildings, 2nd and 3rd floors

D. Buffering, Screening and Compatibility between Adjoining Uses.

1. Buffering shall be provided between different types of land uses (for example, between singlefamily and multi-family residential, and residential and commercial), and the following factors shall be considered the adequacy of the type and extent of the buffer (see Chapters 16.180 and 16.124 for specific provisions);

- a. The purpose of the buffer, for example to decrease noise levels, absorb air pollution, filter dust, to provide a visual barrier,
- b. The size of the buffer required to achieve purpose in terms of width and height,
- c. The directions from which buffering is needed,
- d. The required density of the buffering, and
- e. Whether the viewer is stationary or mobile.

Comment. The south property line runs along the north right-of-way of SW Fischer Road. Th East property line is the west right-of-way of SW 131st Avenue. The west boundary is a drainageway, with a50-ft vegetated buffer between the rear yards of the adjacent homes and the boundary. West of the property is a further wooded buffer to the single-family homes. There are multifamily homes to the north. However, the mass, height, and general bulk of the apartments is not dissimilar to the proposed townhome buildings. While one is multi-family and the other single family. No additional buffer should be required nor sought.

2. On-site screening from view from adjoining properties of such things as service areas, storage areas, parking lots and mechanical devices on rooftops (e.g., air cooling and heating systems) shall be provided and the following factors will be considered in determining the adequacy of the type and extent of the screening (see Chapters 16.180 and 16.124 for specific fence and screening provisions):

- a. What needs to be screened,
- b. The direction from which it is needed,
- c. How dense the screen needs to be,
- d. Whether the viewer is stationary or mobile, and
- e. Whether the screening needs to be year round.

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Comment: All mechanical advices for the townhomes will be internal. When the mechanism for the commercial portion of the site are reviewed, the applicant will ensure compliance with this standard. No additional screening is required for the townhomes and their adjacent uses of multifamily development to the north, and single family detached homes to the west of the site.

E. Privacy and Noise.

1. Structures which include residential dwelling units shall provide private outdoor areas, that are screened from adjoining units;
2. Structures shall be oriented in a manner which protects private spaces on adjoining properties from view and noise;
3. Residential units shall be located on the portion of the site having the lowest noise levels;
4. On-site uses which create noise, lights, or glare shall be buffered from adjoining residential uses (see subsection (D)(2) of this section for specific provisions); and
5. All uses and structures shall comply with the provisions of Title 8 of this code.

Comment: Each of the proposed homes will be constructed to meet current fire life, and safety rules. These include the minimization of noise between common wall buildings. The homes will be located along the north, and west property lines adjacent to the drainageway to the west, and the apartment site to the north away from SW 131st and Fischer Road

F. Private Outdoor Areas—Residential Uses.

1. In addition to the requirements of subsection (D)(2) of this section, each ground level residential living unit shall have an outdoor private area (patio, terrace, porch), and shall be at least forty-eight square feet in size with a minimum width dimension of four feet and: Balconies used for entrances or exits shall not be considered as open space except where such exits or entrances are for the sole use of the unit;
2. Wherever possible, private outdoor open spaces should be oriented toward the sun; and
3. Private outdoor spaces shall be screened or designed to provide privacy for the users of the space.

G. Shared Outdoor Recreation Areas—Residential Uses.

1. In addition to the requirements of subsections (E) and (F) of this section, usable outdoor recreation space shall be provided in residential development for the shared or common use of all residents in the following amounts:
 - a. Studio size up to and including two-bedroom units, two hundred square feet per unit,
 - b. Three or more bedroom units, three hundred square feet per unit, and
 - c. For manufactured/mobile home parks, two hundred fifty square feet per dwelling with each shared outdoor recreation area having a minimum size of two thousand five hundred square feet.

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2. The required recreation space may be provided using one or more of the following options:
 - a. It may be all outdoor space,
 - b. It may be part outdoor space and part indoor space, for example, an outdoor tennis court and indoor recreation room,
 - c. It may be all public or common space,
 - d. It may be part common space and part private, for example, it could be an outdoor tennis court, indoor recreation room and balconies on each unit, or
 - e. Where balconies are added to units, the balconies shall not be less than forty-eight square feet.
3. Shared outdoor recreation space shall be readily observable for reasons of crime prevention and safety;
4. Parks shall be conveniently located so as to provide direct public access and availability from a public street;
5. Parks shall be bordered by at least one public street for a sufficient distance to encourage public use and provide visual access.

H. Where landform alteration and/or development are allowed within and adjacent to the one hundred-year floodplain, the city shall require the preservation of open space within the one hundred-year floodplain as provided in Chapter 16.140.

I. Demarcation of Public, Semipublic and Private Spaces—Crime Prevention.

1. The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semipublic areas and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, in order to provide for crime prevention and to establish maintenance responsibility; and
2. These areas may be defined by:
 - a. A deck, patio, low wall, hedge or draping vine,
 - b. A trellis or arbor,
 - c. A change in the texture of the path material,
 - d. Signs, or
 - e. Landscaping;

Comment: Each home will have a private rear yard. The front yard will be semi-public, and it is proposed that lot 17 will have a public gathering area. However, the parking, open space, and gathering area will be determined through the Design review process to follow this application.

J. Crime Prevention and Safety.

1. Windows shall be located so that areas vulnerable to crime can be surveyed by the occupants;
2. Interior laundry and service areas shall be located in a way that they can be observed by others;
3. Mail boxes shall be located in lighted areas having vehicular or pedestrian traffic;
4. The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime; and
5. Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps and abrupt grade changes. Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet which is sufficient to illuminate a person.

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Comment: All of the 16 units will have windows facing out onto the internal private street. However each laundry area in each unit will NOT be able to be observed by others. There will be a mail box located where determined by the Postal Service. This will probably be centrally located at the internal intersection of the proposed private Street. The applicant will work with PGE to determine the correct lighting and lumens levels throughout the site.

K. Parking and Circulation.

In addition to the provisions of this title, the following shall apply to all uses:

1. The parking area shall have less than a five percent grade, and shall be free of areas which pond water;
2. Pedestrian walkways shall be provided in parking areas having fifteen or more spaces;
3. The parking and circulation patterns shall be clear to minimize traffic hazards and congestion and to facilitate emergency vehicles; and
4. If any parking is provided for the public or visitors, or both, the needs of the handicapped shall be considered and accommodated.

Comment: All parking on each of the lots will have a grade of less than 5%, and be provided with the applicable level of handicapped parking, and landscaping around the perimeter of the property.

L. Landscaping.

1. All landscaping shall be designed in accordance with the requirements set forth in this title Article IV, Chapter 16.124.
2. Residential Uses. In addition to the open space and recreation area requirements of subsections 16.152.110 (E) and (F) of this section, a minimum of twenty-five percent of the gross area including parking, loading and service areas shall be landscaped.
3. Non-residential Uses. A minimum of fifteen percent of the gross site area shall be landscaped with landscaping located within parking areas.
4. Parking, Loading or Service Areas.
 - a. A parking, loading or service area which abuts a street shall be set back from the right-of-way line by a landscaped strip at least five feet in width and the landscaped area shall comply with the provisions of Chapter 16.124.
 - b. A parking, loading or service area which abuts a property line shall be separated from the property line by a landscaped area that complies with the provisions of Chapter 16.124.

Comment: the applicant has proposed that Tract 'A' the riparian corridor be included into the overall landscaping calculations. Each Lot will have a 10 x 20 ft or 200 SF Rear yard of 13.3% of the lot area. A further 80 SF shall be landscaping in the front yard. The specific landscaping requirements of lot 17 will be provided at the time of the Design Review Submittal for the commercial portion of the development

M. **Drainage.** All drainage plans shall be designed in accordance with criteria within the city's public facilities plan.

N. **Manufactured/Mobile Home Park Standards.**

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Comment: The mobile homes are proposed.

O. Mixed Solid Waste and Recyclable Storage.

1. Applicability.

The mixed solid waste and source separated recyclables storage standards in this subsection shall apply to new multi-family residential buildings containing five or more units and nonresidential construction that are subject to site plan or conditional use review.

3. Specific Requirements.

- a. Multi-unit residential buildings containing five to ten units shall provide a minimum storage area of fifty square feet. Buildings containing more than ten residential units shall provide an additional five square feet per unit for each unit above ten.
- b. Non-residential buildings shall provide a minimum storage area of ten square feet, plus.
- c. Office: four square feet/one thousand square feet of gross floor area (GFA);
- d. Retail: ten square feet/one thousand square feet of GFA;
- e. Educational and Institutional: four square feet/one thousand square feet of GFA;
- f. Other: four square feet/one thousand square feet of GFA.

Comment: Each of the trash, and recycling resources for each lot will be stored within the garage space of each individual unit for the residential portion of the property. These will be wheeled out to the curb on Trash collection day each week. The Trash / recycling area for the commercial portion of the property will be discussed as part of the Design review Application for Lot 17.

4. Location, Design and Access Standards for Storage Areas.

The following location, design and access standards for storage areas shall be satisfied.

- a. Location Standards.
 - i. To encourage its use, the storage area for source separated recyclables shall be located with the storage area for residual mixed solid waste.
 - ii. Indoor and outdoor storage areas shall comply with uniform building and fire code requirements.
 - iii. Storage area space requirements can be satisfied with a single location or multiple locations, and can combine both interior and exterior locations. iv. Exterior storage areas can be located within interior side yard or rear yard areas. Exterior storage areas shall not be located within a required front yard setback or in a yard adjacent to a public or private street.
 - v. Exterior storage areas shall be located in central and visible locations on a site to enhance security for users.
 - vi. Exterior storage areas can be located in a parking area, if the proposed use provides at least the minimum number of parking spaces required for the use after deducting the area used for storage and access. Storage areas shall be appropriately screened according to the provisions in subsection (O)(4)(b) of this section.

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- vii. The storage area shall be accessible for collection vehicles and located so that the storage area must not obstruct pedestrian or vehicle traffic movement on the site or on public streets adjacent to the site.

b. Design Standards.

- i. The dimensions of the storage area shall accommodate containers consistent with current methods of local collection.
- ii. Storage containers shall meet Uniform Fire code standards and be made and covered with waterproof materials or situated in a covered area.
- iii. Exterior storage areas shall be enclosed by a sight obscuring fence, wall or hedge at least six feet in height. Gate openings which allow access to users and haulers shall be provided. Gate openings for haulers shall be capable of being secured in a closed and open position.
- iv. Storage area(s) and containers shall be clearly labeled to indicate the type of materials accepted.

c. Access Standards.

- i. Access to storage areas can be limited for security reasons. However, the storage area shall be accessible to users at convenient times of the day, and to collection service personnel on the day and approximate time they are scheduled to provide collection service.
- ii. Storage areas shall be designed to be easily accessible to collection trucks and equipment, considering paving, grade and vehicle access. A minimum of ten feet horizontal clearance and eight feet of vertical clearance is required if the storage area is covered.
- iii. Storage areas shall be accessible to collection vehicles without requiring backing out of a driveway onto a public street. If only a single access point is available to the storage area, adequate turning radius shall be provided to allow collection vehicles to safely exit the site in a forward motion

16.152.120 Exceptions to provisions.

The planning commission may grant an exception to the dimensional building setback or yard requirements of the applicable zone based on findings that the approval will result in the following:

- A. A reduction of a required setback which is not greater than fifteen percent;
- B. Promotion of a more efficient use of the site; and
- C. Preservation of unique site conditions or features such as wetlands, flood plains, steep slopes or mature trees.

Comment: the applicant is working with a property whose west property line is delineated with a wetland and a 50-ft riparian habitat. However as of the date of this narrative no additional variances to the standards appear to be required.

16.152.130 Agreement and security.

The developer and property owner shall, as a condition of approval, execute a development agreement for any public improvements required by site plan review. The agreement shall be on a form approved by the city attorney. The property owner may be required to file with the city a performance bond or other security as approved by the city attorney to assure full performance of the required improvements. The bond shall be for the estimated cost of the

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improvements plus ten percent. The bond shall remain in effect until the public improvements are accepted by the city. Landscaping shall be installed prior to issuance of an occupancy permit unless the city manager determines that a delay in planting is justified to promote the maintenance of the landscaping. In this case, security equal to the cost of landscaping, as determined by the city manager, must be filed with the city assuring installation of landscaping within six months after occupancy. (Ord. 96-4 § 1 (part), 1996)

16.152.140 Maintenance.

All on-site improvements shall be the ongoing responsibility of the property owner or occupant. Should landscaping materials die after installation, it shall be the ongoing responsibility of the property owner to provide replacement plantings to maintain the intent of the approved landscape plan. All other facilities, including parking areas, walks, signage and other improvements shall be maintained in good serviceable quality so that the quality appearance of the site is maintained at all times. (Ord. 96-4 § 1 (part), 1996)

Chapter 16.180, Fences and Walls.

This chapter provides the wall and fence standards and method for measurement.

Comment: *The applicant is proposing that the rear yards, and side yards between all lots be fenced with a six foot cedar good neighbor fence.*

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Article VI. Land Division

Chapter 16.196 SUBDIVISION

Applicable Sections:

- 16.196.020 General provisions.
- 16.196.040 Phased development.
- 16.196.050 Submittal requirements— Preliminary plat.

- 16.196.020 General provisions.

- A. An application for a subdivision shall be processed through a two-step process: the preliminary plat and the final plat.
 - 1. The preliminary plat shall be approved by the planning commission before the final plat can be submitted for approval consideration; and
 - 2. The final plat shall reflect all conditions of approval of the preliminary plat.
- B. All subdivision proposals shall be in conformity with all state regulations set forth in ORS Chapter 92, Subdivisions and Partitions.
- C. When subdividing tracts into large lots, the planning commission shall require that the lots be of such size and shape as to facilitate future redivision in accordance with the requirements of the zoning district and this title.
- D. All subdivision proposals shall be consistent with the need to minimize flood damage.
- E. Where land form alteration and/or development are allowed within and adjacent to the one hundred-year floodplain outside the zero-foot rise floodway, the planning commission shall require the designation of open land area as provided in Chapter 16.140. This area shall include portions at a suitable elevation for the construction of a pedestrian walkway within the floodplain to connect to the city's trail system.
- F. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- G. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
- H. Where base flood elevation has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least fifty lots or five acres (whichever is less).

Comment: *the applicant has proposed a subdivision of the property that remains a 50-ft buffer from the edge of the delineated wetland. All development and grading will remain outside of the Drainage Hazard area, and no work will occur within the wetland or drainage way*

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16.196.040 Phased development.

- A. The planning commission may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period for any phase be greater than two years without reapplying for a preliminary plat.
- B. The following criteria for approving a phased site development review proposal shall be:
 - 1. The public facilities shall be scheduled to be constructed in conjunction with or prior to each phase to ensure provision of public facilities prior to building occupancy;
 - 2. The development and occupancy of any phase shall not be dependent on the use of temporary public facilities. (For purposes of this subsection, a temporary public facility is an interim facility not constructed to the applicable city or district standard); and
 - 3. The phased development shall not result in requiring the city or other property owners to construct public facilities that were required as a part of the approval of the preliminary plat.
- C. The application for phased development approval shall be heard concurrently with the preliminary plat application and the decision may be appealed in the same manner as the preliminary plat.

Comment: *The applicant is proposing to subdivide the property to develop the 16 townhomes on lots 1-16. Lot 17 which consist of a commercial development may well be phased in at a later date. However, the public infrastructure, as well as the service laterals to accommodate this parcel will be developed along with the Phase 1 plat.*

16.196.050 Submittal requirements— Preliminary plat.

- A. In addition to the forms and information required in Section 16.44.030, the following information shall be submitted:
 - 1. The preliminary plat map and required data or narrative (number to be determined at the preapplication conference);
 - 2. The preliminary plat map and data or narrative shall include the following:
 - a. The name and address and telephone number of the following:
 - i. The owner(s) of the subject parcel,
 - ii. The owner (s)' authorized agent, and
 - iii. The land surveyor and engineer;
 - 3. Sheet size for the preliminary plat shall preferably not exceed eighteen inches by twenty-four inches;
 - 4. The scale shall be an engineering scale, and limited to one phase per sheet;
 - 5. The proposed name of the subdivision shall comply with ORS Chapter 92 and shall not duplicate or resemble the name of any other subdivision in the County, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the applicant files and records the consent of the party that platted the subdivision bearing that name;
 - 6. Vicinity map showing the general location of the subject property in relationship to arterial and collector streets;
 - 7. The date of application;
 - 8. The boundary lines of the tract to be subdivided;
 - 9. The names of adjacent subdivisions or the names of recorded owners of adjoining parcels of unsubdivided land;
 - 10. Contour lines related to a city established benchmark at two-foot intervals for grades zero to ten percent and five-foot intervals for grades over ten percent;
 - 11. The purpose, location, type and size of all the following (within and adjacent to the proposed subdivision) existing and proposed:
 - a. Public and private rights-of-way and easements,

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- b. Public and private sanitary and storm sewer lines, domestic water mains including fire hydrants, gas mains, major power (50,000 volts or better), telephone transmission lines, cable television lines, and watercourses, and
- c. Deed reservations for parks, open spaces, pathways and any other land encumbrances;
- 12. Approximate plan and profiles of proposed sanitary and storm sewers with grades and pipe sizes indicated and plans of the proposed water distribution system, showing pipe sizes and the location of valves and fire hydrants;
- 13. Approximate centerline profiles showing the finished grade of all streets including street extensions for a reasonable distance beyond the limits of the proposed subdivision;
- 14. Scaled cross sections of proposed street rights-of-way;
- 15. The location of all areas subject to inundation or storm water overflow, and the location, width and direction of flow of all watercourses and drainageways;
- 16. The proposed lot configurations, approximate lot dimensions and lot numbers. Where lots are to be used for purposes other than residential, it shall be indicated upon such lots. Each lot shall abut upon a public street;
- 17. The location of all trees having a six inch caliper or greater measured at four feet above ground level, and the location of proposed tree plantings, if any;
- 18. The existing use of the property, including location of all structures and present use of the structures, and a statement of which structures are to remain after platting;
- 19. Supplemental information including proposed deed restrictions, if any, proof of property ownership, and a proposed plan for provision of subdivision improvements; and
- 20. Existing natural features including rock outcroppings, wetlands and marsh areas.
- 21. The north arrow.

Comment: *The applicant has submitted an Existing Conditions Plan, and Preliminary Plat, a proposed Grading + infrastructure plan, and a preliminary landscape / Streetscape plan. Together this plan set meets the Description of the Preliminary Plat Plan Submittal requirements listed herein.*

16.196.060 Approval standards—Preliminary plat.

- A. The planning commission may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:
- 1. The proposed preliminary plat and the neighborhood circulation plan (Section 16.212.040) comply with the applicable provisions of this title;
 - 2. The proposed plat name is not duplicative or otherwise satisfies the provisions of ORS Chapter 92;
 - 3. The proposed streets and accessways are designed in accordance with Chapter 16.212;
 - 4. Parks shall be conveniently located so as to provide direct public access and availability from a public street;
 - 5. Parks shall be bordered by at least one public street for a sufficient distance to encourage public use and provide visual access.

Comment: *The applicant has proposed a preliminary plat to improve and encourage both pedestrian, and vehicular circulation both adjacent, and through the proposed subdivision, creating new circulation patterns enhancing both traffic flow, and fire safety. The proposed tract will connect SW 131st to SW Fischer Road. It is anticipated that the street will be called SW 132nd Court. The street will provide frontage for each of the 16 proposed residential lots as well as the proposed commercial lot (Lot 17)*

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Chapter 16.208, Improvements.

Of particular note, Section 16.208.040 requires streets and sidewalks to comply with county standards. While city standards do not explicitly prohibit the use of off-set intersections, it is strongly recommended to avoid them. New streets should intersect with existing street intersections so that centerline is not offset. The street design and intersection locations should be accompanied by a traffic engineer's report.

***Comment:** the applicant is proposing a 26-ft street with two curb tight sidewalks. To allow access to parking on the south, and east sides of the street, will minimizing impact on the proposed depth of the new lots. The engineered section of the private street will meet public street standards*

Chapter 16.212, Neighborhood Circulation.

This chapter contains requirements that are intended to establish good access for all modes of travel within and between neighborhoods. As we discussed, the city would like to provide a pathway connection to the public sidewalk proposed for the apartment development to the north.

***Comment:** The proposed through street, and the accompanying sidewalk provide a true alternative access other than the main intersection of SW 131st and Fischer, offering some relief during peak traffic hours, as well as providing a fire access alternative should the intersection become blocked*

Review and Approval Process

The review and approval process will consist of the following steps:

1. Development of the Comprehensive Plan and Zoning amendments described above. This would include active coordination between the applicant and city staff. The city staff can take the lead on this aspect of the application.
2. One meeting with the neighborhood is required (CDC 16.46), but holding supplemental meetings before the plan and zoning amendment package is complete, is recommended.
3. Submittal of the Comprehensive Plan and Zoning amendment application. This will require a minimum 35-day notice to the Department of Land Conservation and Development (DLCD) prior to the first Planning Commission hearing. Notice to surrounding property owners and newspaper notice would also occur during this time. A Planning Commission recommendation would then be considered by the City Council. The city has up to 120 days to make a decision, and you should anticipate approximately three months.
4. Site plan review and subdivision application to create a mixed-use development consisting of residential lots and a neighborhood commercial center. The city would have up to 120 days to render a final decision. The Planning Commission makes the decision, which may be appealed to the City Council. This step could be combined with Step 3. It would obviously shorten the review time, but would require a detailed development application in advance of knowing if the plan and code amendments will be approved. If submitted with the plan and code amendments, the Planning Commission would submit a recommendation to the City Council regarding the plan, code, and zone map amendments along with a decision regarding the site plan and subdivision contingent upon City Council adoption of the plan and code amendments.

***Comment:** The applicant has prepared and submitted a complete application for the Comp. Plan Amendment, and zone change, as well as a subdivision application. A neighborhood meeting was held early this spring, and the project described to the member of the audience. The applicant will work with staff to ensure this application is accepted as complete to allow the process to move forward towards approval.*

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The applicant will continue to work with staff in providing clear and concise comments to assist staff in the recommendation for a zone change, and subdivision approval of this property. It is anticipated that staff will require additional materials upon their initial review of this application. Given the nature of the site, and the new zone we hope that we can move forward in a manner that minimizes impacts to the neighborhood, and results in the construction of a mixed used development that will offer a transitional step towards the future look, and feel of the City as it expands west with the new expansion of the UGB this year through METRO.

Mark Dane

A handwritten signature in black ink, appearing to be 'Mark Dane', with a stylized, cursive script.

Mark Dane, Mark Dane Planning Inc.

4) PRE-APPLICATION REQUEST

MARK DANE PLANNING INC.

14631 SW MILLIKAN WAY, BEAVERTON, OR 97003 SUITE #6 curtis.markdaneplanning@gmail.com 971-732-4511

Pre-Application Conference Request

Site:

16935 SW 131st Avenue, King City, OR 97224

Applicant:

Mark Dane Planning Inc.

Att: Curtis Eschman

14631 SW Millikan Way

Beaverton, OR 97003. Suite #6

971-732-4511

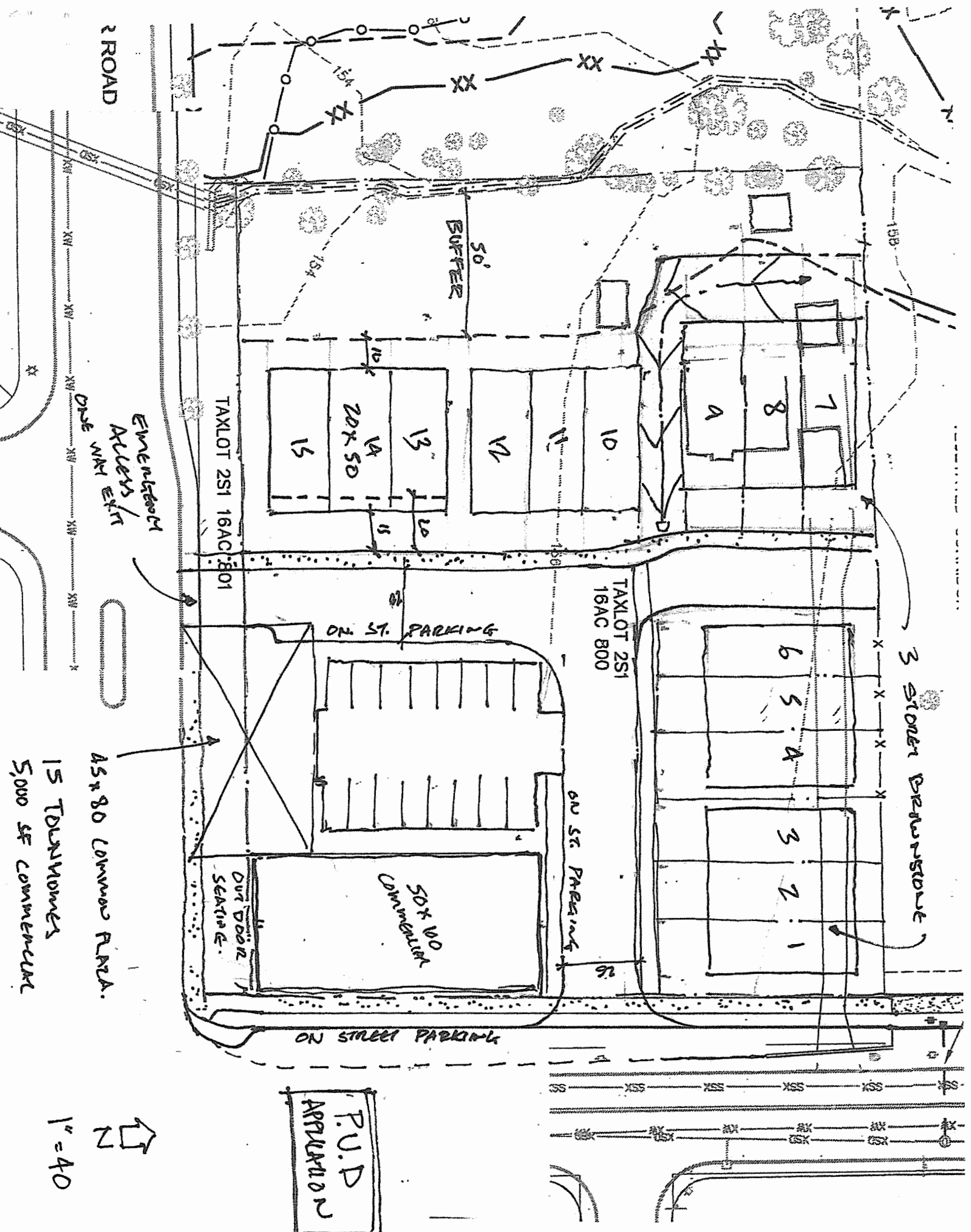
Proposal:

Applicant is proposing a zone change from R-12 to the Neighborhood Mixed Use and a land use application for a subdivision/ PUD including single family attached homes, mixed commercial/ retail use, and an open space area.

- Public Street (Reduced width of street & ROW)
- Vehicle and Ped access off of SW 131st
- Emergency access/ one way exit/ pedestrian access on SW Fischer
- 15 single family lots
- 3- Story attached homes
- 5,000 SF commercial/retail space
- 45' x 80' Common Plaza
- Commercial/ retail parking lot
- 50-ft buffer from Creek
- Pedestrian Connection to Apartment Complex to the North

Questions:

- Code section/ explanation on public and private street standards?
 - ✓ • Would a PUD allow for mixed used/ open space without proceeding with the zone change?
 - Can the open space include the creek buffer and common plaza?
 - ✓ • Frontage improvements on SW 131st *ANNEX WACO*
 - City Timing/ Fee's
- TRACT*
- ONLINE*



2 ROAD

DRIVE
W/IN EXTN

TAXLOT 2S1 16AC 801

50'
BUFFER

ON ST. PARKING

TAXLOT 2S1
16AC 800

ON ST. PARKING

3 STORE BUILDING

ON STREET PARKING

50x100
COMMERCIAL

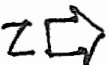
DRIVE DOOR
SEATING

45x80 COMMER AREA

15 TOWNHOMES

5,000 SF COMMERCIAL

P.U.D.
APPLICATION



1" = 40'

5) NEIGHBORHOOD MEETING MATERIALS:

- LETTER TO NEIGHBORS
- CONCEPT PLAN SENT WITH LETTER
- LIST OF ADDRESSES
- LIST OF ATTENDEES
- MINUTES OF MEETING

Mark Dane Planning Inc.

14631 SW MILLIKAN WAY
BEAVERTON OR 97003, SUITE #6
503-332-7167
Markdaneplanning@gmail.com

Date: December 13, 2017

To: Adjacent property owners

Re: For Neighborhood Review Meeting

Proposed 17 Lot Subdivision, including two mix commercial buildings with a public open area.

Dear neighbors:

Mark Dane Planning, Inc. is representing the owner of the property located at 16935 SW 131st Ave, tax lot number 800 of tax map 2S115AC. We are considering a proposal for a 17 Lot Subdivision single-family detached homes including a private street, two mixed commercial buildings with an open public area. The site is currently zoned R-12, our proposal is proposed to include a zone change to a Mixed Use Neighborhood Commercial and Multifamily zone, which would need to be developed. This has been discussed with the King City Manager and Planner. Prior to formally submitting an application to King City, we would like to take the opportunity to discuss the proposal in more detail with you.

The purpose of this meeting is to provide a forum for the applicant and surrounding property owners/residents to review the proposal and to identify issues so they may be considered before the formal application is turned in to the City. This meeting gives you the opportunity to share with us any special information you know about the property involved. We will attempt to answer questions, which may be relevant to meeting development standards consistent with King City's Community Development Code and Comprehensive Plan.

Mon. January 8th, at 6:00 PM, @ King City Civic Center
15245 SW 116th Ave, Portland, OR 97224

Please note this meeting will be an informational meeting on preliminary development plans. These plans may be altered prior to submittal of the application to King City. Depending upon the type of land use action required, you may receive official notice from King City for you to either participate with written comments and/or an opportunity to attend a public hearing.

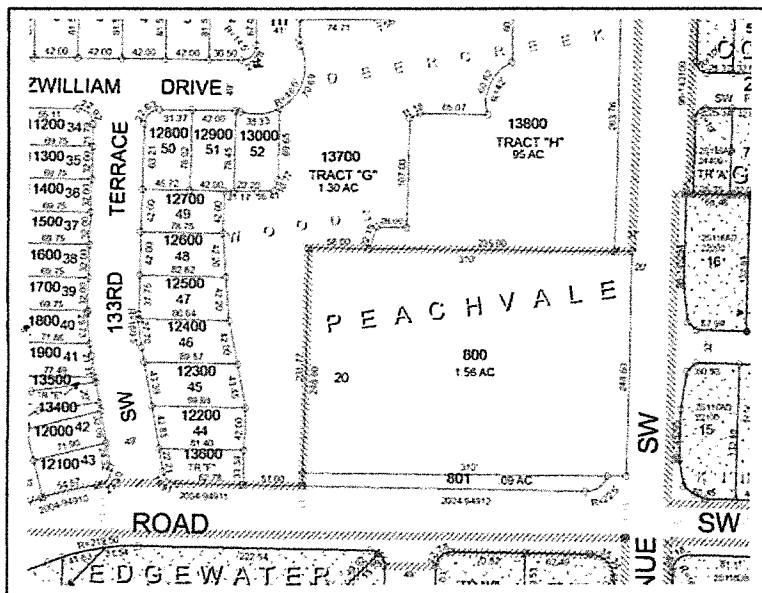
We look forward to more specifically discussing this proposal with you. Please feel free to contact me at 503.332.7167 or e-mail me at markdaneplanning@gmail.com if you have any questions.

Sincerely,



Mark Dane Planning Inc.

Mark Dane - Planner



50' CWS
BUFFER

ATTACHED SINGLE
FAMILY TOWNHOMES

PEDESTAL ACCESS
TO APARTMENTS

NEW ON-STREET
PARKING



PRIVATE
STREET / PILOT

KING CITY
PUBLIC HOUSE

PARKING / POSS.
FOOD POD.

PUBLIC PLAZA

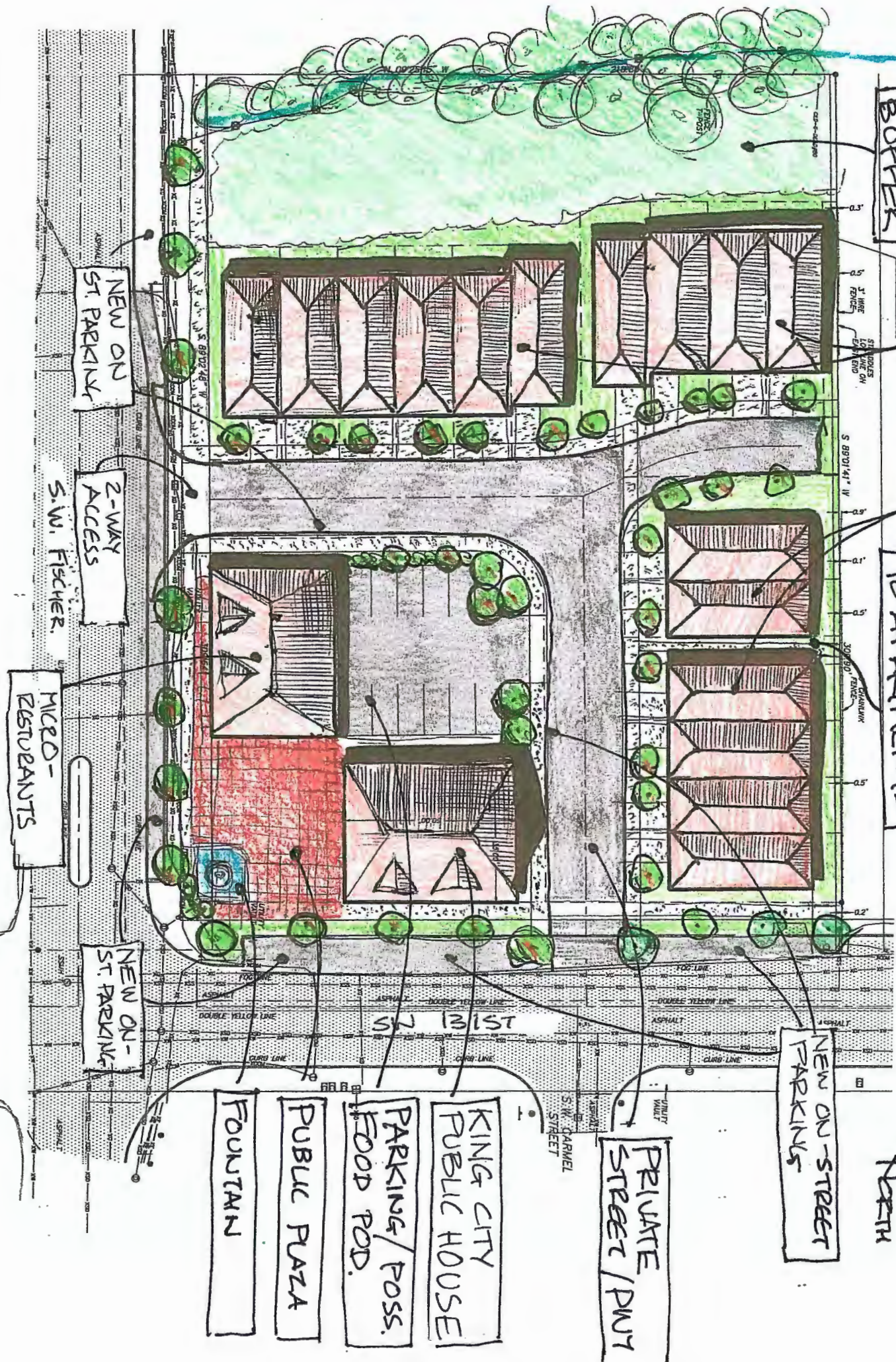
FOUNTAIN

NEW ON
ST. PARKING

2-WAY
ACCESS
S.W. FISCHER.

MICRO-
RESTAURANTS

NEW ON-
ST. PARKING



Carmelita Abulencia
16987 SW 133rd Ter
King City, OR. 97224

Katie Alexander
16855 SW 133rd Ter
King City, OR. 97224

Jessica Nicole Arthur
13323 SW Fitzwilliam Dr
King City, OR. 97224

Katarzyna & Adam Auler
16898 SW 133rd Ter
King City, OR. 97224

Brandon Bacon
16879 SW 133rd Ter
King City, OR. 97224

Brandon & Julie Bahng
16928 SW 134th Ter
Portland, OR. 97224

Mohammad Barghouty
17089 SW 131st Ave
King City, OR. 97224

Jacqueline Bass
16793 SW 133rd Ter
Tigard, OR. 97224

Tracey Beber
18001 SW Ingrid Ter
Beaverton, OR. 97007

Darin Bennett
17120 SW 131st Ave
Tigard, OR. 97224

Paul Bevis
16777 SW 133rd Ter
Tigard, OR. 97224

Genelia Bjerg
13128 SW Macbeth Dr
Tigard, OR. 97224

William Brinegar
13090 SW Carmel St
King City, OR. 97224

Rebecca Brock
16886 SW 134th Ter
King City, OR. 97224

Robert Brock
16874 SW 134th Ter
King City, OR. 97224

Brian Browne
16867 SW 133rd Ter
King City, OR. 97224

Stephanie Marie Burks
17123 SW 131st Ave
King City, OR. 97224

Steve Burnett
13308 SW Fitzwilliam Dr
King City, OR. 97224

David & Katy Caldwell
17109 SW 132nd Ter
Portland, OR. 97224

Gerald Clark
17053 SW Bard Way
King City, OR. 97224

Lisa Cronin
13116 SW Macbeth Dr
Tigard, OR. 97224

Jeffrey Cunningham
13346 SW Macbeth Dr
King City, OR. 97224

Justin Dauphinais
17020 SW 131st Ave
Tigard, OR. 97224

Kyle Davidson
17135 SW 132nd Ter
King City, OR. 97224

Hermica Davis
13104 SW Macbeth Dr
Tigard, OR. 97224

Sharon Davis
13030 SW Fischer Rd
Tigard, OR. 97224

Kimberly Deaver
13244 SW Macbeth Dr
King City, OR. 97224

Frances Deibert
17140 SW 131st Ave
Tigard, OR. 97224

Wendi Dion
13334 SW Macbeth Dr
King City, OR. 97224

Trevor Dodson
13315 SW Fitzwilliam Dr
King City, OR. 97224

William Eaton
13305 SW Fitzwilliam Dr
King City, OR. 97224

Jay Enloe
16850 SW 134th Ter
King City, OR. 97224

Robert Fields
16764 SW Jordan Way
Tigard, OR. 97224

Diana Fisher
17133 SW Bard Way
King City, OR. 97224

Gerald Michael Foley
17102 SW 132nd Ter
King City, OR. 97224

B Steven Foster
17118 SW 132nd Ter
King City, OR. 97224

Kurtis Fuller
16914 SW 134th Ter
King City, OR. 97224

Yuan Gao
16945 SW 133rd Ter
King City, OR. 97224

Robert Gayhart
13075 SW Carmel St
King City, OR. 97224

Michelle Glarner
16862 SW 134th Ter
King City, OR. 97224

George Grondin
13045 SW Carmel St
King City, OR. 97224

Christopher Guthrie
16959 SW 133rd Ter
King City, OR. 97224

Timothy Helmer
16772 SW Jordan Way
Tigard, OR. 97224

Donna Henry
16891 SW 133rd Ter
King City, OR. 97224

Matthew Hoffman
17080 SW 132nd Ter
King City, OR. 97224

Tim & Kelly Horst
5374 NW 150th Pl
Portland, OR. 97229

James Hryniewicz
13302 SW Fitzwilliam Dr
King City, OR. 97224

Scott & Lisa Huddleston
17075 SW Bard Way
King City, OR. 97224

David Hughes
13362 SW King Lear Way
King City, OR. 97224

Mary Hughes
13065 SW Carmel St
King City, OR. 97224

Paul Johnson
16903 SW 133rd Ter
Portland, OR. 97224

Joseph Michael Kelly
13020 SW Carmel St
King City, OR. 97224

Adam & Meghan Kovarik
13359 SW Fitzwilliam Dr
King City, OR. 97224

Linda Lacey
16931 SW 133rd Ter
King City, OR. 97224

Judy & Keith Leavitt
13010 SW Carmel St
King City, OR. 97224

Homes Corp Legend
12755 SW 69th Ave #100
Tigard, OR. 97223

Niels Leuthold
16900 SW 134th Ter
King City, OR. 97224

Clifford Lindsly
16942 SW 134th Ter
King City, OR. 97224

Roger Linhart
13080 SW Carmel St
King City, OR. 97224

Lauren Malone
13335 SW Fitzwilliam Dr
King City, OR. 97224

Lala Mirzoyan
16973 SW 133rd Ter
King City, OR. 97224

Tracie Misi
13314 SW Fitzwilliam Dr
King City, OR. 97224

Candace Noland
17040 SW 132nd Ter
King City, OR. 97224

Frank Nusser Jr.
13350 SW King Lear Way
King City, OR. 97224

Nathan Ostgard
17147 SW 131st Ave
King City, OR. 97224

Brian & Lorraine Otis
14031 SW Alpine Crest Way
Tigard, OR. 97224

Homes At Pahlisch
210 SW Wilson Ave #100
Bend, OR. 97702

Homes At Pahlisch
210 SW Wilson Ave #100
Bend, OR. 97702

Homes At Pahlisch
210 SW Wilson Ave #100
Bend, OR. 97702

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210 SW Wilson Ave #100
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210 SW Wilson Ave #100
Bend, OR. 97702

Homes At Pahlisch
210 SW Wilson Ave #100
Bend, OR. 97702

Benito Pataroque
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Lake Oswego, OR. 97034

Bettie Ratter
13025 SW Carmel St
King City, OR. 97224

Jeremy Richard Reeves
17022 SW 132nd Ter
King City, OR. 97224

Amanda Louise Regan
16917 SW 133rd Ter
King City, OR. 97224

Randall Rene
16922 SW 133rd Ter
King City, OR. 97224

Mary Kathryn Ross
16884 SW 133rd Ter
King City, OR. 97224

Jason Salzman
17031 SW Bard Way
King City, OR. 97224

Lisa Schelle
13374 SW King Lear Way
King City, OR. 97224

Gary Schulke
17058 SW 132nd Ter
King City, OR. 97224

Sean Sorensen
16940 SW 133rd Ter
King City, OR. 97224

Michael Strehlow
13311 SW Fitzwilliam Dr
King City, OR. 97224

Mark Strom
17063 SW 131st Ave
King City, OR. 97224

George Summersby
8505 SW 8th Ave
Portland, OR. 97219

Michael Twiss
13596 SW Charleston Ln
Tigard, OR. 97224

Margie Vannoy
13060 SW Carmel St
King City, OR. 97224

Joshua Ward
16628 SE East View Ct
Portland, OR. 97236

Kevin Wheeler
17100 SW 131st Ave
Tigard, OR. 97224

Richard Whitten
17025 SW 131st Ave
King City, OR. 97224

Patrick Williams
13347 SW Fitzwilliam Dr
King City, OR. 97224

Henry Wong
17037 SW Bard Way
King City, OR. 97224

Kyle Hayden Woock
16785 SW 133rd Ter
King City, OR. 97224

Trish Woolsey
17130 SW 131st Ave
Tigard, OR. 97224

Kristopher Devin Wyatt
17047 SW 131st Ave
Tigard, OR. 97224

Diego Chara Zamora
17107 SW Bard Way
King City, OR. 97224

800 North First Street LLC
5832 Firestone Ct
San Jose, CA. 95138

800 North First Street LLC
5832 Firestone Ct
San Jose, CA. 95138

800 North First Street LLC
5832 Firestone Ct
San Jose, CA. 95138

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San Jose, CA. 95138

800 North First Street LLC
5832 Firestone Ct
San Jose, CA. 95138

800 North First Street LLC
5832 Firestone Ct
San Jose, CA. 95138

Bengel
3550 SW Bond Ave #1203
Portland, OR. 97239

Cole
13015 SW Carmel St
King City, OR. 97224

Edgewater On The Tualatin
15350 SW Sequoia Pkwy #200
Portland, OR. 97224

Edgewater On The Tualatin
15350 SW Sequoia Pkwy #200
Portland, OR. 97224

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15350 SW Sequoia Pkwy #200
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15350 SW Sequoia Pkwy #200
Portland, OR. 97224

Edgewater On The Tualatin
15350 SW Sequoia Pkwy #200
Portland, OR. 97224

Edgewater Tualatin LLC
109 E 13th St
Vancouver, WA. 98660

King City Civic Association
15245 SW 116th
King City, OR. 97223

Martyns
7304 Lantana Ter
Carlsbad, CA. 92011

Roseberry Homeowners
13385 SW Macbeth Dr
Tigard, OR. 97224

Splash Spring LLC Rp Of &
1629 Mariposa Ave
Palo Alto, CA. 94306

Suesserman
16768 SW Jordan Way
Tigard, OR. 97224

SIGN IN SHEET

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(No)

(K)

Mike Weston - City Manager
mweston@ci.king-city.or.us

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William BRIDGEMAN (NO)	503-851-0857	
NADINE HOLTE	503 637-5122	NAHOLTE@comcast.net

SIGN IN SHEET

OVER

NAME

NUMBER

EMAIL

NAME	NUMBER	EMAIL
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WILLIAM BRINEGAR	503 851 0857	
McKay Fenske <u>NO</u>	503 888 7731	mckay.fenske@gmail.com
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Larry Ripplinger	✓ ✓ ✓	
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Linda Stinder	503-819-3441	alohasth@aol.com

16935 SW 131st Ave Minutes

Start time: 6:10 P.M.

The applicant (Mark Dane) starts off the meeting by introducing himself. There is a table at the entrance of the room that has a sign in sheet and a copy of the proposed layout. Proposed is a 17 lot subdivision. 16 lots being single family attached townhomes and lot 17 consisting of two commercial buildings, a parking lot, and a public open space.

The objective of this meeting was to share with the neighbors about the future development and to seek out a smarter and connected community for the site with the concerns and information from the surrounding neighbors. With about 80 attendees, Mark wanted to make sure everyone had a chance to ask any questions or say their share on this development. The meeting lasted about two hours. Below are questions that were raised during the meeting and the response to the said question.

Q: Are these new homes going to be for sale or for rent?

A: The homes will be sold but once they are sold we have no power if the new property owner will sell or rent.

Q: Are the large trees by the creek staying?

A: Yes, there is a 50 ft. buffer from the creeks top of bank that reaches out to both sides. So all trees within 50 ft. of the creek will be preserved.

Q: When you refer to King City are you talking about the City of King City? As the building down the street?

A: Yes, we are working directly with City of King City and have had a formal pre-application conference with them and have had an ongoing dialogue.

Q: The construction for the apartments next door have been a really big pain. For instance on Thanksgiving there was unwanted noise from the site all day.

A: There is a usually a standard week day work hours of 8 am – 5 pm. We will be doing our best to be neighborhood friendly and aware of surrounding properties. You can also put in a complaint to the City of King City or to the Construction Company.

Q: Traffic at Fischer and 131st is a very busy intersection. With this development more traffic will be accumulated into that street intersection.

A: This development will include street improvements on both 131st and Fischer. Improvements will include curb, gutter, sidewalk, and planter strip. If any additional improvements are needed for City standards, we are more than happy to provide those further improvements.

Q: There are bus stops in this area, how will you provide safety.

A: As of now, there is no bus stops adjacent to this site. If Tri-Met or the City wants to include a new bus stop adjacent to our property we will work with them and make sure the bus has a safe and accessible stop and assure the commuters have an easy access to the stop.

Q: Will these be high end restaurants?

A: The restaurants/ stores will be something like a Pizza Schmizza, McMenamins, or a Starbucks.

Q: What will be the size of the new commercial buildings? And who will own them?

A: The two buildings are proposed to be 40' x 60'. The developer is looking to own the two commercial buildings, and has the option to rent out to a business owner.

Q: What is the objective of this meeting?

A: This meeting is the first step to a land use development. Having a neighborhood meeting allows the developer to explain the land use proposal to the neighbors and hear out their thoughts and concerns. This allows the process down the road to run much smoother.

Q: Will these homes be low income housing?

A: No.

Q: Is there an evacuation plan for vehicles?

A: There is no specific evacuation plan, but our proposal shows a two way street providing access to SW 131st and SW Fischer. This allows vehicles two

options of access out of our development. Fire access will be available to all homes and commercial buildings.

Q: Is the King City police department going to be hiring more police officers due to your development adding more population to the City?

A: As King City grows, so will their police department. This is not something we research and decide. This development will weigh on the King City police department

Q: Where will the garbage and recycling go for the two commercial buildings?

A: This will occur during the building design. If not, we anticipate them going somewhere in the parking lot.

Q: Proposed time frame?

A: We are looking to submit our land use zone change material in a months' time. Construction for this site won't happen for a year and a half or two.

Q: Will there be a marijuana store?

A: Very unlikely, we don't know if the developer has any intention on building one nor do we think the City will want one for this development.

Q: Is the street scape from the commercial buildings going to be big brick wall?

A: There will be a design review for the two commercial buildings, including material, glazing, and lighting. The developer is looking for a friendly street scape, including glass garage doors for sunny days and for natural lighting, decks and outdoor seating.

Q: What will the price point for the new homes be?

A: It is hard to pin point a price for these homes, as they can change by the time they are built due to the real estate market. But we believe around low-mid \$400,000.

Q: How many homes would be proposed in there is no zone change?

A: That was original plan and it consisted roughly of 18 lots.

Q: There is a current fire zone on SW 131st, are you going to widen the street? Or what will happen?

A: We aren't aware of a fire lane or nor parking for fire. But we will work with our traffic engineers and the City to improve out site frontage to accommodate for the City's needs.

Q: Who is this mystery builder and can we meet with him?

A: The developer/ builder is Tim Horst. He is a realtor and has done land use development as well. We usually don't recommend our client to show up to the neighborhood meetings as they usually follow with emotion and an unproductive meeting. And tend to be targeted by the audience.

Q: What is the parking plan for the homes?

A: Each home will have a two car tandem parking garage and one driveway parking space.

Q: Why would King City want this?

A: Hwy 99 is really the only place with mixed commercial use. This will allow neighbors to walk to a local commercial space in the neighborhood to enjoy food and drinks, while having a common open space to enjoy.

Q: If this development goes through as shown here on this layout, how will this affect our home value?

A: New construction usually leans to adding value to nearby homes. The commercial use of this site can also be a plus to some home owners nearby but obviously can be seen as a negative to some.

Q: Who are you and who are you representing?

A: My name is Mark Dane and I represent the developer Tim Horst. I am a Land Use Consultant.

Q: With the tandem garages, how are you going to ensure the owners will use their garages as parking spots and not for storage?

A: We can't ensure they will, that is up to the owner on how they want to use their space. We need to comply with the City code and we believe three off-street parking spaces for each house will be sufficient.

Q: Is the City developing this property?

A: No, Tim Horst is.

Q: When will you get getting a traffic impact statement?

A: We do not have one currently but that is on our list of reports to collect before our submittal at the City.

Q: You mentioned something about Clean Water Services wanting this property?

A: Yes, we have had a brief conversation with Clean Water Services. They want this property for a regional facility.

Q: Based on what you have heard tonight, how are you moving forward?

A: We will be talking with the developer and the City. We also think that another meeting down the road will be very helpful. We understand the main issues and will work on finding a middle ground.

After all questions were asked and answered to the applicant's best knowledge, residents understood the proposed plan. At this point in time, all work is preliminary and may change due to the City of King City's completeness review.

6) WETLAND DELINEATION, AND CONCURANCE LETTER
FROM THE STATE

Service Provider Letter

CWS File Number

18-002763

This form and the attached conditions will serve as your Service Provider Letter in accordance with Clean Water Services Design and Construction Standards (R&O 17-5).

Jurisdiction:	<u>King City</u>	Review Type:	<u>No Impact</u>
Site Address	<u>16935 SW 131st AVE</u>	SPL Issue Date:	<u>September 26, 2018</u>
/ Location:	<u>Portland, OR 97224</u>	SPL Expiration Date:	<u>September 25, 2020</u>

Applicant Information:

Name TIM HORST

Company SUMMA REAL ESTATE GROUP
1925 NW AMBERGLEN PARKWAY
SUITE 100

Address BEAVERTON OR 97006

Phone/Fax (503) 310-4776

E-mail: thorst@summarealty.com

Owner Information:

Name _____

Company _____

Address _____

Phone/Fax _____

E-mail: _____

Tax lot ID

Development Activity

2S116AC00800

Residential Subdivision

Pre-Development Site Conditions:

Sensitive Area Present: ☒ On-Site ☒ Off-Site

Vegetated Corridor Width: 50

Vegetated Corridor Condition: Degraded

Post Development Site Conditions:

Sensitive Area Present: ☒ On-Site ☒ Off-Site

Vegetated Corridor Width: 50

Enhancement of Remaining Vegetated Corridor Required:



Square Footage to be enhanced: 10,482

Encroachments into Pre-Development Vegetated Corridor:

Type and location of Encroachment:	Square Footage:
<u>No Encroachment</u>	_____
_____	_____
_____	_____

Mitigation Requirements:

Type/Location	Sq. Ft./Ratio/Cost
_____	_____
_____	_____
_____	_____

☒ Conditions Attached ☒ Development Figures Attached (2) ☐ Planting Plan Attached ☐ Geotech Report Required

This Service Provider Letter does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered on your property.

In order to comply with Clean Water Services water quality protection requirements the project must comply with the following conditions:

1. No structures, development, construction activities, gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by Oregon Department of Environmental Quality, pet wastes, dumping of materials of any kind, or other activities shall be permitted within the sensitive area or Vegetated Corridor which may negatively impact water quality, except those allowed in R&O 17-5, Chapter 3.
2. Prior to any site clearing, grading or construction the Vegetated Corridor and water quality sensitive areas shall be surveyed, staked, and temporarily fenced per approved plan. During construction the Vegetated Corridor shall remain fenced and undisturbed except as allowed by R&O 17-5, Section 3.06.1 and per approved plans.
3. **If there is any activity within the sensitive area, the applicant shall gain authorization for the project from the Oregon Department of State Lands (DSL) and US Army Corps of Engineers (USACE). The applicant shall provide Clean Water Services or its designee (appropriate city) with copies of all DSL and USACE project authorization permits. No wetland impacts proposed for this project.**
4. An approved Oregon Department of Forestry Notification is required for one or more trees harvested for sale, trade, or barter, on any non-federal lands within the State of Oregon.
5. **Prior to ground disturbing activities, an erosion control permit is required. Appropriate Best Management Practices (BMP's) for Erosion Control, in accordance with Clean Water Services' Erosion Prevention and Sediment Control Planning and Design Manual, shall be used prior to, during, and following earth disturbing activities.**
6. Prior to construction, a Stormwater Connection Permit from Clean Water Services or its designee is required pursuant to Ordinance 27, Section 4.B.
7. Activities located within the 100-year floodplain shall comply with R&O 17-5, Section 5.10.
8. Removal of native, woody vegetation shall be limited to the greatest extent practicable.
9. The water quality swale and detention pond shall be planted with Clean Water Services approved native species, and designed to blend into the natural surroundings.
10. **Should final development plans differ significantly from those submitted for review by Clean Water Services, the applicant shall provide updated drawings, and if necessary, obtain a revised Service Provider Letter.**
11. The Vegetated Corridor width for sensitive areas within the project site shall be a minimum of 50 feet wide, as measured horizontally from the delineated boundary of the sensitive area.
12. **For Vegetated Corridors up to 50 feet wide, the applicant shall enhance the entire Vegetated Corridor to meet or exceed good corridor condition as defined in R&O 17-5, Section 3.14.2, Table 3-3.**
13. Removal of invasive non-native species by hand is required in all Vegetated Corridors rated ""good."" Replanting is required in any cleared areas larger than 25 square feet using low impact methods. The applicant shall calculate all cleared areas larger than 25 square feet prior to the preparation of the required Vegetated Corridor enhancement/restoration plan.
14. Prior to any site clearing, grading or construction, the applicant shall provide Clean Water Services with a Vegetated Corridor enhancement/restoration plan. Enhancement/restoration of the Vegetated Corridor shall be provided in accordance with R&O 17-5, Appendix A, and shall include planting specifications for all Vegetated Corridor, including any cleared areas larger than 25 square feet in Vegetated Corridor rated ""good.""
15. Prior to installation of plant materials, all invasive vegetation within the Vegetated Corridor shall be removed per methods described in Clean Water Services' Integrated Vegetation and Animal Management Guidance, 2003. During removal of invasive vegetation care shall be taken to minimize impacts to existing native tree and shrub species.

16. Clean Water Services shall be notified 72 hours prior to the start and completion of enhancement/restoration activities. Enhancement/restoration activities shall comply with the guidelines provided in Planting Requirements (R&O 17-5, Appendix A).
17. **Maintenance and monitoring requirements shall comply with R&O 17-5, Section 2.12.2. If at any time during the warranty period the landscaping falls below the 80% survival level, the owner shall reinstall all deficient planting at the next appropriate planting opportunity and the two year maintenance period shall begin again from the date of replanting.**
18. **Performance assurances for the Vegetated Corridor shall comply with R&O 17-5, Section 2.07.2, Table 2-1 and Section 2.11, Table 2-2.**
19. **For any developments which create multiple parcels or lots intended for separate ownership, Clean Water Services shall require that the sensitive area and Vegetated Corridor be contained in a separate tract and subject to a ""STORM SEWER, SURFACE WATER, DRAINAGE AND DETENTION EASEMENT OVER ITS ENTIRETY"" to be granted to the City or Clean Water Services.**
20. **Final construction plans shall include landscape plans.** In the details section of the plans, a description of the methods for removal and control of exotic species, location, distribution, condition and size of plantings, existing plants and trees to be preserved, and installation methods for plant materials is required. Plantings shall be tagged for dormant season identification and shall remain on plant material after planting for monitoring purposes.
21. **A Maintenance Plan shall be included on final plans** including methods, responsible party contact information, and dates (minimum two times per year, by June 1 and September 30).
22. **Final construction plans shall clearly depict the location and dimensions of the sensitive area and the Vegetated Corridor** (indicating good, marginal, or degraded condition). Sensitive area boundaries shall be marked in the field.
23. Protection of the Vegetated Corridors and associated sensitive areas shall be provided by the installation of permanent fencing and signage between the development and the outer limits of the Vegetated Corridors. **Fencing and signage details to be included on final construction plans.**

This Service Provider Letter is not valid unless CWS-approved site plan is attached.

Please call (503) 681-3667 with any questions.



Stacy Benjamin
Environmental Plan Review

Attachments (2)



Oregon

Kate Brown, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

www.oregon.gov/dsl

State Land Board

March 22, 2018

Summa Real Estate Group

Attn: Tim Horst

1925 NW Amberglen Pkwy, Ste. 100

Beaverton, OR 97006

Kate Brown

Governor

Re: WD # 2017-0477 Wetland Delineation Report for a
Proposed Development Project
Washington County; T2S R1W Sec. 16AC, Tax Lot 800

Dennis Richardson

Secretary of State

Dear Mr. Horst:

Tobias Read

State Treasurer

The Department of State Lands has reviewed the wetland delineation report prepared by Schott and Associates for the site referenced above. Based upon the information presented in the report, a site visit on March 8, 2018, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in revised Figure 6 of the report. Please replace all copies of the preliminary wetland map with this final Department-approved map. Within the study area, one wetland (totaling approximately 0.008 acres) and a tributary to the Tualatin River were identified.

The wetland and the tributary are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high-water line (OHWL) of a waterway (or the 2-year recurrence interval flood elevation if OHWL cannot be determined).

This concurrence is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. The Army Corps of Engineers will review the report and decide jurisdiction for purposes of the Clean Water Act at the time that a report is submitted. We recommend that you attach a copy of this concurrence letter to both copies of any subsequent joint permit application to speed application review.

Please be advised that state law establishes a preference for avoidance of wetland impacts. Because measures to avoid and minimize wetland impacts may include reconfiguring parcel layout and size or development design, we recommend that you work with Department staff on appropriate site design before completing the city or county land use approval process.

This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter unless new information necessitates a revision. Circumstances under which the Department may change a

determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

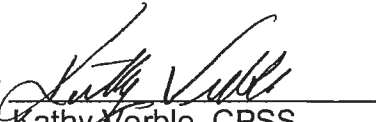
Thank you for having the site evaluated. Please phone me at 503-986-5232 if you have any questions.

Sincerely,



Peter Ryan, PWS
Jurisdiction Coordinator

Approved by



Kathy Verble, CPSS
Aquatic Resource Specialist

Enclosures

cc: Cari Cramer, Schott and Associates
City of King City Planning Department
Kinsey Friesen, Corps of Engineers
Lindsey Obermiller, Clean Water Services
Anita Huffman, DSL

WD2017-0477

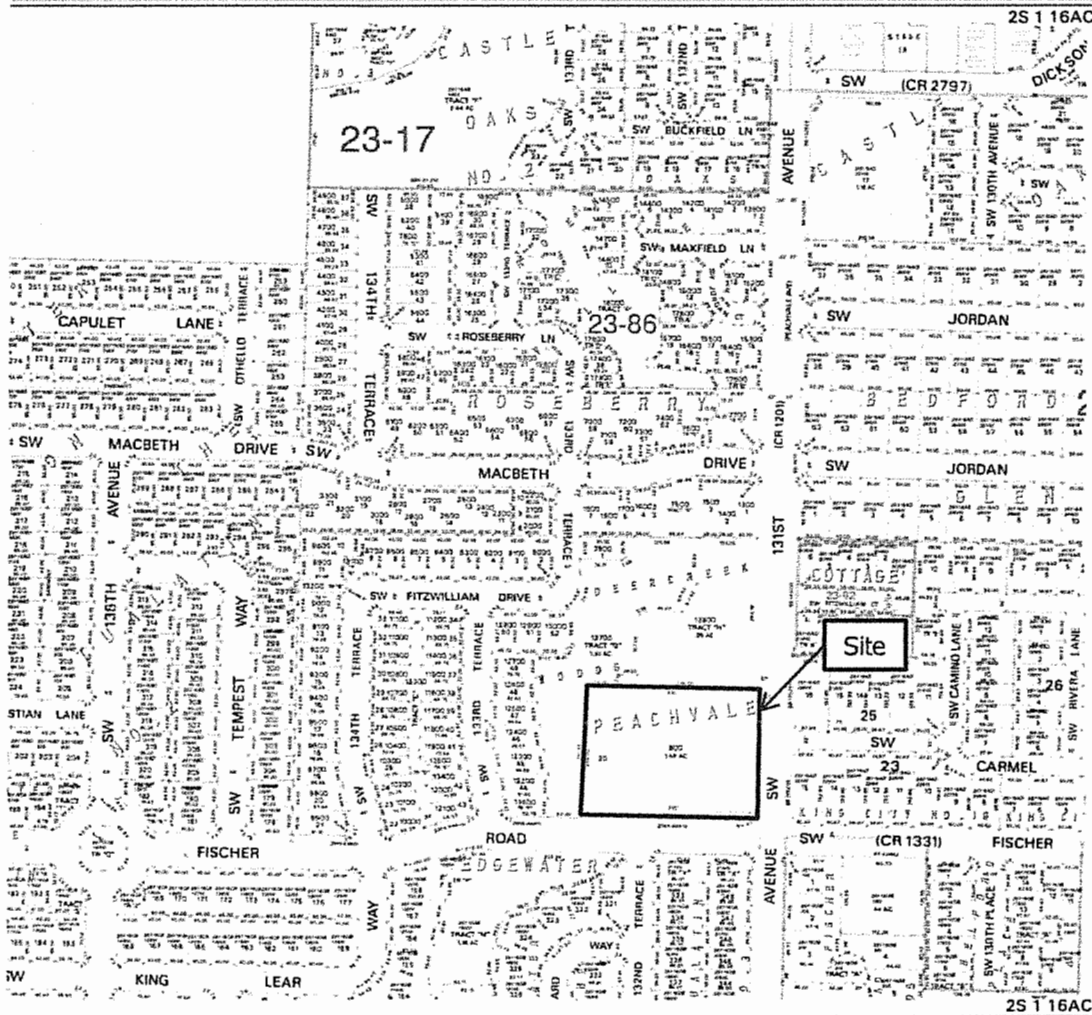


Figure 2: Tax Map 2S 1 16AC TL 800
S&A 2516
16935 SW 131st Avenue

Schott & Associates
P.O. Box 589
Aurora, OR. 97002
503.678.6007

Clean Water Services -- Sewer Map



This product and its associated data is for informational purposes only and was derived from several databases. It was not prepared for, and is not suitable for, legal, engineering or surveying purposes. Users should review or consult the primary data and information sources to ensure accuracy. Clean Water Services cannot accept any responsibility for errors, omissions or positional accuracy. There are no "guarantees" or "warranties" associated with this product. Manhole and service lateral locations are depicted using best available information but must be field verified and located before digging. Service laterals are marked in the field as "ground facilities" as defined in OAR 952-001-0010 (20). Easement data is not currently completed District-wide and should be used for general reference only. All sanitary or storm sewer data, with the exception of sanitary lines 24" and larger located within the city limits of Beaverton, Cornelius, Forest Grove, Hillsboro, Lake Oswego, Portland, Sherwood, Tigard or Tualatin, need to be verified by contacting the jurisdiction of any errors would be appreciated. Clean Water Services, Development Services, 2550 SW Hillsboro Highway, Hillsboro OR 97123, (503) 681-5100.

- Legend**
- Cleanout
 - Fitting
 - Valve
 - Manhole
 - Inlet
 - △ Pond
 - Vault
 - ☆ Treatment Plant
 - Pump Station
 - Gravity Line
 - Pressure Line
 - Open Channel
 - Virtual Flow
 - Pond Outline
 - CWS Boundary
 - County Boundary
 - Urban Growth
 - ✕ Abandoned
 - CWS Sani
 - Partner Sani





7) TITLE DOCUMENTS, AND PROOF OF OWNERSHIP



Lawyers Title
Development Services
121 SW Morrison St., Suite 500
Portland, OR 97204
503-220-8374 FAX 503-228-7817

PUBLIC RECORDS REPORT FOR PARTITION / SUBDIVISION / CONDOMINIUM

THIS REPORT IS FOR THE EXCLUSIVE USE OF:

Date Prepared: July 31, 2017
Order No.: 15F0002840
Customer Ref: Vacant Land, SW 131st Avenue
File Reference: - Report

CONDITIONS, STIPULATIONS AND DEFINITIONS

(I) Definitions:

- (a) "Customer": The person or persons named or shown on this cover sheet.
- (b) "Effective date": The title plant date of July 26, 2017.
- (c) "Land": The land described, specifically as by reference, in this public record report and improvements affixed thereto which by law constitute real property.
- (d) "Liens and encumbrances": Include taxes, mortgages, and deeds of trust, contracts, assignments, rights of way, easements, covenants, and other restrictions on title.
- (e) "Public records": Those records which by the laws of the State of Oregon impart constructive notice of matters relating to said land.

(II) Liability of Lawyers Title:

- (a) THIS IS NOT A COMMITMENT TO ISSUE TITLE INSURANCE AND DOES NOT CONSTITUTE A POLICY OF TITLE INSURANCE.
- (b) The liability of Lawyers Title for errors or omissions in this public record report is limited to the amount of the fee paid by the customer, provided, however, that Lawyers Title has no liability in the event of no actual loss to the customer.
- (c) No costs of defense, or prosecution of any action, is afforded to the customer.
- (d) In any event, Lawyers Title assumes no liability for loss or damage by reason of the following:
 - 1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
 - 2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
 - 3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
 - 4. Discrepancies, encroachments, shortage in area, conflicts in boundary lines or any other facts which a survey would disclose.
 - 5. (i) Unpatented mining claims; (ii) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (iii) water rights or claims or title to water.
 - 6. Any right, title, interest, estate or easement in land beyond the lines of the area specifically described or referred to in this report, or in abutting streets, roads, avenues, alleys, lanes, ways or waterways.

7. Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use or enjoyment of the land; (ii) the character, dimensions or location of an improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at the effective date hereof.
8. Any governmental police power not excluded by (II)(d)(7) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at the effective date hereof.
9. Defects, liens, encumbrances, adverse claims or other matters created, suffered, assumed, agreed to or actually known by the customer.

(III) Report Entire Contract:

Any rights or actions or rights of action that the customer may have or may bring against Lawyers Title arising out of the subject matter of this report must be based on the provisions of this report. No provision or condition of this report can be waived or changed except by a writing signed by an authorized officer of Lawyers Title. By accepting this form report, the customer acknowledges and agrees that the customer has been afforded the opportunity to purchase a title insurance policy but has elected to utilize this form of public record report and accepts the limitation of liability of Lawyers Title as set forth herein.

(IV) Fee:

The fee charged for this Report does not include supplemental reports, updates or other additional services of Lawyers Title.

REPORT

Order No. : 15F0002840

Effective Date : 5:00 P.M. on July 26, 2017

Customer Ref: Vacant Land, SW 131st Avenue

A. The land referred to in this public record report is located in the County of Multnomah, State of Oregon, and is described as follows:

SEE ATTACHED EXHIBIT "A"

B. As of the effective date and according to the public records, we find title to the land apparently vested in:

Tim Horst and Kelly Horst, as tenants by the entirety

C. And as of the effective date and according to the public records. The land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:

1. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2017-2018.
2. Municipal Liens, if any imposed by the City of King City. NONE as of July 26, 2017.
3. Rights of the public to any portion of the Land lying within the area commonly known as roads and highways.
4. A deed of trust to secure an indebtedness in the amount shown below,
Amount : \$400,000.00
Dated : June 15, 2017
Trustor/Grantor : Tim Horst and Kelly Horst
Trustee : Lawyers Title of Oregon, LLC, an Oregon limited liability company
Beneficiary : Bruce Bergey
Recording Date : June 16, 2017
Recording No. : 2017-048102
5. A deed of trust to secure an indebtedness in the amount shown below,
Amount : \$750,000.00
Dated : June 15, 2017
Trustor/Grantor : Tim Horst and Kelly Horst
Trustee : Lawyers Title of Oregon, LLC, an Oregon limited liability company
Beneficiary : L&M Recreation LLC
Recording Date : June 16, 2017
Recording No. : 2017-048103
6. Rights of tenants, as tenants only, in unrecorded leaseholds.

NOTE: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year : 2016-2017

Amount : \$2,308.24

Account No. : R524427; Levy Code: 023.86; Map 2S116AC-00800

END OF REPORT

End of Reported Information

There will be additional charges for additional information or copies. For questions or additional requests, contact:

Escrow Officer: Frank Lambert, 503-220-8374 Fax: 503-228-7817
E-Mail: flambert@ltic.com

Exhibit "A"

Being a portion of Lot 20, PEACHVALE, in the City of King City, County of Washington and State of Oregon, described as follows:

Beginning at an iron set on the East line of Lot 20, PEACHVALE, a subdivision of record in Section 16, Township 2 South, Range 1 West, in the Willamette Meridian, in the City of King City, County of Washington and State of Oregon, North 0° 03' 30" 15.0 feet from the Southwest corner thereof; and running thence along the East line of said Lot 20, North 0° 03' 30" 248.8 feet to an iron rod at the Northeast corner thereof; thence along the North line of said Lot 20, South 89° 25' West 310 feet to an iron rod; thence parallel with the East line of said Lot 20, South 0° 03' 30" East 248.9 feet to an iron rod set North 0° 03' 30" West 15.0 feet from the South line of said Lot 20; thence parallel with the South line of said Lot 20, North 89° 24' East 310.0 feet to the place of beginning.

EXCEPTING THEREFROM the South 30 feet of the aforescribed real property.

ARTICLES OF ORGANIZATION



Corporation Division
www.filinginoregon.com

E-FILED
Feb 15, 2018
OREGON SECRETARY OF STATE

REGISTRY NUMBER

140936592

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

1. ENTITY NAME

SUMMA LODGE HOMES LLC

2. MAILING ADDRESS

1925 NW AMBERGLEN PKWY STE 100
BEAVERTON OR 97006 USA

3. PRINCIPLE PLACE OF BUSINESS

1925 NW AMBERGLEN PKWY STE 100
BEAVERTON OR 97006 USA

4. NAME & ADDRESS OF REGISTERED AGENT

TIM L HORST

1925 NW AMBERGLEN PKWY STE 100
BEAVERTON OR 97006 USA

5. ORGANIZERS

TIM L HORST

1925 NW AMBERGLEN PKWY STE 100
BEAVERTON OR 97006 USA

6. INDIVIDUALS WITH DIRECT KNOWLEDGE

TIM L HORST

1925 NW AMBERGLEN PKWY STE 100
BEAVERTON OR 97006 USA

7. DURATION

PERPETUAL

8. MANAGEMENT

This Limited Liability Company will be member-managed by one or more members



9. OPTIONAL PROVISIONS

The company elects to indemnify its members, managers, employees, agents for liability and related expenses under ORS 63.160 to 63.170.

I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE

NAME

TIM L HORST

TITLE

ORGANIZER

DATE SIGNED

02-15-2018

8) PLAN SET

TAX LOT 800, MAP 25, 1W, 16AC
LOCATED IN THE N.E. 1/4 SECTION 16, T.2S, R.1W, W.M.,
CITY OF KING CITY, WASHINGTON COUNTY, OREGON
OCTOBER 10, 2017 SCALE 1"=20'

SURVEY NOTES:

THE BASIS FOR THE BUREAU'S ANALYSIS WAS A SURVEY OF THE DISTRIBUTION OF LOCAL COUNCILS' POLICE OFFICERS THROUGHOUT THE COUNTRY IN 1962. IN CONVENTED AREAS, THIS WAS DONE BY THE REGIONAL OFFICES OF THE POLICE.

IN UNCONVENTED AREAS, POLICE OFFICERS WERE USED TO COMPLETE A SPECIAL FORM FILLING IN THE NUMBER OF OFFICERS IN EACH OF THE SEVEN CATEGORIES.

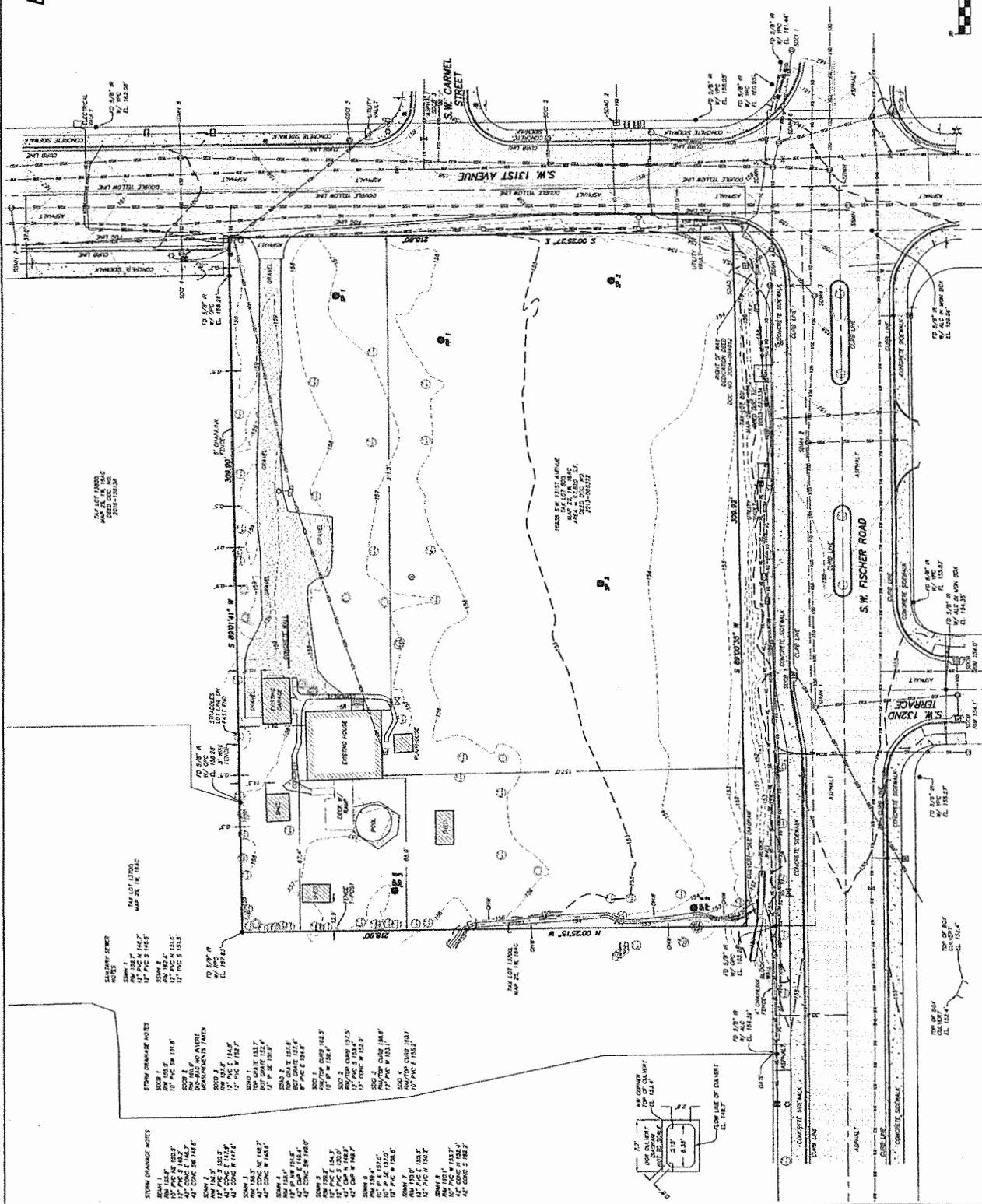
THE BASIS OF FIGURES FOR THIS BUREAU'S POLICE MANPOWER AND COST WERE THE RESULTS OF THE SURVEY OF POLICE OFFICERS AND REMUNERATION IN 1962. THE BUREAU'S ANALYSIS OF THE POLICE MANPOWER AND COSTS OF UNCONVENTED AREAS WAS BASED ON THE RESULTS OF THE SURVEY OF POLICE OFFICERS AND REMUNERATION IN 1962. THE BUREAU'S ANALYSIS OF THE POLICE MANPOWER AND COSTS OF UNCONVENTED AREAS WAS BASED ON THE RESULTS OF THE SURVEY OF POLICE OFFICERS AND REMUNERATION IN 1962.

[illegible]

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 OREGON
 JULY 13, 2004
 TERRY G. BOLDEN
 6037715

CENTERLINE CONCEPTS
LAND SURVEYING, INC.
19376 WOLLA AVE., SUITE 120
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

FRIEDMAN 202-936-9100 FAX 202-936-0108



INCORPORATED
4631 SW Millikan Way
Beaverton OR 97005
503-332-7167
markdaneplanning@gmail.com

PRELIMINARY GRADING AND UTILITY PLAN

131ST / FISCHER PROJECT
FOR TIM HORST
CITY OF KING CITY,

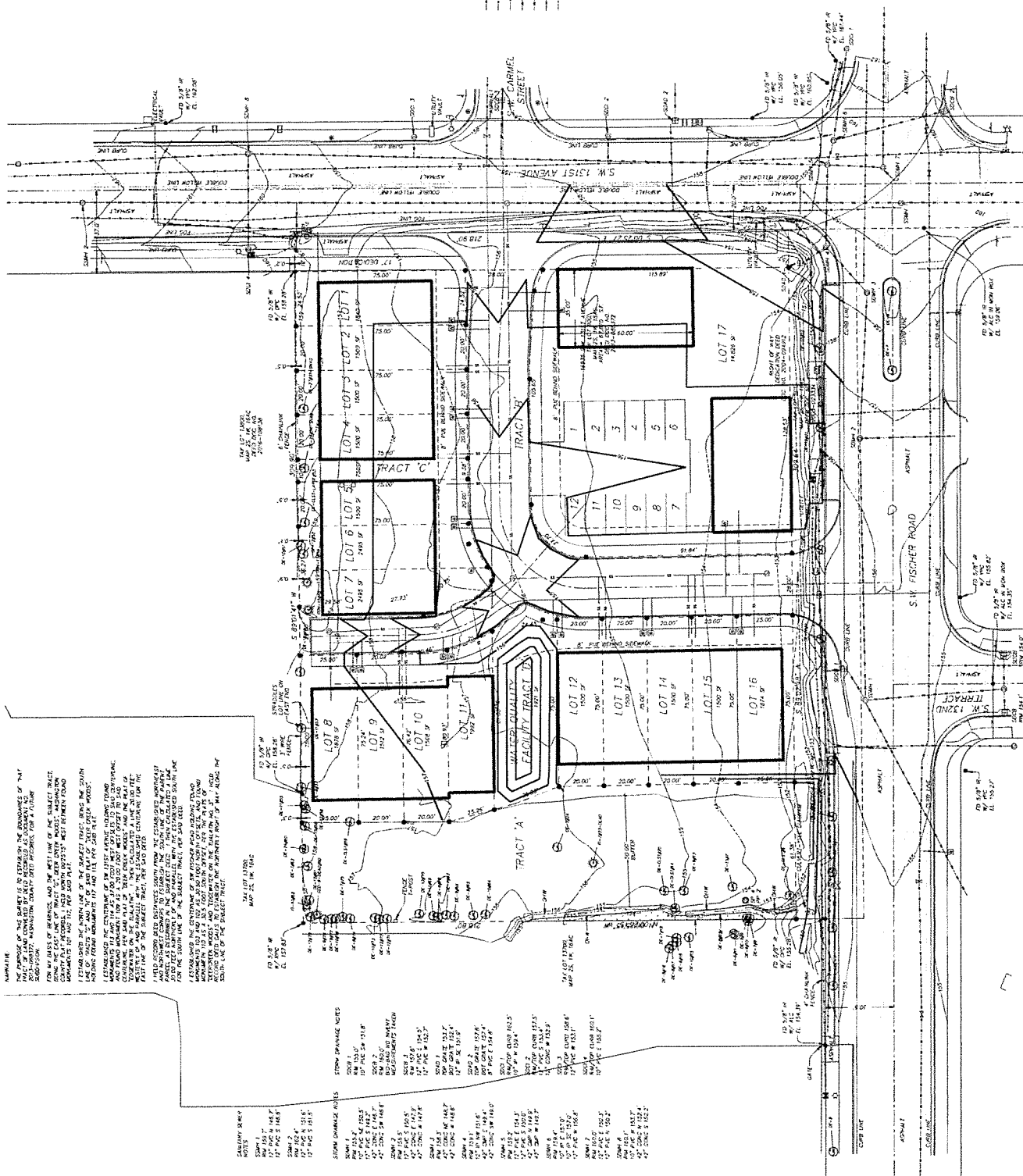
PROJECT NO.	HOR-003
FILE:	2/1/18
DATE:	2/1/18
DESIGNED:	MSD
DRAWN:	MSD

TOWNSHIP/RANGE/SECTION
S 3E 13D
COUNTY
WASHINGTON
TAX LOTS

SHEET TITLE
COMPOSITE SITE PLAN
SHEET NUMBER
P3

LEGEND

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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MARK DANE PLANNING

INCORPORATED
14631 SW Millikan Way
Beaverton OR 97005
503-332-7167
markdaneplanning@gmail.com

LANDSCAPE PLAN

131ST / FISCHER PROJECT

FOR TIM HORST
CITY OF 'KING CITY'

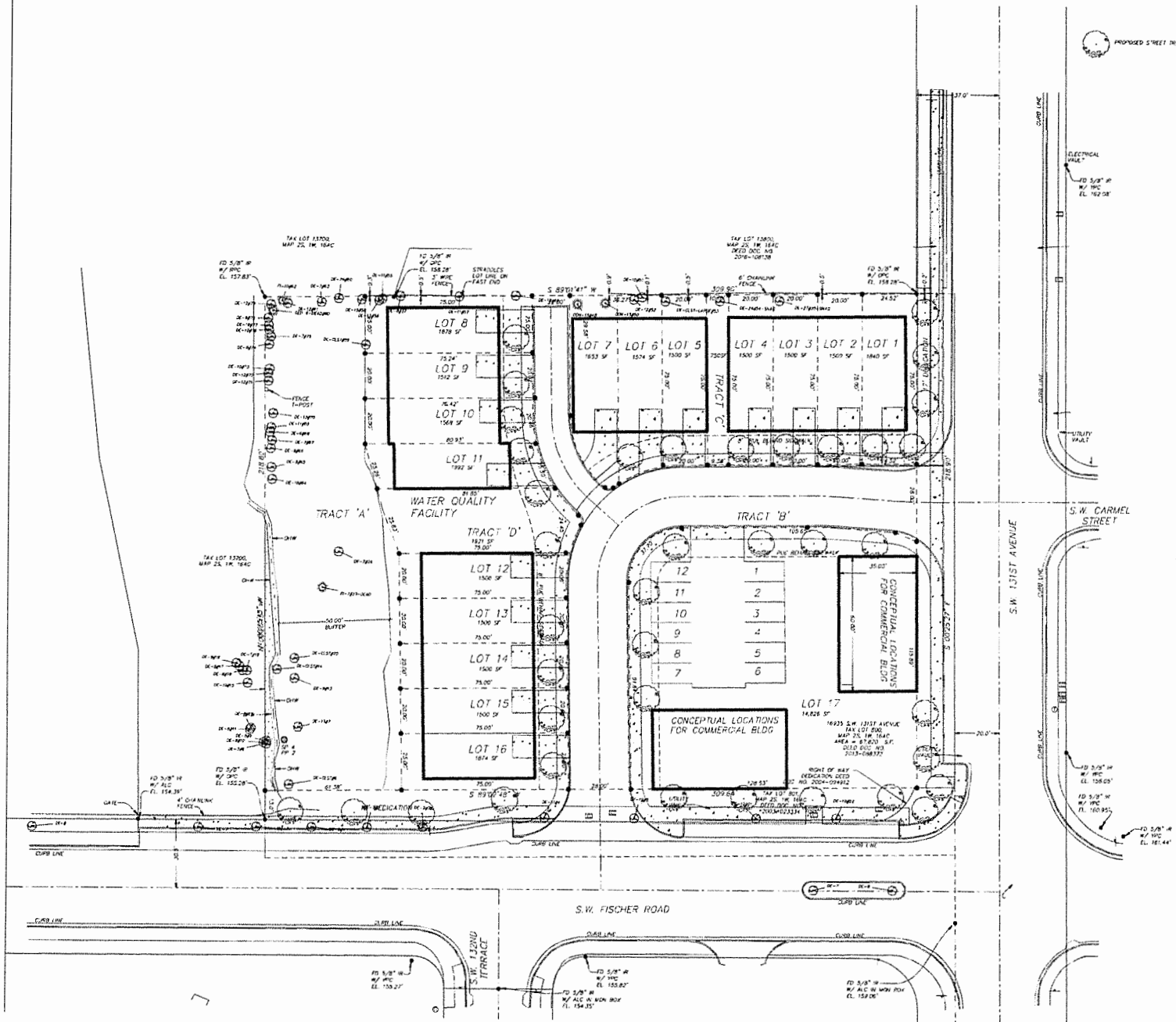
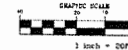
PROJECT NO. HOR-003
FILE: 2/1/18
DATE: 2/1/18
DESIGNED: MSD
DRAWN: MSD

TOWNSHIP/RANGE/SECTION
1S 3E 13D
COUNTY
WASHINGTON
TAX LOTS

SHEET TITLE
PRELIMINARY PLAN
SHEET NUMBER P4

LEGEND:

- DECIDUOUS TREE W/ TREE TAG
- EVERGREEN TREE W/ TREE TAG
- STORM SEWER MANHOLE
- CATCH BASIN
- SANITARY SEWER CLEANOUT
- SANITARY SEWER MANHOLE
- WATER VALVE
- WATER METER
- PIPE HIGHLIGHT
- DOOR
- GAS VALVE
- GAS METER
- WELLHEAD
- WELLHEAD
- WELLHEAD
- COMMUNICATIONS PILE/STAL
- COMMUNICATIONS MANHOLE
- COMMUNICATIONS BOX
- STORM CULVERT
- FOUND MONUMENT
- DOWN SPOUT TO STORM SYSTEM
- PINK METALAND FLAG
- IRRIGATION CONTROL VALVE
- IT - PINE TREE
- CE - CEDAR TREE
- DE - DECIDUOUS TREE
- UTILITY AND LIGHT POLE
- UTILITY POLE
- LIGHT POLE
- DOY METER
- ELECTRIC BOX
- ELECTRIC METER
- ELECTRIC POWER PILE/STAL
- ELECTRIC WISER
- HEAT PUMP
- OVERHEAD LINE
- GAS LINE
- ELECTRICAL LINE
- COMMUNICATIONS LINE
- SANITARY SEWER LINE
- STORM DRAIN LINE
- WATER LINE
- FENCELINE
- UTILITY RISER
- DOWN SPOUT TO DRAINAGE DRAINAGE
- GAS STUB
- WELLHEAD
- DO - DOOR
- W - WOOD
- WPC - YELLOW PLASTIC CAP
- WPC - ORANGE PLASTIC CAP
- WPC - RED PLASTIC CAP
- WPC - ALUMINUM CAP



9) TRAFFIC REPORT

Technical Memorandum

To: Mark Dane, Mark Dane Planning

From: Michael Ard, PE

Date: August 8, 2018

Re: 131st / Fischer Project – Offset Intersection Analysis



21370 SW Langer Farms Pkwy
Suite 142, Sherwood, OR 97140

This memorandum is written to provide information related to the operation and safety of a proposed offset intersection on SW Fischer Road west of SW 131st Avenue in King City, Oregon.

LOCATION AND SITE DESCRIPTION

The intersection of SW Fischer Road at SW 132nd Terrace is an existing T-intersection controlled by a stop sign on the northbound 132nd Terrace approach. The intersection is centered approximately 225 feet west of the centerline of SW 131st Avenue.

A proposed new development in the northwest corner of the intersection of SW Fischer Road and SW 131st Avenue would include construction of a new access intersecting SW Fischer Road and serving the residential and retail uses on the site. Due to the presence of a required wetlands setback at the west side of the subject property as well as the need to serve new development on both sides of the access, it is proposed to be centered approximately 46 feet east of the existing SW 132nd Terrace alignment.

OFFSET INTERSECTIONS: BACKGROUND

Before discussing the operation and safety of the proposed access configuration, it is appropriate to provide some background information regarding the safety and operation of offset intersections in general.

A typical four-way intersection with a single lane on each approach contains 32 conflict points. These include 16 crossing conflicts, 8 merging conflicts, and 8 diverging conflicts. The merging and diverging conflict points are primarily associated with increased risk of rear-end and sideswipe collisions, which occur between vehicles traveling in the same direction. The crossing conflict points are primarily associated with increased risk of angle collisions between vehicles traveling in different directions where their travel paths cross.

In contrast, a T-intersection with a single lane on each approach has significantly fewer conflict points. These include 3 crossing conflicts, 3 merging conflicts, and 3 diverging conflicts. Notably, this means that a pair of closely-spaced T-intersections has a total of just 18 conflict points, a significant reduction from an aligned intersection. For this reason, converting a four-way intersection to two T-intersections is sometimes considered in order to enhance intersection safety. Specifically, conversion to paired T-intersections would



typically be expected to slightly reduce the number of merging/diverging collisions, significantly reduce the number of left-turn collisions, and significantly decrease the number of angle collisions occurring at the intersections.

Typically, four-way intersections are selected over paired T-intersections for a variety of reasons. These include the desire to facilitate the flow of through traffic and emergency vehicles along aligned streets, the simplicity of providing aligned rights-of-way, and the desire to increase access spacing to reduce the total number of intersections along roadway segments. The potential safety benefits of offset T-intersections are also reduced within urban areas due to the typically lower speeds at which vehicle conflicts occur.

It should also be noted that where through volumes on the minor-street approaches are high, conversion to paired T-intersection is not desirable since the change would result in a significant increase in the number of turning movements occurring at each intersection.

In addition to the safety impacts of offset T-intersections, some operational impacts can be expected. These vary significantly based on the direction of offset as well as the distance between intersections. Accordingly, detailed discussion of the potential operational impacts is provided in the following section of this memorandum.

PROPOSED OFFSET ANALYSIS

The proposed site access is offset approximately 46 feet to the east of SW 132nd Terrace. This alignment prevents overlaps between the minor-street left-turn movements but may result in overlaps between major-street left-turn movements and the following vehicle queues. Although no significant safety concerns are associated with this overlap, operational concerns may arise. Accordingly, some detailed discussion of the potential operational concerns as well as the likelihood of such overlaps is appropriate.

The proposed T-intersection offset can be referred to as a “left offset” configuration, in which each minor street approach is offset to the left of opposing minor-street approach. In this configuration, vehicles making left turns from the minor-street approaches do not experience conflicts with each other. Vehicles making right turns from the minor-street approaches may conflict with minor-street left-turns from the opposing approach; however, once they turn onto SW Fischer Road they become through traffic and are readily visible to the opposing minor-street approach. Accordingly, no operational or safety concerns are anticipated in association with the minor-street approach movements.

The proposed offset distance can also accommodate simultaneous major-street left turns without direct conflicts between the turning movements since the opposing vehicles will have passed each other prior to initiating their respective left-turn movements.



One potential concern that can arise is that if two opposing major-street left-turning vehicles both have following queues, the trailing queues can obstruct the left-turn movements, resulting in an impasse in which neither left-turning vehicle can complete their turn and through traffic on the major street is temporarily obstructed. Such an impasse is typically resolved when one or more vehicles within the following queue backs up to allow space for one of the vehicles to pass through the queue and complete the left turn.

The width of SW Fischer Road is sufficient to allow left-turning vehicles to wait within the center of the paved roadway while allowing through vehicles to pass on both sides, which reduces the chances of such an impasse. The distance between the intersections can accommodate one to two left-turning vehicles within the center of the roadway prior to potentially obstructing the through lanes. Queuing within the center of the roadway can occur with either a striped or unstriped (de facto) turn lane within the median. A diagram showing the alignment of vehicles within the through lanes, left-turn storage area and parking areas is attached to this memo to illustrate how the intersection would operate. For illustration purposes, a long two-way left-turn lane is shown passing through the intersections. Notably, the recessed parking areas along the north side of the roadway ensure that the roadway also has sufficient width to accommodate on-street parking in addition to the through and turning movements.

In this instance, the westbound left-turning volumes can be expected to be very low, since SW 132nd Terrace serves only 27 homes, all of which have alternate access available via SW Portia Lane and eight of which have garage access via a separate alleyway. The anticipated left-turn volume at this location is approximately 80 vehicles per day, with approximately 10-12 vehicles entering during the evening peak hour. This equates to an average of no more than one turn every five minutes. The eastbound left-turning volume is expected to be similarly low since most traffic will enter and exit the site from the east. Accordingly, the projected cumulative 95th percentile queue length for the two left-turn movements is one vehicle or less even during the peak hours. The anticipated left-turn queues can therefore be accommodated within the paved road width without obstructing the through travel lanes on SW Fischer Road.

LONG-RANGE FUTURE ANALYSIS

In addition to the near-term analysis of the intersection at the time of project build-out, it is appropriate to consider how conditions may change in the future. This is particularly important for this intersection due to the additional traffic that would be expected to result from development within the “Area 6D” urban reserve located west of the project site and accessible via SW Fischer road. With this anticipated growth added, traffic volumes along SW Fischer Road would be expected to increase considerably, and a traffic signal is ultimately expected to be needed for the intersection of SW Fischer Road at SW 131st Avenue.

As traffic volumes increase along SW Fischer Road, the severity of any potential “binding” incidents would also be projected to increase. With high volumes of through traffic, even rare and brief interruptions to the flow of traffic could result in rapid queue accumulation in both directions. Accordingly, it may be



appropriate to consider taking measures to reduce or eliminate the possibility of obstructions of through traffic in the future. It should be noted that significant obstructions to through traffic flow are still not anticipated in the long-range future due to the very low major street left-turn movement volumes; however, if operational concerns arise in the future the site access can be converted to right-in, right-out operation to eliminate any potential for overlaps between left-turn movements at the closely-spaced intersections.

Upon conversion of the intersection to right-in, right-out operation, it is anticipated that residents and patrons of the site that are leaving toward the east will need to use the site access on SW 131st Avenue opposite SW Carmel Street. Using this exit point will avoid the need for drivers to make an undesired turn to the west followed by maneuvering to return to the east.

Based on the analysis previously prepared for URA 6D by SCJ Alliance Consulting Services, the intersection of SW Fischer Road at SW 131st Avenue is projected to require signalization in the future. In order to determine how this site might operate in the future with the addition of vehicle queues associated with the potential traffic signal, an operational and queuing analysis was conducted. The analysis utilized the projected year 2035 traffic volumes from the URA 6D traffic analysis dated March 2018. Based on the analysis, the signalized intersection is projected to operate at level of service B and with relatively low average delays of 12.5 seconds per vehicle.

Based on the queueing analysis, the eastbound queues along SW Fischer Road are projected to extend up to 183 feet west of SW 131st Avenue during the evening peak hour. It should be noted that these queues may be even longer during the morning peak hour, since the eastbound traffic flows will be dominant at this intersection during the morning. These queue lengths are long enough to occasionally obstruct southbound left-turns from the proposed development onto SW Fischer Road. However, at least once every cycle of the traffic signal (approximately 60 seconds) there is projected to be space available to make southbound left turns from the proposed development onto SW Fischer Road. Drivers that do not wish to wait for gaps in the eastbound traffic queues may also choose to exit the site by turning onto SW 131st Avenue. Accordingly, the site access on SW Fischer Road is not projected to be significantly impacted by future traffic volumes on SW Fischer Road either with or without signalization at SW 131st Avenue.

Operation of the site access onto SW 131st Avenue was also considered for the long-range future. The projected 95th percentile queue length for the southbound approach under year 2035 conditions with full build-out of the URA 6D property was calculated to be 117 feet. The available storage length between SW Fischer Road and the proposed site access is approximately 115 feet. Accordingly, southbound queues are not projected to obstruct the site access on SW 131st Avenue even following signalization of the intersection.

Detailed operational analysis and queuing analysis worksheets are included in the technical appendix.



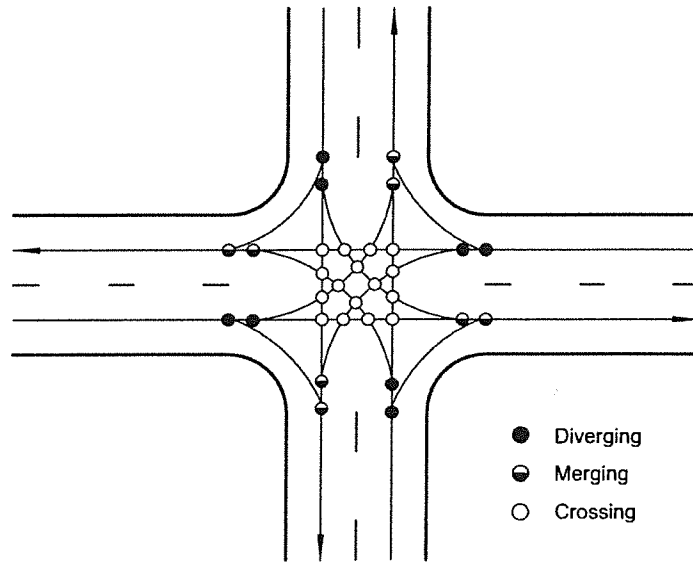
CONCLUSIONS

Based on the detailed analysis, the proposed offset alignment of the new access serving development on the north side of SW Fischer Road is not projected to result in any significant safety or operational concerns. Even with the addition of traffic from the URA 6D property and signalization of the intersection of SW Fischer Road at SW 131st Avenue, the site access intersections are projected to operate safely and efficiently without queuing obstructions.

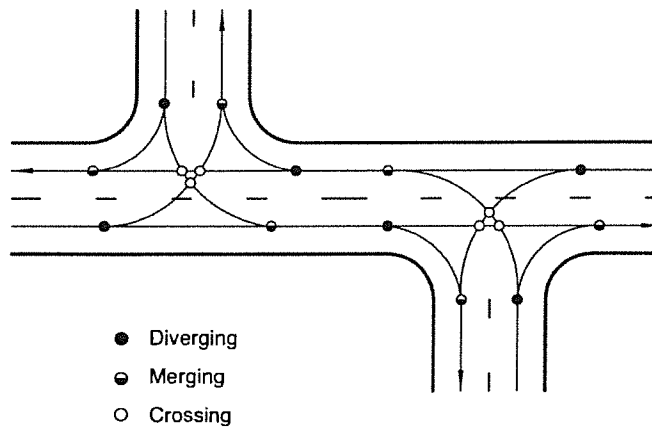
If operational concerns arise at any point in the future on SW Fischer Road at the site access due to left-turn conflicts, the intersection can be converted to right-in, right-out operation to eliminate any potential for overlaps between left-turn movements at the closely-spaced intersections. This conversion would not be projected to result in any significant secondary traffic safety or operational impacts as drivers divert to alternative travel routes.

If you have any further questions regarding this analysis, please feel free to contact me at any time.

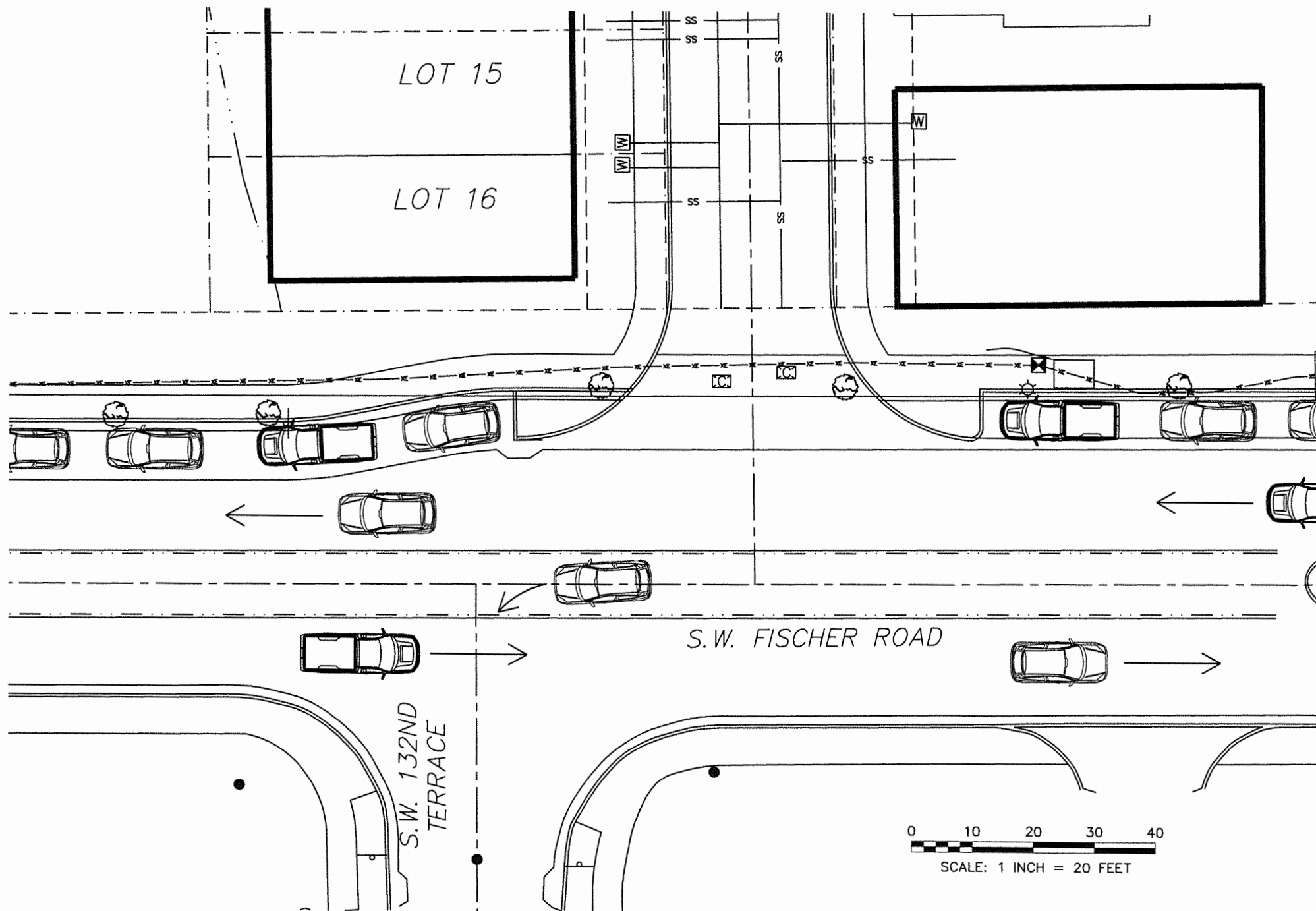
Appendix



Conflict Points for a Four-Leg Intersection.






















Conflict Points for Two Offset T-Intersections



HCM 6th Signalized Intersection Summary 1: SW 131st Avenue & SW Fischer Road

08/08/2018

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	25	415	10	75	605	25	5	25	40	125	35	30
Future Volume (veh/h)	25	415	10	75	605	25	5	25	40	125	35	30
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	27	451	11	82	658	27	5	27	43	136	38	33
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	234	815	20	387	799	33	87	259	364	457	126	89
Arrive On Green	0.45	0.45	0.45	0.45	0.45	0.45	0.38	0.38	0.38	0.38	0.38	0.38
Sat Flow, veh/h	757	1818	44	930	1784	73	33	685	965	903	334	235
Grp Volume(v), veh/h	27	0	462	82	0	685	75	0	0	207	0	0
Grp Sat Flow(s),veh/h/ln	757	0	1862	930	0	1857	1683	0	0	1472	0	0
Q Serve(g_s), s	1.7	0.0	9.4	3.7	0.0	16.7	0.0	0.0	0.0	3.4	0.0	0.0
Cycle Q Clear(g_c), s	18.3	0.0	9.4	13.1	0.0	16.7	1.5	0.0	0.0	4.9	0.0	0.0
Prop In Lane	1.00		0.02	1.00		0.04	0.07		0.57	0.66		0.16
Lane Grp Cap(c), veh/h	234	0	834	387	0	832	710	0	0	672	0	0
V/C Ratio(X)	0.12	0.00	0.55	0.21	0.00	0.82	0.11	0.00	0.00	0.31	0.00	0.00
Avail Cap(c_a), veh/h	357	0	1136	538	0	1133	710	0	0	672	0	0
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	20.5	0.0	10.5	15.3	0.0	12.5	10.5	0.0	0.0	11.4	0.0	0.0
Incr Delay (d2), s/veh	0.2	0.0	0.6	0.3	0.0	3.7	0.3	0.0	0.0	1.2	0.0	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%), veh/ln	0.3	0.0	3.4	0.7	0.0	6.5	0.6	0.0	0.0	1.7	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	20.7	0.0	11.0	15.5	0.0	16.1	10.8	0.0	0.0	12.6	0.0	0.0
LnGrp LOS	C	A	B	B	A	B	B	A	A	B	A	A
Approach Vol, veh/h	489			767			75			207		
Approach Delay, s/veh	11.6			16.1			10.8			12.6		
Approach LOS	B			B			B			B		
Timer - Assigned Phs	2			4			6			8		
Phs Duration (G+Y+Rc), s	24.0			27.6			24.0			27.6		
Change Period (Y+Rc), s	4.5			4.5			4.5			4.5		
Max Green Setting (Gmax), s	19.5			31.5			19.5			31.5		
Max Q Clear Time (g_c+I1), s	3.5			20.3			6.9			18.7		
Green Ext Time (p_c), s	0.3			2.5			0.9			4.5		
Intersection Summary												
HCM 6th Ctrl Delay	13.9											
HCM 6th LOS	B											

Queuing and Blocking Report
PM Peak Hour

08/08/2018

Intersection: 1: SW 131st Avenue & SW Fischer Road

Movement	EB	EB	WB	WB	NB	SB
Directions Served	L	TR	L	TR	LTR	LTR
Maximum Queue (ft)	80	195	125	316	74	145
Average Queue (ft)	21	111	57	173	30	68
95th Queue (ft)	58	183	126	271	64	117
Link Distance (ft)		1005		1089	801	673
Upstream Blk Time (%)						
Queuing Penalty (veh)						
Storage Bay Dist (ft)	100		100			
Storage Blk Time (%)		8	0	18		
Queuing Penalty (veh)		2	2	13		

Network Summary

Network wide Queuing Penalty: 17

Technical Memorandum

To: Mark Dane, Mark Dane Planning

From: Michael Ard, PE

Date: July 24, 2018

Re: 131st / Fischer Project – Offset Intersection Analysis



EXPIRES: 12/31/19



21370 SW Langer Farms Pkwy
Suite 142, Sherwood, OR 97140

This memorandum is written to provide information related to the operation and safety of a proposed offset intersection on SW Fischer Road west of SW 131st Avenue in King City, Oregon.

LOCATION AND SITE DESCRIPTION

The intersection of SW Fischer Road at SW 132nd Terrace is an existing T-intersection controlled by a stop sign on the northbound 132nd Terrace approach. The intersection is centered approximately 225 feet west of the centerline of SW 131st Avenue.

A proposed new development in the northwest corner of the intersection of SW Fischer Road and SW 131st Avenue would include construction of a new access intersecting SW Fischer Road and serving the residential and retail uses on the site. Due to the presence of a required wetlands setback at the west side of the subject property as well as the need to serve new development on both sides of the access, it is proposed to be centered approximately 55 feet east of the existing SW 132nd Terrace alignment.

OFFSET INTERSECTIONS: BACKGROUND

Before discussing the operation and safety of the proposed access configuration, it is appropriate to provide some background information regarding the safety and operation of offset intersections in general.

A typical four-way intersection with a single lane on each approach contains 32 conflict points. These include 16 crossing conflicts, 8 merging conflicts, and 8 diverging conflicts. The merging and diverging conflict points are primarily associated with increased risk of rear-end and sideswipe collisions, which occur between vehicles traveling in the same direction. The crossing conflict points are primarily associated with increased risk of angle collisions between vehicles traveling in different directions where their travel paths cross.

In contrast, a T-intersection with a single lane on each approach has significantly fewer conflict points. These include 3 crossing conflicts, 3 merging conflicts, and 3 diverging conflicts. Notably, this means that a pair of closely-spaced T-intersections has a total of just 18 conflict points, a significant reduction from an aligned intersection. For this reason, converting a four-way intersection to two T-intersections is sometimes considered to enhance intersection safety. Specifically, conversion to paired T-intersections would typically



be expected to slightly reduce the number of merging/diverging collisions, significantly reduce the number of left-turn collisions, and significantly decrease the number of angle collisions occurring at the intersections.

Typically, four-way intersections are selected over paired T-intersections for a variety of reasons. These include the desire to facilitate the flow of through traffic and emergency vehicles along aligned streets, the simplicity of providing aligned rights-of-way, and the desire to increase access spacing to reduce the total number of intersections along roadway segments. The potential safety benefits of offset T-intersections are also reduced within urban areas due to the typically lower speeds at which vehicle conflicts occur.

It should also be noted that where through volumes on the minor-street approaches are high, conversion to paired T-intersection is not desirable since the change would result in a significant increase in the number of turning movements occurring at each intersection.

In addition to the safety impacts of offset T-intersections, some operational impacts can be expected. These vary significantly based on the direction of offset as well as the distance between intersections. Accordingly, detailed discussion of the potential operational impacts is provided in the following section of this memorandum.

PROPOSED OFFSET ANALYSIS

The proposed site access is offset approximately 55 feet to the east of SW 132nd Terrace. This alignment prevents overlaps between the minor-street left-turn movements but may result in overlaps between major-street left-turn movements and the following vehicle queues. Although no significant safety concerns are associated with this overlap, operational concerns may arise. Accordingly, some detailed discussion of the potential operational concerns as well as the likelihood of such overlaps is appropriate.

The proposed T-intersection offset can be referred to as a “left offset” configuration. In this configuration, vehicles making left turns from the minor-street approaches do not experience conflicts with each other. Vehicles making right turns from the minor-street approaches may conflict with minor-street left-turns from the opposing approach; however, once they turn onto SW Fischer Road they become through traffic and are readily visible to the opposing minor-street approach. Accordingly, no operational or safety concerns are anticipated in association with the minor-street approach movements.

The proposed offset distance can also accommodate simultaneous major-street left turns without direct conflicts between the turning movements since the opposing vehicles will have passed each other prior to initiating their respective left-turn movements.

One potential concern that can arise is that if two opposing major-street left-turning vehicles both have following queues, the trailing queues can obstruct the left-turn movements, resulting in an impasse in which



neither left-turning vehicle can complete their turn and through traffic on the major street is temporarily obstructed. Such an impasse is typically resolved when one or more vehicles within the following queue backs up to allow space for one of the vehicles to pass through the queue and complete the left turn.

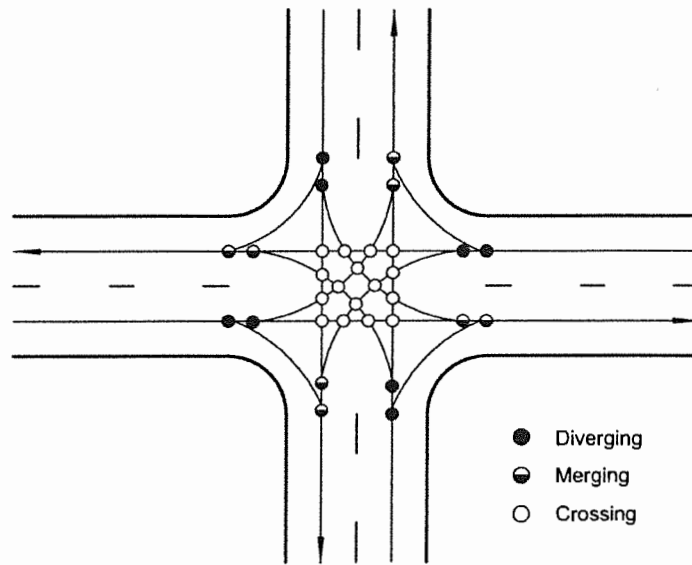
The width of SW Fischer Road is sufficient to allow left-turning vehicles to wait within the center of the paved roadway while allowing through vehicles to pass on both sides, which reduces the chances of such an impasse. The distance between the intersections can accommodate one to two left-turning vehicles within the center of the roadway prior to potentially obstructing the through lanes.

In this instance, the westbound left-turning volumes can be expected to be very low, since SW 132nd Terrace serves only 27 homes, all of which have alternate access available via SW Portia Lane and eight of which have garage access via a separate alleyway. The anticipated left-turn volume at this location is approximately 80 vehicles per day, with approximately 10-12 vehicles entering during the evening peak hour. This equates to an average of no more than one major-street left turn every five minutes. The eastbound left-turning volume is expected to be similarly low since most traffic will enter and exit the site from the east. Accordingly, the projected cumulative 95th percentile queue length for the two left-turn movements is one vehicle or less even during the peak hours. The anticipated left-turn queues can therefore be accommodated within the paved road width without obstructing the through travel lanes on SW Fischer Road.

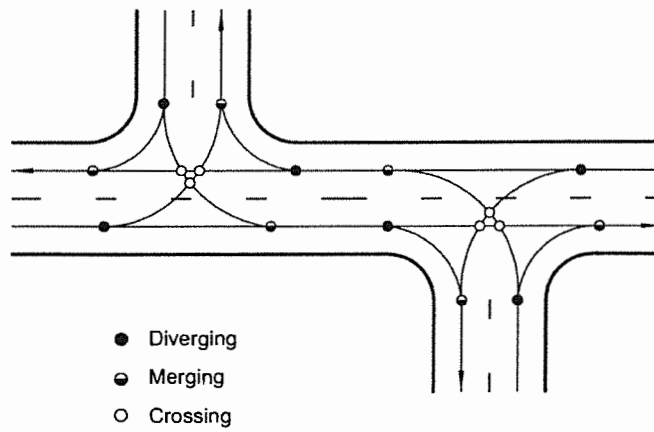
CONCLUSIONS

Based on the detailed analysis, the proposed offset alignment of the new access serving development on the north side of SW Fischer Road is not projected to result in any significant safety or operational concerns.

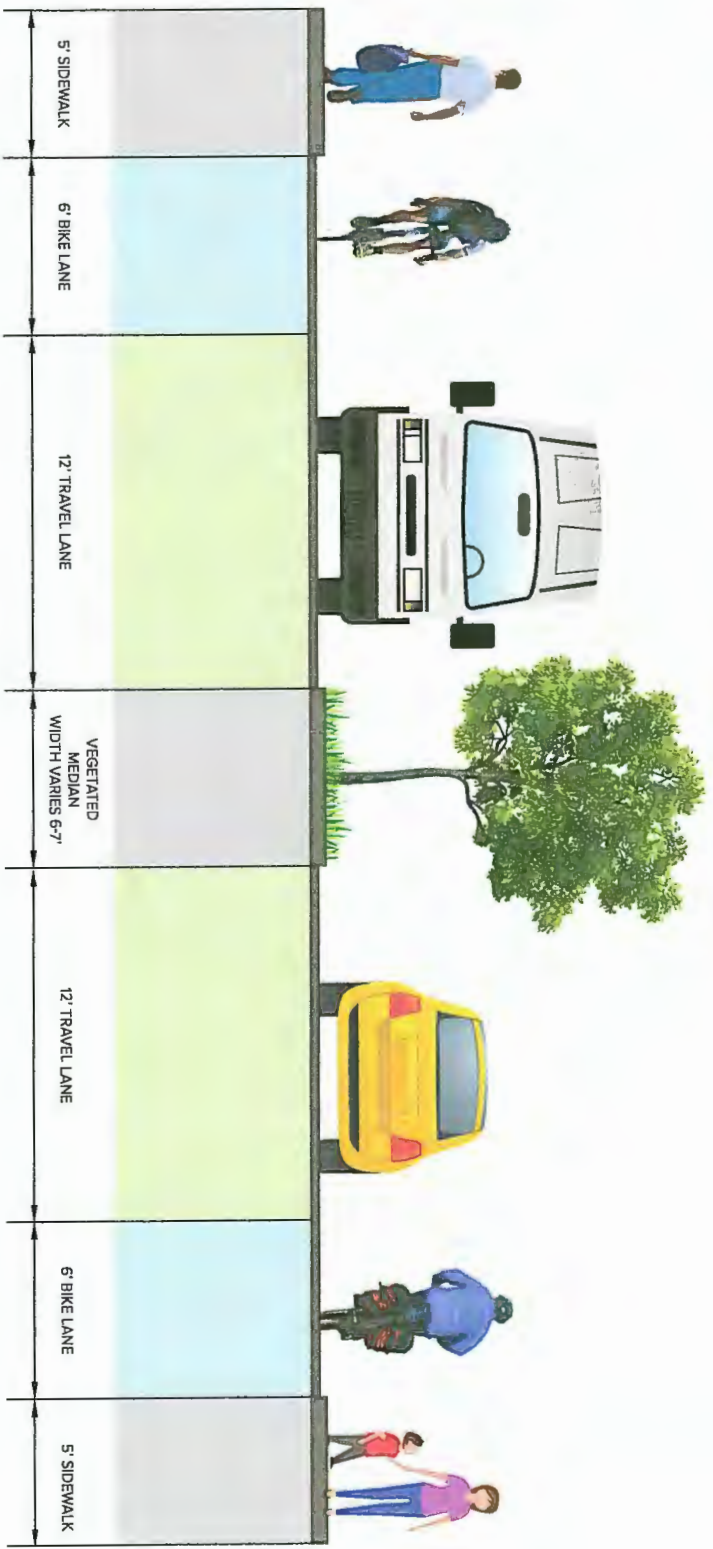
As traffic volumes increase on SW Fischer Road in the future due to future development within the urban growth area west of SW King Lear Way, the unobstructed flow of major-street traffic will become increasingly important. Although obstructions of through traffic flow are not anticipated, if operational concerns arise in the future the site access can be converted to right-in, right-out operation to eliminate any potential for overlaps between left-turn movements at the closely-spaced intersections.



Conflict Points for a Four-Leg Intersection.

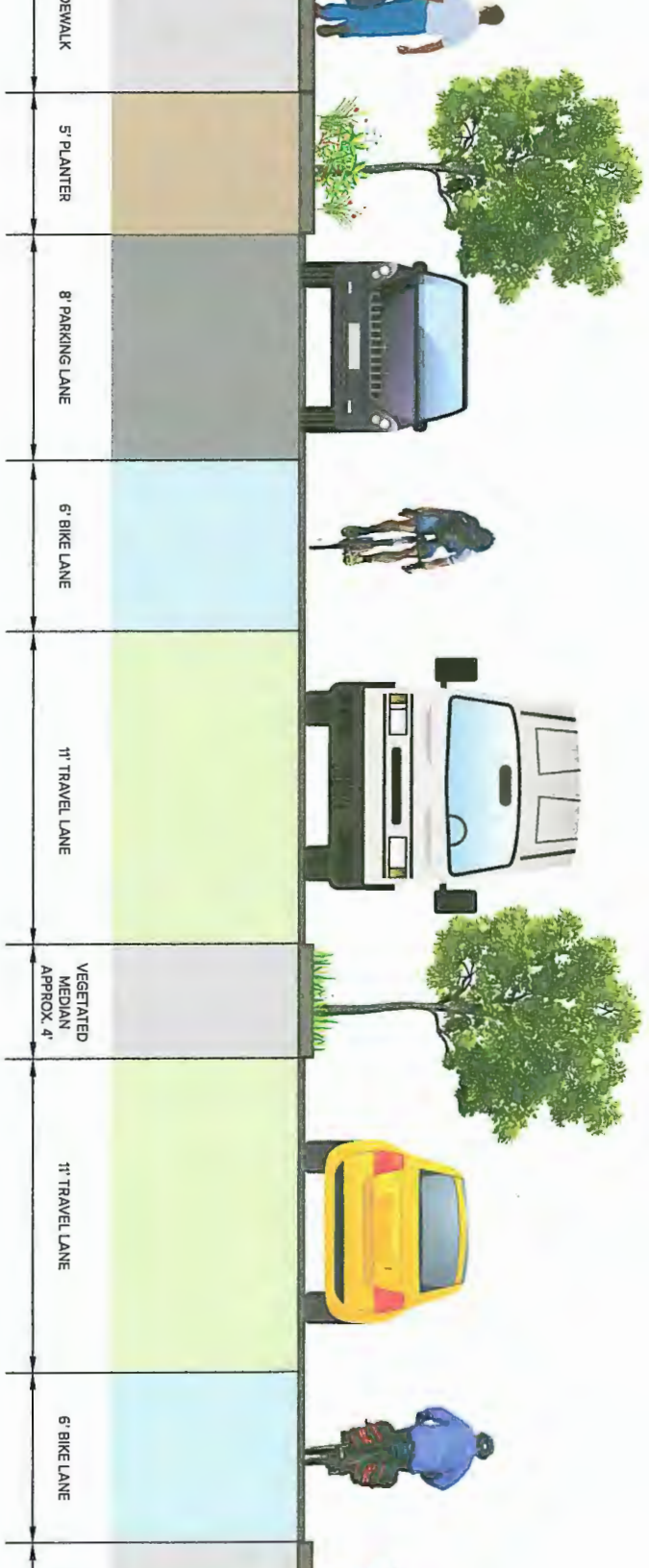


Conflict Points for Two Offset T-Intersections



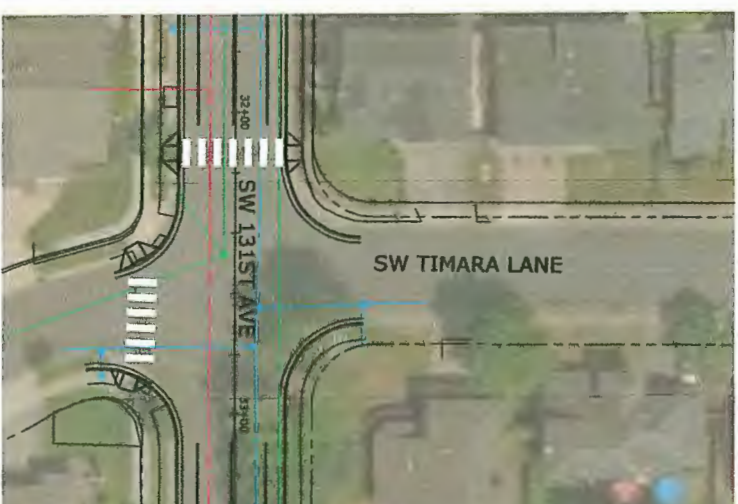
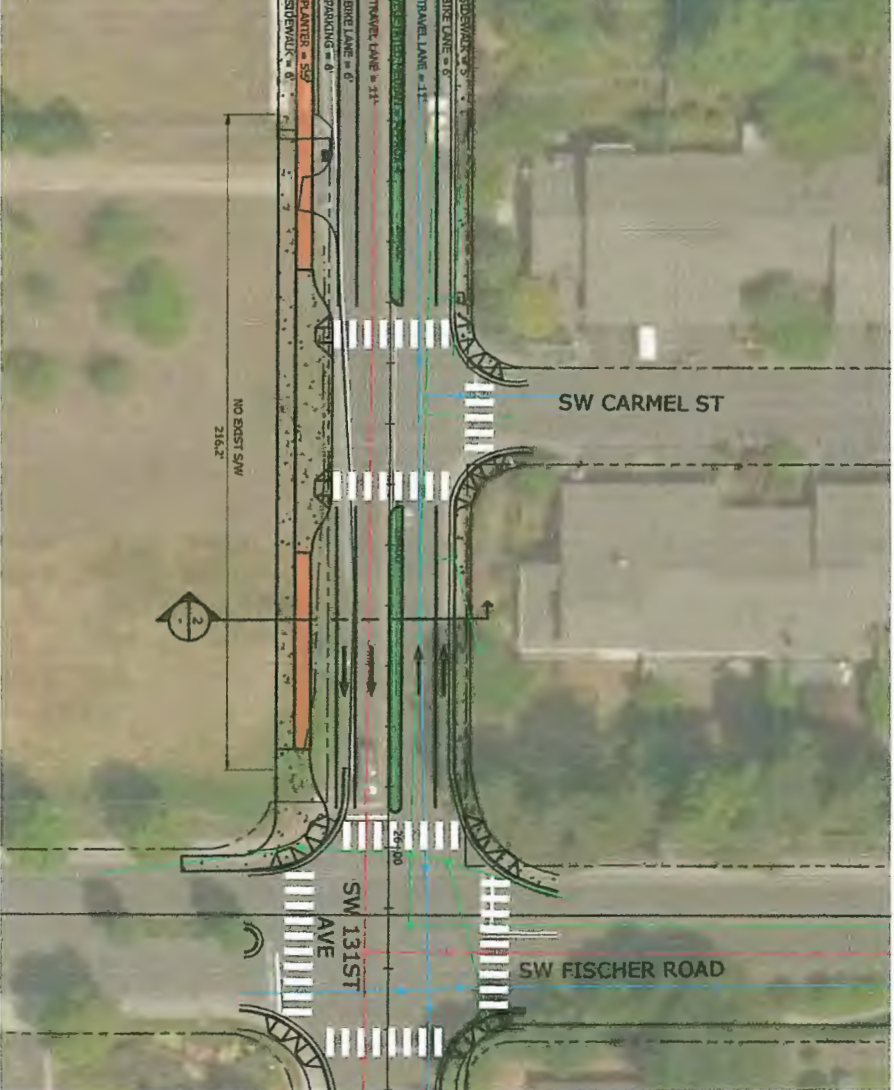
SW 131st Ave | Conceptual Cross Section, Station 3+75+/- to 15+00+/-





SW 131st Ave | Conceptual Cross Section, STA 15+00+/- to STA 26+00+/-





SW 131ST AVENUE
IMPROVEMENTS
CONCEPTUAL DESIGN



Chapter 16.102
Planning Commission Recommendation – 6.14.18
NEIGHBORHOOD MIXED-USE ZONE (NMU)
NEW

Sections:

- 16.102.010 Purpose.**
- 16.102.020 Permitted uses.**
- 16.102.030 Conditional uses.**
- 16.102.040 Dimensional and density requirements.**
- 16.102.050 Design requirements.**
- 16.102.060 Additional requirements.**

16.102.010 Purpose.

The purpose of the NMU zone is to provide a mix of residential, retail, service, and business needs of surrounding residential neighborhoods while maintaining a compatible scale and character with those neighborhoods. It is intended for relatively small sites within or adjacent to residential neighborhoods.

16.102.020 Permitted uses.

A permitted use is a use which is allowed outright but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the NMU district are as follows:

- A. Dwelling, single-family attached and detached 0-foot side yard;
- B. Dwelling, multi-family;
- C. Duplex;
- D. Office;
- E. Retail sales and service conducted entirely indoors except for outdoor display as provided in 16.102.060 C. or is subject to liquor license review according to Chapter 5.05 of this title;
 - 1. Sales-oriented;
 - 2. Personal service-oriented; and
 - 3. Entertainment-oriented.
- F. Live-work unit approved as a Type I or II home occupation as provided in Chapter 16.172;
- G. Community services;
- H. Religious assembly;
- I. Family care;
- J. Residential facility; and
- K. Adult day care (family care).

16.102.030 Conditional uses.

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the NMU district are as follows:

- A. Live-work unit that does not qualify for Type I or II home occupation approval as provided in Chapter 16.172;

B. Retail sales and service conducted partially or completely outside of a building or subject to liquor license review according to Chapter 5.05 of this title;

1. Sales-oriented,
2. Personal service-oriented, and
3. Entertainment-oriented;

C. Utilities;

D. Public safety facilities; and

E. Parks and open space.

16.102.040 Dimensional and density requirements.

A. The dimensional requirements in the NMU district are:

Dimensional Requirements Table	
Minimum and average lot size land area per unit	
Duplex	3,600 3,000 min./ 4,000 avg. square feet
Single-family detached	1,600 min.
Single-family attached and 0-foot setback units	1,600 1,500 min./ 2,000 avg. square feet
Multi-family units	1,600 1,500 min./ 2,000 avg. square feet
Live-work units	1,600 1,500 min.
Non-residential and mixed-use (non-residential and multi-family) buildings	None
Minimum average lot width (per lot)	
Duplex	48 feet
Single-family detached	40 feet
Single-family attached and 0-foot setback detached units	24 20 feet
Multi-family units	48 feet
Live-work units	24 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	None
Minimum average lot depth (per lot)	
Duplex	60 feet
Single-family detached	
Single-family attached and 0-foot setback detached units	60 feet
Multi-family units	60 feet
Live-work units	60 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	None
Setbacks (measured from property lines, except as noted)	
Front yard Residential and live-work	10 feet minimum and 26 feet maximum to front building wall. 6 feet minimum and 15 feet maximum to front porch.

Dimensional Requirements Table	
Non-residential and mixed-use (non-residential and multi-family) buildings measured from the nearest edge of the clear zone or supplemental zone.	<p>18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</p> <p>Building placement and frontage standards in Section 16.102.060 B. shall be satisfied. 0-6 feet or \geq 18 feet to a garage entrance if driveway parking is allowed.</p>
<p><u>Front yard – corner</u> For corner lots, at least one street frontage shall meet the front yard requirements above. For the second front yard, the property owner/applicant may apply the following standards: Residential and live-work</p> <p>Non-residential and mixed-use (non-residential and multi-family) buildings measured from the nearest edge of the clear zone or supplemental zone.</p>	<p>8-6 feet minimum for a side yard facing a street. 18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.</p> <p>Building placement and frontage standards in Section 16.102.060 B. shall be satisfied. 0-6 feet or \geq 18 feet to a garage entrance if driveway parking is allowed.</p>
<p><u>Side yard – interior</u> Residential and live-work</p> <p>Non-residential and mixed-use (non-residential and multi-family) buildings</p>	<p>0 feet minimum, except as required by the Uniform Building Code (UBC), or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet.</p> <p>0 feet minimum, for side yard lot lines adjacent to other property zoned NMU or LC, except as required by the Uniform Building Code (UBC), or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either (1) be attached at the property line or (2) have a minimum separation of 6 feet. 10 feet minimum, for side yard lot lines adjacent to property that is not zoned NMU or LC.</p>

Dimensional Requirements Table	
<u>Rear yard</u> Residential and Live-Work Non-residential and mixed-use (non-residential and multi-family) buildings	10 feet minimum for residential building. 0 feet for a detached accessory building less than 18 feet in height. 0-6 feet or ≥ 18 feet to a garage entrance to an alley. 10 feet minimum adjacent to property zoned NMU or LC. 20 feet minimum, for side yard lot lines adjacent to property that is not zoned NMU or LC. 5 feet for a detached accessory building less than 18 feet in height. 0-6 feet or ≥ 18 feet to a garage entrance to an alley.
Minimum landscaped area	
Single-family attached, single-family detached 0-foot side yard, duplex, and multi-family dwellings	20% of the total lot area ¹
Live-work units	20% of the total lot area ¹
Non-residential and mixed-use (non-residential and multi-family) buildings	15% of the total lot area ¹
Building height	
Single-family attached, single-family detached 0-foot side yard, duplex, and multi-family dwellings	35 feet
Live-work units	35 feet
Non-residential and mixed-use (non-residential and multi-family) buildings	35 feet ²
Accessory structures	18 feet
Residential (only) density standards	
Maximum	12 units per gross acre (Chapter 16.146)
Minimum	80% of the allowed maximum
Commercial, mixed-use (non-residential & multi-family) and live-work floor area standards	
Commercial including: Office, Retail sales and service (sales-, personal service-, and entertainment-oriented)	Maximum 1.5 to 1 FAR ³
Live-work units	Commercial floor area shall not exceed 50% of the total floor area of the live-work unit

- 1 The landscaped area per lot may be reduced when common open space is provided. In this case, the total landscaped area on lots and common areas must total a minimum of 20%.
- 2 Building height may be increased to a maximum of 45 feet as provided in Figure 1.
- 3 Floor area ratios (FARs) apply to the total floor area in a mixed-use project regardless of the use.

- B. The maximum building height of thirty-five feet in subsection (a) of this section shall increase one foot for each additional foot of building setback over twenty-five feet from a residential zoning district, up to a maximum building height of forty-five feet as illustrated in Figure 1. In the case of a public street right-of-way lying between the NMU Zone and a residential zone, the setback shall be calculated using the right-of-way centerline in lieu of the property line.

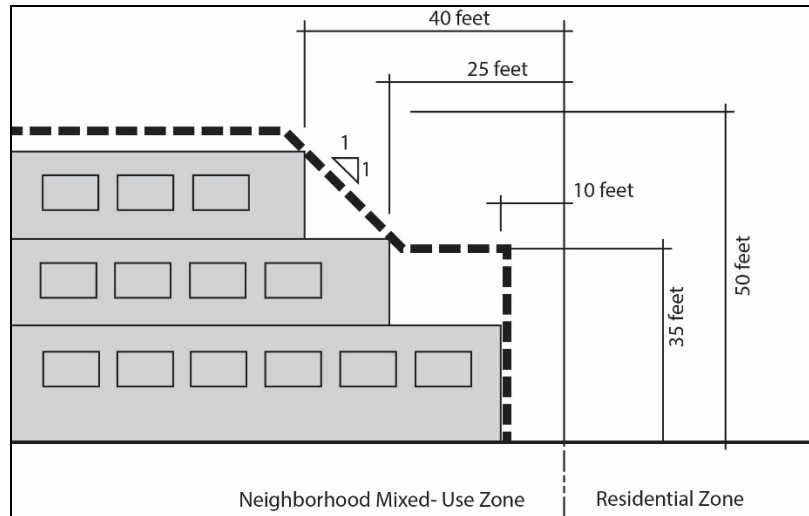


Figure 1. Building Height

16.102.050 Design requirements.

In addition to the dimensional requirements in Section 16.102.040, the following design requirements of this section shall apply.

- A. Residential development shall comply with the following standards:

Design Requirements Table – Residential Development	
Main entrance	
Location	Within 8 feet of the longest front building wall. The applicant/owner may select which street frontage to use for a corner lot.
Orientation	Face the street at an angle that does not exceed 45 degrees; or Open onto a porch, which has: <ul style="list-style-type: none"> • A minimum of 25 square feet with a minimum dimension of 4 feet; • At least one entrance facing the street; and • A roof that covers at least 30 percent of the porch area (see Figure 2).
Front windows - First floor of all dwellings.	
Minimum glazing area	20 sq. ft. for each building wall facing a street. Windows in entry or garage doors shall not be included to meet this standard.

Design Requirements Table – Residential Development	
Maximum window sill height	4 ft. above finished first floor elevation for the window(s) necessary to meet the 20 sq. ft. minimum glazing area standard. No sill height standard for all other windows.
Garage door frontage - Maximum percentage of the building width allowed for the garage door.	
Single-family detached units	50% when the garage setback is the same or less than the front building wall. The garage door setback shall be no more than 6 feet less than the front building wall setback.
	60% when the garage setback is at least 2 feet behind the front building wall or front porch.
	70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Single-family attached, duplex, multi-family units, and live-work units	30% when the garage setback is less than the front building wall or front porch. 60% when the garage setback is equal to or greater than the front building wall. 70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Minimum garage door width	Notwithstanding the above requirements for garage door widths, a residence shall be permitted to have one garage door that is up to 10 feet wide.
Attached units	
Maximum number of attached single family, multi-family units, or live-work units	12 units.
Required outdoor area	
Duplex, single-family attached, detached single-family units with one 0-foot setback, and live-work units	Minimum contiguous rear or side yard outdoor area of 200 square feet shall be provided on each lot, of which no dimension shall be less than 10 feet. This standard is not required when the garage for the residence is located in the rear yard.
Multi-family units	Minimum contiguous rear or side yard outdoor area of 200 square feet shall be provided for each unit on the lot, of which no dimension shall be less than 15 feet.
Common outdoor area alternative	In lieu of meeting the outdoor area requirements for each lot, a common outdoor area may be provided for the development. This common outdoor area shall have a minimum contiguous area of 400 square feet per unit in the development with a minimum size of 4,000 square feet, of which no dimension shall be less than 40 feet.

B. Non-residential and mixed-use development shall comply with the following standards:

Design Requirements Table: Non-Residential and Mixed-Use Development	
Main building entrance	
Location and Orientation	<p>Primary customer and/or resident entrances for buildings with frontage on a collector or arterial street shall meet one of the following:</p> <ul style="list-style-type: none"> • Be within 20 feet of, and facing the street upon which the building has frontage; or • Be located on the side of the building within 50 feet direct walking distance from the public sidewalk along the collector or arterial street. <p>For buildings that have more than one main entrance, only one entrance must meet this requirement.</p>
Front windows – Ground floor of all building facades facing a street.	
Minimum glazing area	40% for any ground floor building wall facing a street (Figure 2).
Operable front windows	Windows that are designed to open join interior and exterior spaces during temperate weather may be used to satisfy the minimum glazing area standard. This may include the glazed area on operable doors that are supplemental to the main entry door.
Maximum window sill height	4 feet above finished first floor elevation for the window(s) necessary to meet the minimum glazing area standard. No sill height standard for all other windows.
Distinct ground floor – commercial uses	
Office and retail sales and service (sales-, personal service- and entertainment-oriented)	<p>This standard applies to buildings that have any floor area in non-residential uses. The ground level of the primary structure must be visually distinct from upper stories. This separation may be provided by:</p> <ol style="list-style-type: none"> 1. A cornice above the ground level; 2. An arcade; 3. Changes in material or texture; or 4. A row of clerestory windows on the building's street facing elevation.
Garage door frontage - Maximum percentage of the building width allowed for the garage door.	
Minimum garage door width	Notwithstanding the above requirements for garage door widths, a residence shall be permitted to have one garage door that is up to 10 feet wide.
Required outdoor area	
Office and retail sales and service (sales-, personal service- and entertainment-oriented)	The maximum coverage of buildings and impervious surfaces shall not exceed 85% of the total lot area.

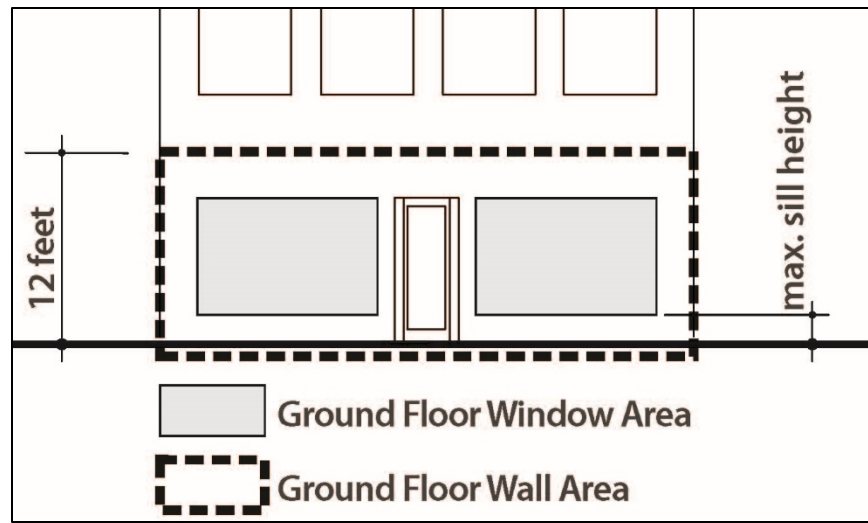


Figure 2. Minimum Glazing Area

16.102.060 Additional requirements.

A. Street Frontage Improvement Standards.

1. Street frontage improvements shall be determined by the City Engineer.
2. For mixed-use or commercial development, the following additional street frontage improvements elements (Figure 3.) shall be required:
 - a. A sidewalk clear zone with a minimum width of 6 feet; and
 - b. Street furniture zone with a minimum width of 5 feet, including the curb.
3. An optional supplemental zone may (Figures 3. and 4.) be provided between the building the clear zone for residential, commercial, or mixed-use development subject to the following standards:
 - a. A maximum depth between the clear zone and building façade of 20 width of feet;
 - b. Use of this area for additional sidewalk width, patio, landscaping or similar improvements; and
 - c. No vehicle driveways, parking, or loading are permitted within a supplemental zone.
4. The street furniture zone may be used for on-street parking provided:
 - a. The clear zone retains a minimum width of 6 feet (Figure 5); and
 - b. The street requirements in Sections 16.124.050 and 060 are met.

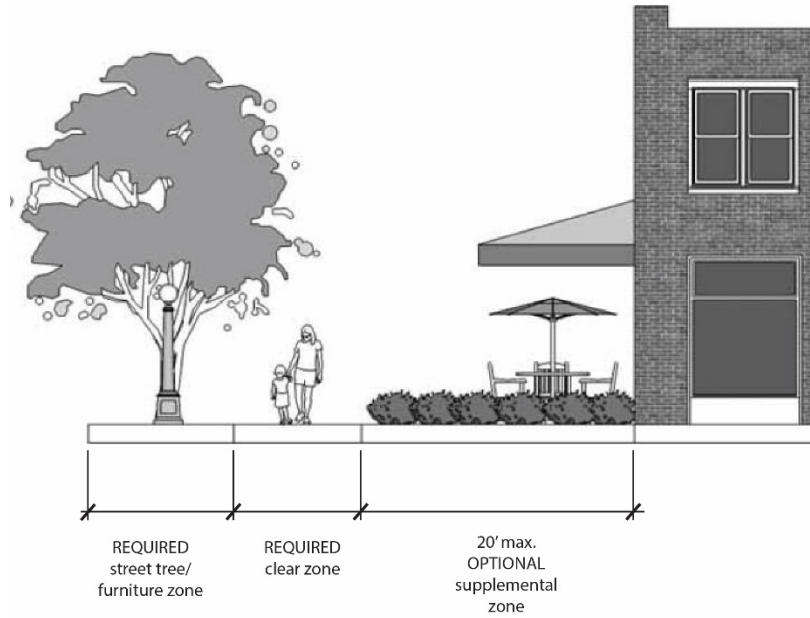


Figure 3. Street Frontage Improvement Elements

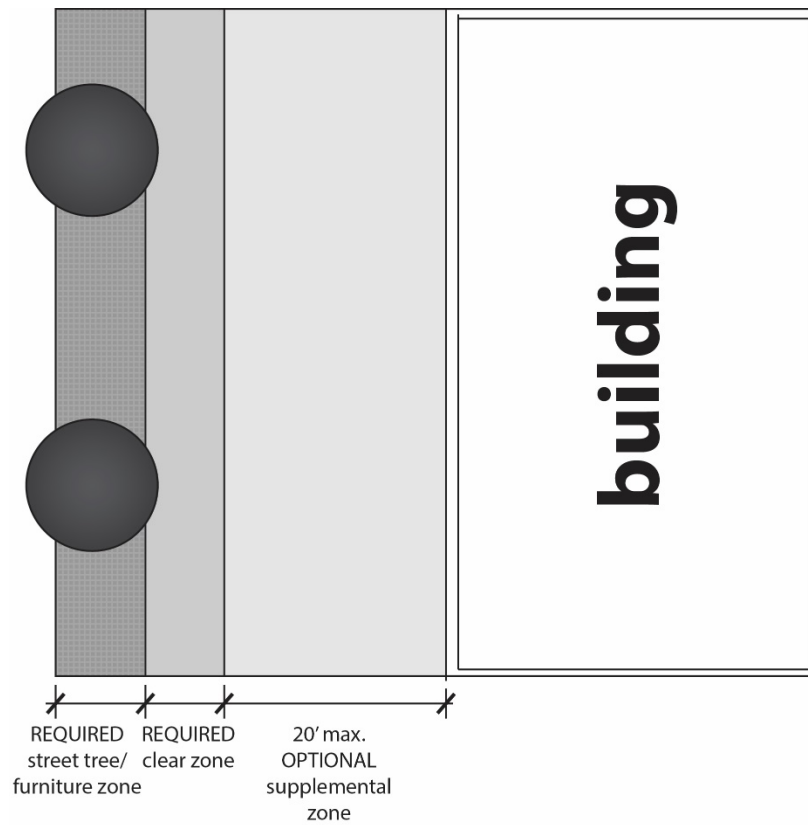


Figure 4. Supplemental Zone

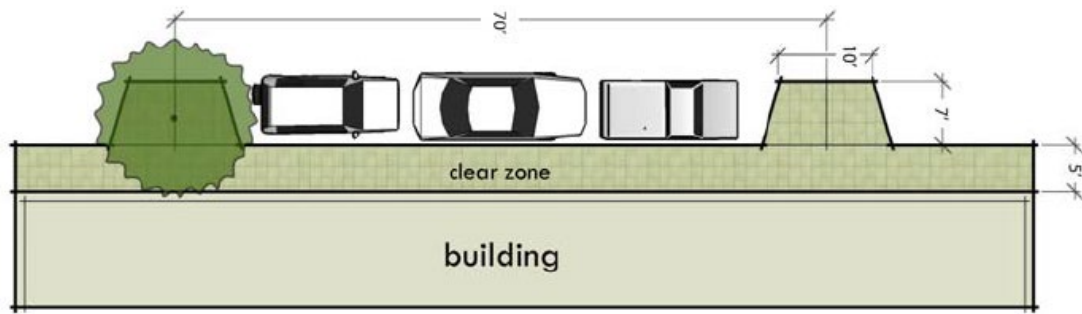


Figure 5. On-Street Parking in the Furniture Zone

B. Building Placement and Frontage Standards.

1. A minimum of 50% of the property frontage length along the site's principal street must consist of continuous building façade built up to the property line, clear zone, or supplemental zone, if one is provided (Figure 6).
2. For corner lots, a minimum of 40% of the property frontage length along the site's secondary street, which intersects with the primary street, must consist of continuous building façade built up to the property line, clear zone, or supplemental zone, if one is provided (Figure 7).

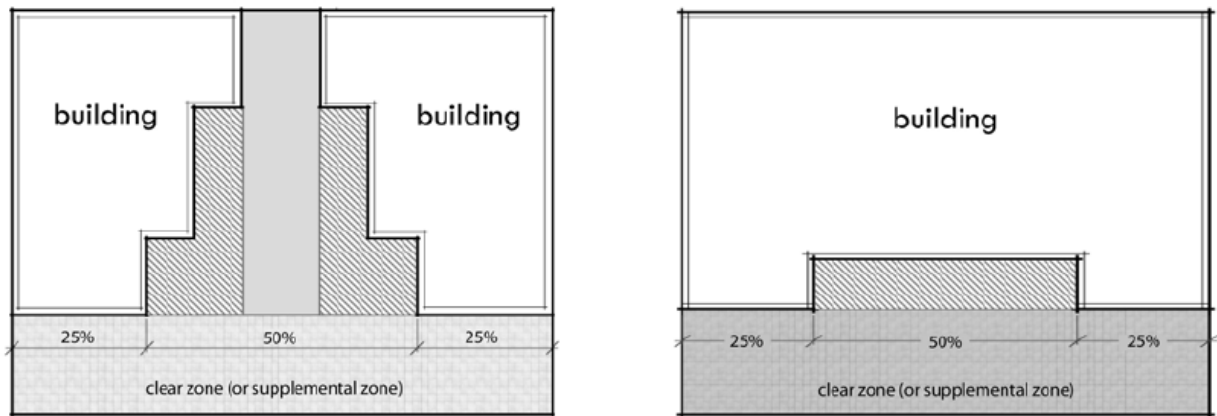


Figure 6. Building Façade Location along the Principal Street

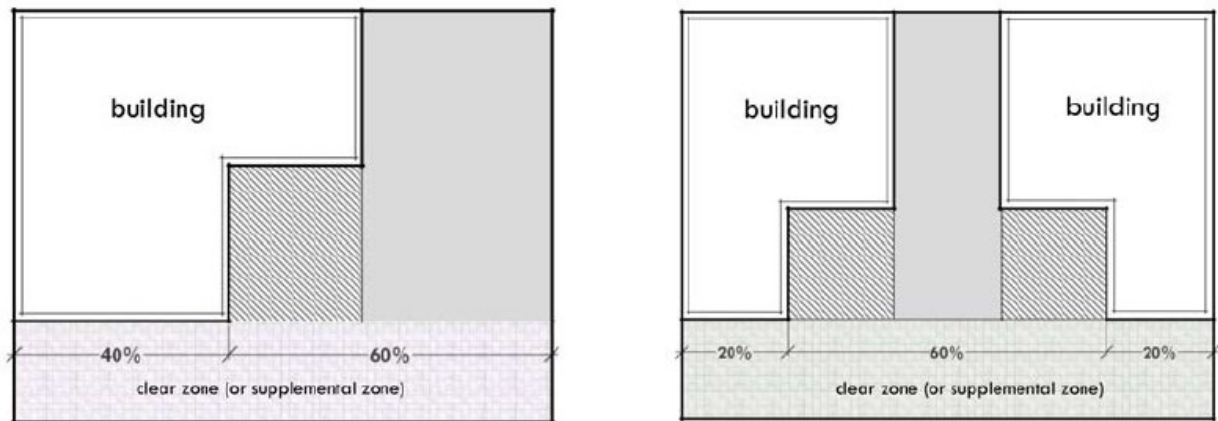


Figure 7. Building Façade Location along a Secondary Street

C. Outdoor Display.

1. Except as provided in subsection 2. of this section, all business and display of merchandise shall be conducted wholly within an enclosed building.
2. Subject to an administrative review and approval by the city manager, outdoor storage and display may be permitted when all of the following conditions are satisfied:
 - a. The amount of outdoor storage and display of merchandise does not exceed five percent of the gross floor area of the business;
 - b. Pedestrian, bicycle, wheel chair and motor vehicle access to and within the property is not impeded in any way;
 - c. The clear zone and street furniture zone are not used for this purpose;
 - d. The outdoor storage and display is in conformity with any conditions of development permit or building permit approval; and
 - e. The outdoor storage and display satisfies all relevant provisions of this title and other applicable requirements of this code.

D. Outdoor Activities.

1. Exterior work activities, including product storage or assembly are prohibited in the NMU Zone.
2. Outdoor eating areas, entertainment, outdoor markets, and similar activities are allowed in the NMU Zone. However, they shall be prohibited within the clear zone and street furniture zone.
3. Permitted outdoor activities shall be located a minimum of 20 feet from any adjacent residential zoning district. This setback area shall be landscaped and include a solid wall or fence with a minimum height of 6 feet to enhance privacy and attenuate potential noise impacts.
4. Outdoor speakers – Exterior speakers may be used provided:
 - a. They are only in use during the hours of operation, but no later than 10:00 pm; and
 - b. They are not audible beyond the property line.

E. Surface Parking Location.

1. Surface parking shall be prohibited between the front of buildings and the front lot line or clear zone;

2. Surface parking shall be located a minimum of 10 feet from any adjacent residential zoning district. This setback area shall be landscaped and include a wall or fence with a minimum height of 6 feet or evergreen vegetation that would provide screening equivalent to a fence.
 3. Surface parking located along a street frontage shall have a landscape buffer with a minimum width of 5 feet that is designed to provide screening of vehicles.
- F. Loading and Service Areas and Mechanical Equipment.
1. All loading areas, exterior garbage cans, garbage collection and recycling areas shall be screened from the street and adjacent properties. Fencing and/or landscaping of sufficient density and height shall be provided to screen such areas from view.
 2. Mechanical equipment located on the ground, such heat pumps, cooling equipment, and generators shall be screened from the street and any adjacent residentially zoned properties.
 3. Mechanical equipment placed on roofs must be screened with a parapet or other screen around the equipment that is as tall as the highest point of the equipment.
 4. In addition to the above requirements for mechanical equipment, exhaust fans for kitchens shall be located a minimum of 50 feet from a residential zone.
- G. Exterior Lighting.
1. On-site pedestrian walkways must be lighted to a level where the circulation system can be used at night by employees, residents, and customers.
 2. Exterior lighting shall be located and designed to not shed light or glare on nearby properties.
- H. Exterior Finish Materials –
1. Street-facing facades shall consist predominantly of a simple palette of durable materials such as brick, stone, stucco, wood siding, and wood shingles.
 2. Split-faced block and gypsum reinforced fiber concrete shall only be used in limited quantities.
 3. Fencing shall be made of durable and attractive materials. The following fence materials are prohibited:
 - a. Plastic or vinyl; and
 - b. Chain link.
 4. The following building materials are prohibited on street facades and shall not collectively be used on more than 50% of any other building façade:
 - a. Vinyl PVC siding;
 - b. T-111 plywood;
 - c. Exterior insulation finishing (EIFS);
 - d. Corrugated metal;
 - e. Opaque glass; and
 - f. Sheet pressboard.
- I. Hours of Operation.
- To maintain a compatible relationship with surrounding residential uses, business hours shall be between the hours of 8 am and 10 pm. No business shall be conducted outside of these time limits unless approved as a conditional use as provided in this title.

ADDITIONAL CDC AMENDMENTS

16.24.020 Definition of Specific Terms.

“Live-work unit” means a dwelling unit where residential and nonresidential spaces are combined and where the dwelling unit is the principal residence of the business operator/proprietor. Nonresidential spaces are typically located on the ground floor with separate access and residential spaces are located on upper floors or the rear of the building.

“Floor area ratio (FAR)” means the amount of building floor area in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of 2 to 1 means there is 2 square feet of floor area for every 1 square foot of site area. Public utility easements may be excluded from the site area when calculating the FAR.

“Frontage length” means the length of a property frontage along a street right-of-way. In the case of corner lots, the right-of-way of the intersecting street or streets shall not be included in measuring this distance.

“Principal street” means the street adjacent to a property with the highest transportation hierarchy classification. Other abutting streets, if any, are deemed to be secondary streets. Determination of the principal street shall be done using the following priority:

- Arterial street;
- Collector street;
- Neighborhood collector street; and
- Local street.

“Sidewalk zones” refers to three different zones on public sidewalks that include:

- “Clear zone,” which is the unobstructed portion for walking.
- “Street tree and furniture zone,” which is the portion of the sidewalk adjacent to the curb in which street trees may be planted. This zone is also intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.
- “Supplemental zone,” which lies between the clear zone and the street-facing building façade or front yard landscaping. This zone is intended to public uses including window shopping, plaza, outdoor café, or patio.

16.156.060 Approval Standards for Specific Uses.

D. Live-Work Unit in the NMU Zone

1. Deliveries shall be made between the hours of 8 am and 6 pm;
2. Deliveries shall not require the use of tractor trailers, semi-trucks, or heavy equipment;
3. There shall be no offensive noise, vibration smoke, dust, odors, heat, or glare noticeable at or beyond the property line resulting from the operation;
4. The home occupation shall be operated entirely within the unit, including storage of any materials;

5. Indoor storage and use of materials or products shall not exceed the limitations imposed by the provisions of applicable building and fire codes, and there shall be no storage and/or distribution of toxic or flammable materials;
6. A maximum of 60% of the total floor area of the live-work unit may be devoted to the business use;
7. Sufficient parking shall be provided on-site and/or on-street along the property frontage for employees and customers;
8. The following uses are not allowed:
 - a. Auto-body repair and painting;
 - b. Ongoing mechanical repair conducted outside of an entirely enclosed building
 - c. Junk and salvage operations; and
 - d. Storage and sale of fireworks.

E. Motel

F. Office and Retail Sales and Service Uses in the NMU Zone

1. Deliveries shall be made between the hours of 8 am and 6 pm;
2. Nearby properties shall be buffered from potential adverse noise and visual impacts including, but not limited to vehicles, heating and air conditioning units, exhaust fans, outdoor trash and recycling, headlights, exterior lighting, and associated outdoor activity;
3. The transportation system is capable of safely supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to collector or arterial streets, transit availability, on-street parking impacts, access requirements, and neighborhood impacts;
4. Access to a local street may be allowed only if it is found that adverse traffic impacts will not be created for surrounding properties.
5. Safe and convenient pedestrian and bicycle access shall be provided to the site

G. Parks and Open Space (subsequent lettering amended accordingly)

RELATED COMPREHENSIVE PLAN AMENDMENTS WEST KING CITY PLANNING AREA

PLAN IMPLEMENTATION

Commercial and Retail Opportunities

As noted above, residential development is the primary use intended for the West King City Planning Area. Commercial and retail opportunities presently exist along SW Pacific Highway, located approximately 1/3 mile to the east. As shown in Figure 2, there are several improved pedestrian and bi-cycle connections between the West King City Planning Area and these commercial services.

To provide additional opportunities for neighborhood-serving commercial uses, a Neighborhood Mixed-Use designation is included as a land use type, which could be applied in the West King City Planning Area. This would require a Comprehensive Plan Amendment and Zone Change, which is consistent with King City Comprehensive Plan.

Land Use Designations and Location Criteria

The local criteria are intended to provide guidance for the Planning Commission and City Council when land use designations for specific area within the City are proposed to be amended. These criteria describe the basic characteristics a property or properties should have to be eligible for a particular land use designation. The primary characteristics of the City land use designations are first described followed by location criteria. It is intended that these location criteria, associated with each land use designation, be construed in a flexible manner, in the interest of accommodating proposals which may not comply with all the applicable criteria but are found to be in the public interest and capable of harmonious integration into the community. The burden to prove a proposal's conformity with the Comprehensive Plan should vary according to the degree of change and impact on the community. The more significant the change or potential impact, the more strictly the criteria should be interpreted.

Low Density Residential

SF - Single Family Residential:

This land use designation is intended to apply to established single family residential properties within the City prior to June 5, 1991.

R-9 - Small Lot and Attached Residential:

This land use designation is intended to apply to annexed properties that were zoned R-9 in Washington County or that are within the West King Planning Area. (Ord. O-02-4 § 1 (part), 2002)

Purpose of the SF and R-9 Designations:

These two designations are intended for detached single family residential use on lots larger than two thousand eight hundred square feet in size. In addition, the R-9 zone permits attached single family dwellings, and residential care facilities. (Ord. O-02-4 § 1 (part), 2002)

Location Criteria:

Properties designated SF or R-9 should have the following location characteristics:

1. Direct Access to collector and local streets. Generally, these designations should apply to land which does not have direct access to major collector and arterial routes.
2. Land that is not suitable for more intensive development because of natural constraints such as unstable soils, poor drainage, and flooding.
3. Land that is not suitable for more intensive development because of limited facility and service capacity. The important facilities and services to be considered include, but are not limited to, sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
4. No commitment of the immediate area to medium high density residential or commercial development.

Medium Density Residential

A/T - Apartment/Townhouses:

This land use designation is intended to apply to established residential properties within the City prior to June 5, 1991.

R-12 Attached Residential:

This land use designation is primarily intended to apply to properties within the West King City Planning Area. (Ord. O-02-4 § 1 (part), 2002)

R-15 - Multi-family Residential:

This land use designation is intended to apply to annexed properties that were zoned R-15 in Washington County.

Purpose of the A/T, R-12, and R-15 Designations:

These three designations allow for multi-family residential development in addition to the single family residences and residential care facilities of the SF and R-9 designations. The A/T designation requires a maximum of one unit per two thousand five hundred square feet of land area (approximately sixteen units per acre) and the R-12 and R-15 designations allow maximum densities of twelve and fifteen units per acre, respectively. (Ord. O-02-4 § 1 (part), 2002)

Location Criteria:

Properties designated A/T, R-12, or R-15 should have the following location characteristics:

1. Direct access to collector or arterial streets.
2. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
3. Facility and service capacity that is adequate to accommodate development of this density. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
4. The availability of public transit within one-half mile of the site.

Medium High Density Residential

R-24 - Multi-family Residential:

This land use designation is intended to apply to annexed properties that were zoned R-24 in Washington County or to properties that are found to be consistent with these criteria and Comprehensive Plan policies.

Purpose of the R-24 Designation:

This designation allows for the same array of uses as the A/T and R-15 designations but with an allowed maximum density of 24 units per acre.

Location Criteria:

Properties designated R-24 should have the following location characteristics:

1. Direct access to collector or arterial streets.

2. No natural development limitation such as unstable soils or flooding that affect significant portions of the property.
3. Sufficient facility and service capacity to accommodate this type of commercial development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, parks, health services, public transit, and street capacity.
4. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:
 - The site configuration and characteristics that allow for the privacy of adjacent residential uses.
 - Activities on the site that will not interfere with nearby residential uses.
 - The availability of public transit within one-quarter mile of the site.
 - Commercial services within one-half mile of the site.
5. No commitment of the immediate area to low or medium density residential development.

Mixed Use

NMU – Neighborhood Mixed-Use:

This land use designation is intended to apply to properties, which are within or adjacent to existing or future residential neighborhoods.

Purpose of the NMU Designation:

This designation allows for a mix of neighborhood-scale commercial and medium density residential uses. It allows for medium density residential development consistent with the R-12 designation, neighborhood serving businesses, or a combination of commercial and residential uses in one development.

Location Criteria:

Properties designated NMU should have the following location characteristics.:

1. The site shall have direct access to a collector or arterial street. Access to a collector or arterial street via a local street may be appropriate to comply with driveway access requirements and if it is found that adverse traffic impacts will not be created for surrounding properties, which are greater than what is possible under the existing zoning.
2. Sufficient facility and service capacity to accommodate this type of development. The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
3. Traffic congestion, parking, or safety problems shall not be created or exacerbated by commercial development on the site. This determination shall be based upon such considerations as street capacity, existing and projected traffic volumes, speed limits, number and type of turning movements, and the traffic generating characteristics of the potential commercial and residential activities on the site.
4. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
5. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:

- The site configuration and characteristics that allow for the privacy of adjacent residential uses.
 - Commercial activities on the site that will not interfere with nearby residential uses.
6. Significant unique natural features on the site which can be maintained.

Commercial

LC - Limited Commercial:

This land use designation applies to all commercial properties in the City.

Purpose of the LC Designation:

The City commercial center provides a mix of retail, service and business needs for the community. This commercial area, identified in the King City Comprehensive Plan and the Bull Mountain Community Plan, is located along Pacific Highway.

Location Criteria:

Properties designated LC should have the following location characteristics.:

1. The site shall have direct access to a major collector or arterial street.
2. Sufficient facility and service capacity to accommodate this type of commercial development.
The important facilities and services to be considered include but are not limited to sewer, water, storm drainage, police and fire protection, health services, public transit, and street capacity.
3. Traffic congestion or safety problems shall not be created or exacerbated by commercial development on the site. This determination shall be based upon such considerations as street capacity, existing and projected traffic volumes, speed limits, number and type of turning movements, and the traffic generating characteristics of the potential commercial activities on the site.
4. No natural development limitations such as unstable soils or flooding that affect significant portions of the property.
5. Opportunities will be available to achieve a compatible relationship with surrounding land uses including but not limited to:
 - The site configuration and characteristics that allow for the privacy of adjacent residential uses.
 - Commercial activities on the site that will not interfere with nearby residential uses.
 - Significant unique natural features on the site which can be maintained.
6. Public transit is available to the site or the immediate area.
7. Contiguity with existing commercial proper-ties.

October 24, 2018

Mark Dane
Mark Dane Planning Inc.
14631 SW Millikan Way, Suite #6
Portland, OR 97205

RE: Fischer Property Zone Change / Subdivision

Dear Mr. Dane,

On behalf of the city of King City, I have reviewed the Zone Change / Subdivision / Tree Removal / Safe Harbor application submitted digitally on October 16th, with the City Engineer and City Manager. We find the application materials to be satisfactory.

For the application to be officially declared complete, 18 copies of the application and the required application fee must be received at City Hall, 15300 SW 116th Avenue, King City, OR 97224. The application shall include the following:

- One original application packet (of the 18) including a transmittal sheet itemizing the contents, signed application form, property owners list, and the remaining application information and plans that were submitted digitally.
- Seventeen additional application packets including the application information and plans.
- The application packets shall be organized in a consistent and logical format to facilitate review by affected agencies and the city. Referencing the attachments as exhibits in the narrative and attaching the exhibits accordingly is recommended. Also, please refer to the adopted NMU Zone (attached) in the narrative rather than the draft version.
- A digital copy of all application materials organized in the same manner as the 18 paper copies noted above.
- A total fee of \$4,637.50 (Zone Change - \$2,500 + \$2,137.50 for Subdivision - \$2,000, Safe Harbor Review - \$800 and Tree Removal - \$50 at a 25% reduction).

Once the above are received, the city will begin processing the application. Assuming the above materials and fee are received within the next week, a hearing with the King City Planning Commission has been tentatively scheduled for November 28, 2018. The City Council hearing regarding the Zone Change will tentatively be held in December, but a date is not set at this time.

Please contact me (503.757.5501) or Michael Weston (503.639.4082) if you need further assistance.

Sincerely,



Keith Liden, AICP
King City Planning Consultant

cc: Michael Weston, King City
Fulgence Bugingo, MSA

EXISTING CONDITIONS MAP

TAX LOT 800, MAP 2S, 1W, 16AC
LOCATED IN THE N.E. 1/4 SECTION 16, T.2S., R.1W., W.M.,
CITY OF KING CITY, WASHINGTON COUNTY, OREGON
JULY 20, 2017 SCALE 1"=20'

SURVEY NOTES:

THE DATUM FOR THIS SURVEY IS BASED UPON A STATIC GPS OBSERVATION OF LOCAL CONTROL POINTS, PROCESSED THROUGH OPUS. DATUM IS NAD83, CONVERTED FROM NAD83 USING THE VERTCON TOOL.

A TRIMBLE S6-SERIES ROBOTIC INSTRUMENT WAS USED TO COMPLETE A CLOSED LOOP FIELD TRAVERSE.

THE BASIS OF BEARINGS FOR THIS SURVEY IS PER MONUMENTS FOUND AND HELD PER THE PLAT OF "DEER CREEK WOODS", RECORDS OF WASHINGTON COUNTY.

THE PURPOSE OF THIS SURVEY IS TO RESOLVE AND DETERMINE THE PERIMETER BOUNDARY OF THE SUBJECT PROPERTY, TO SHOW ALL PERTINENT BOUNDARY ISSUES AND ENCROACHMENTS. NO PROPERTY CORNERS WERE SET IN THIS SURVEY.

NO WARRANTIES ARE MADE AS TO MATTERS OF UNWRITTEN TITLE, SUCH AS ADVERSE POSSESSION, ESTOPPEL, ACQUESCENCE, ETC.

NO TITLE REPORT WAS SUPPLIED OR USED IN THE PREPARATION OF THIS MAP.

THE UNDERGROUND UTILITIES AS SHOWN ON THIS MAP HAVE BEEN LOCATED FROM FIELD SURVEY OF ABOVE GROUND STRUCTURES AND AS MARKED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR.

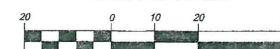
LEGEND:

Some Symbols shown may not be used on map

- | | |
|----------------------------|-----------------------------------|
| DECIDUOUS TREE W/ TREE TAG | UTILITY AND LIGHT POLE |
| EVERGREEN TREE W/ TREE TAG | UTILITY POLE |
| STORM SEWER MANHOLE | LIGHT POLE |
| CATCH BASIN | GUY WIRE |
| SANITARY SEWER CLEANOUT | ELECTRIC BOX |
| SANITARY SEWER MANHOLE | ELECTRIC METER |
| WATER VALVE | ELECTRICAL POWER PEDESTAL |
| WATER METER | ELECTRIC RISER |
| FIRE HYDRANT | HEAT PUMP |
| GAS VALVE | OVERHEAD LINE |
| GAS METER | GAS LINE |
| BOLLARD | ELECTRICAL LINE |
| SIGN | COMMUNICATIONS LINE |
| MAILBOX | SANITARY SEWER LINE |
| COMMUNICATIONS PEDESTAL | STORM DRAIN LINE |
| COMMUNICATIONS MANHOLE | WATER LINE |
| COMMUNICATIONS BOX | FENCELINE |
| STORM OUTFALL | UTILITY RISER |
| FOUND MONUMENT | DOWN SPOUT TO SPLASH GUARD/GROUND |
| DOWN SPOUT TO STORM SYSTEM | GAS STUB |
| PINK WETLAND FLAG | WELLHEAD |
| IRRIGATION CONTROL VALVE | FD = FOUND |
| | IR = IRON ROD |
| | YPC = YELLOW PLASTIC CAP |
| | OPC = ORANGE PLASTIC CAP |
| | RPC = RED PLASTIC CAP |
| | ALC = ALUMINUM CAP |



GRAPHIC SCALE



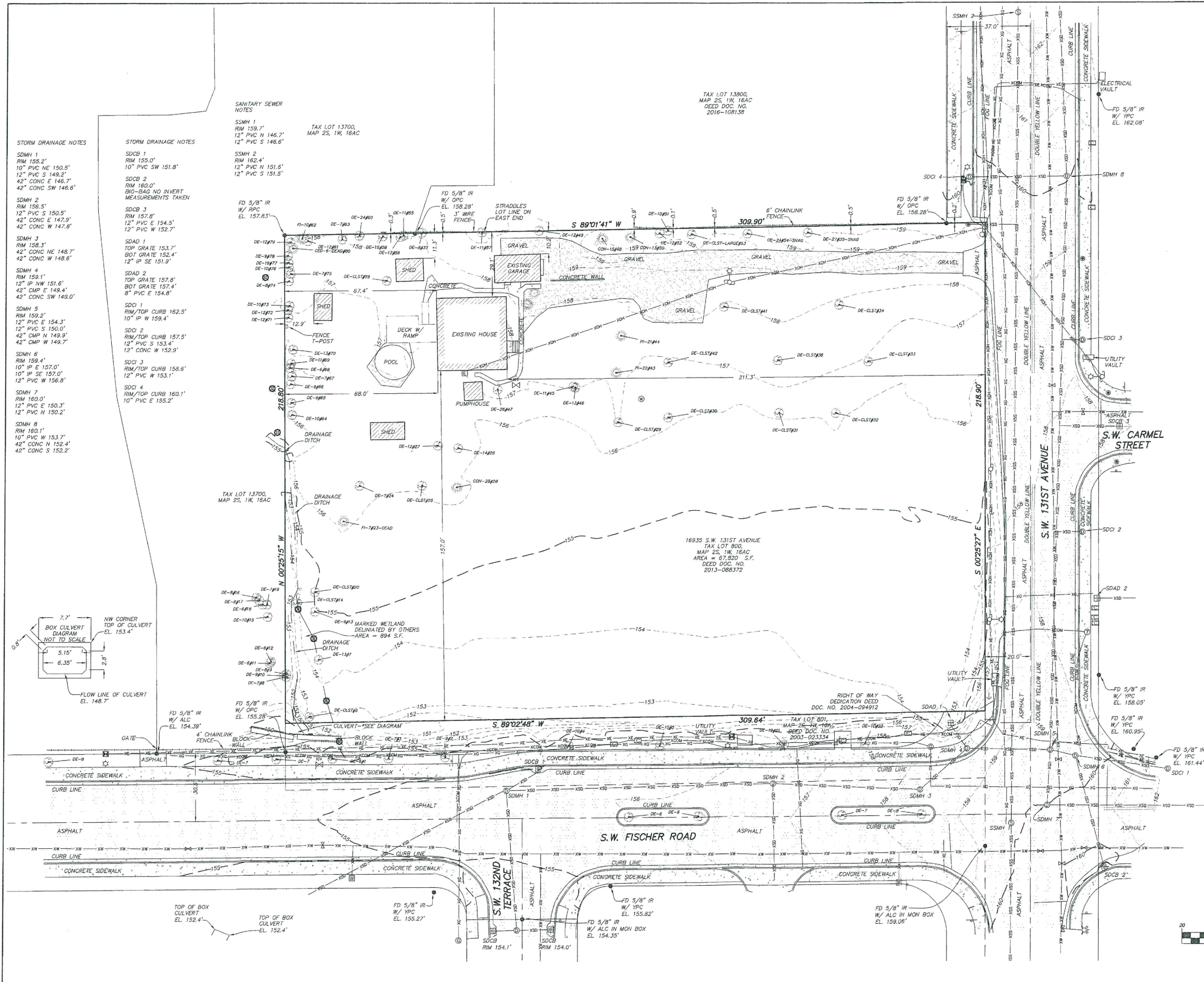
(IN FEET)
1 INCH = 20 FT.

SIGNED ON: *[Signature]*
REGISTERED
PROFESSIONAL
LAND SURVEYOR
OREGON
JULY 13, 2004
TODD G. BOLDEN
603715
RENEWS: DECEMBER 31, 2017

CENTERLINE CONCEPTS
LAND SURVEYING, INC.

19376 MOLALLA AVE., SUITE 120
OREGON CITY, OREGON 97045
PHONE 503.650.0188 FAX 503.650.0189

Plotted: M:\PROJECTS\SUMMA REAL ESTATE GROUP-131ST AVE-SW-16935\dwg\ECM.dwg



MARK DANE PLANNING

INCORPORATED

14631 SW Millikan Way
Beaverton OR 97005
503-332-7167
markdaneplanning@gmail.com

PRELIMINARY PLAT 131ST / FISCHER PROJECT FOR TIM HORST CITY OF 'KING CITY'

PROJECT NO.
FILE:
DATE:
DESIGNED:
DRAWN:

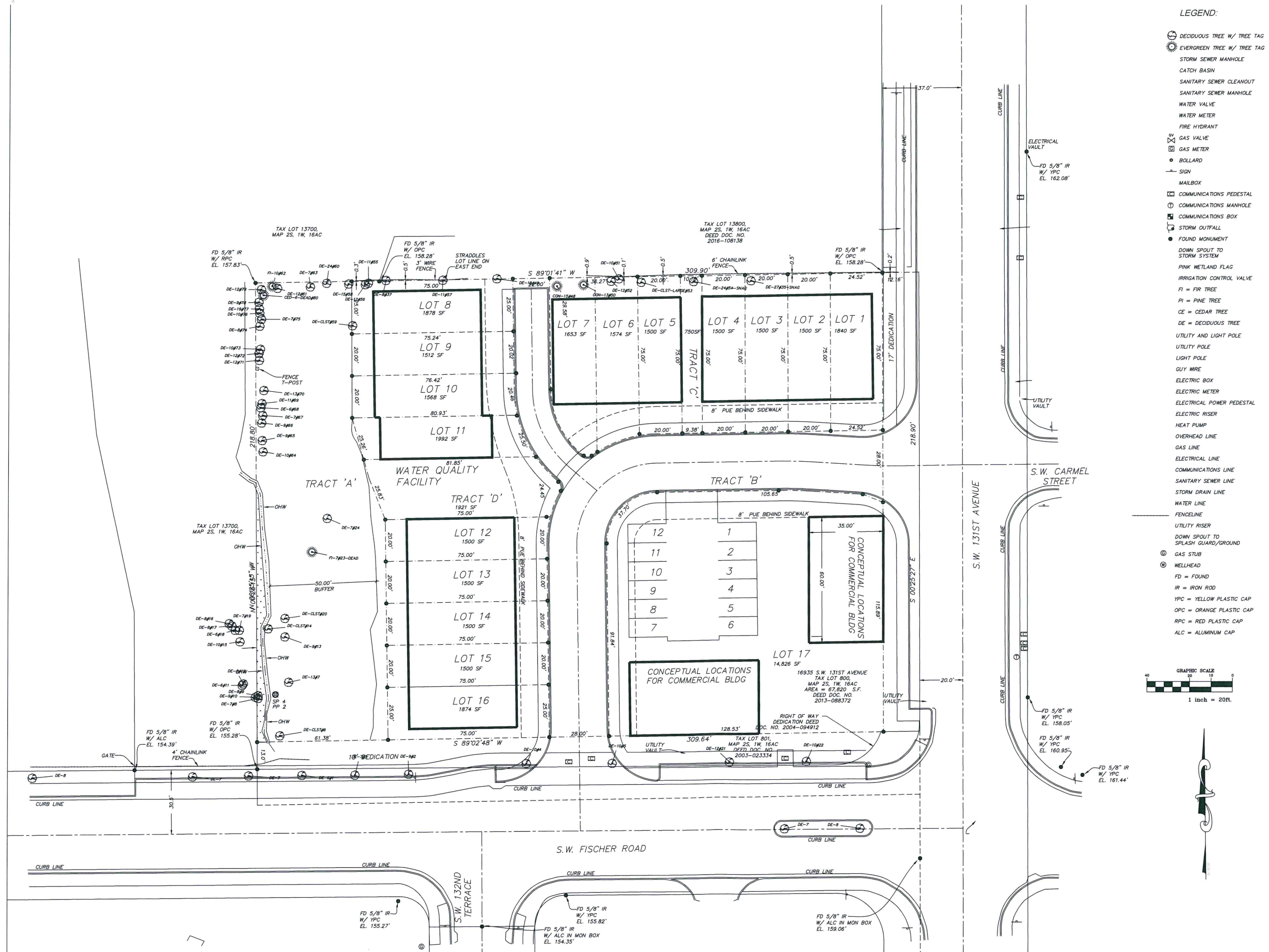
HOR-003
2/1/18
2/1/18
MSD
MSD

TOWNSHIP/RANGE/SECTION
1S 3E 13D
COUNTY
WASHINGTON
TAX LOTS

SHEET TITLE
PRELIMINARY PLAT

SHEET NUMBER

P2



MARK DANE PLANNING

INCORPORATED

14631 SW Millikan Way
Beaverton OR 97005
503-332-7167
markdaneplanning@gmail.com

PRELIMINARY GRADING AND UTILITY PLAN

131ST / FISCHER PROJECT

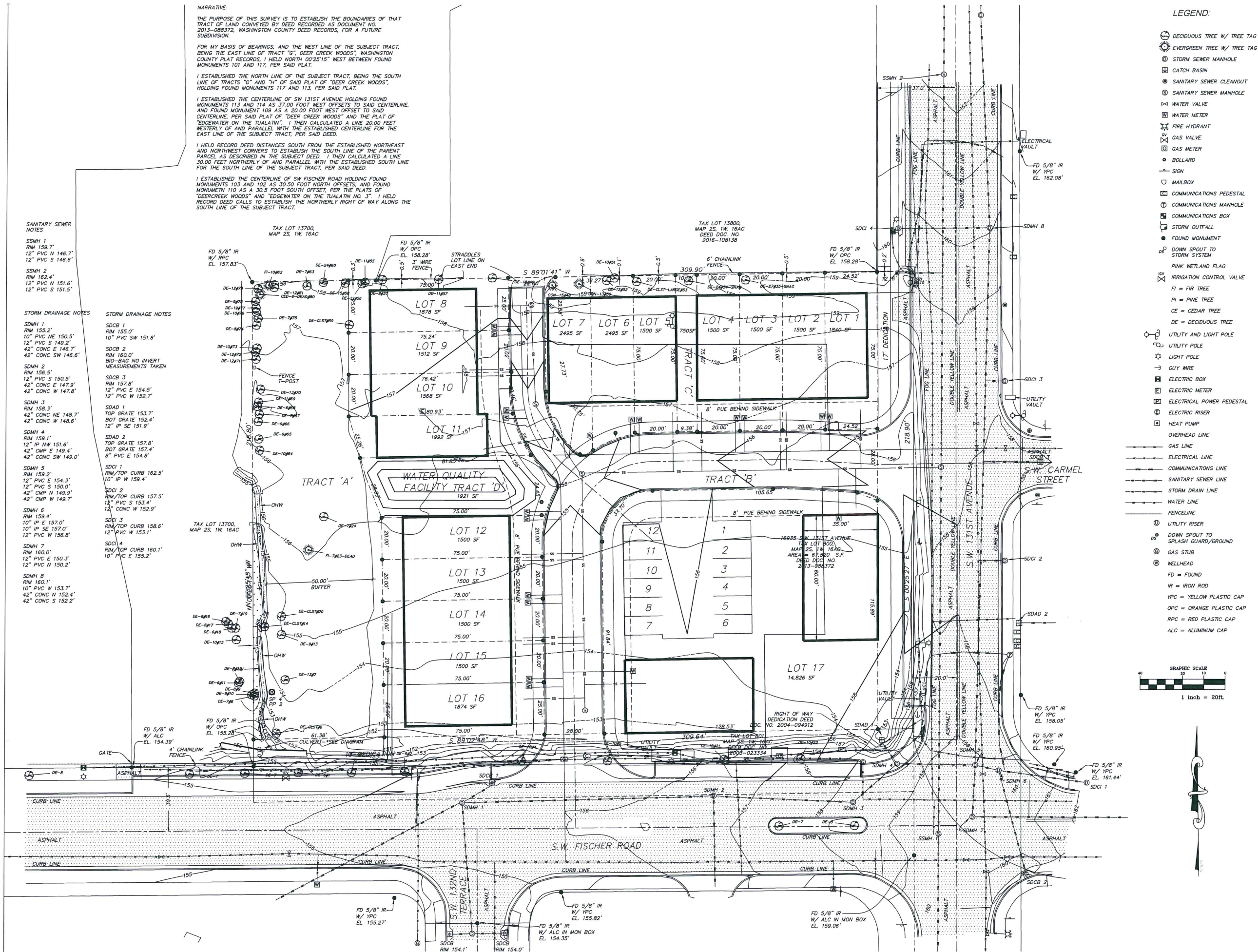
FOR TIM HORST
CITY OF 'KING CITY'

PROJECT NO. HOR-003
FILE: 2/1/18
DATE: 2/1/18
DESIGNED: MSD
DRAWN: MSD

TOWNSHIP/RANGE/SECTION
18 3E 13D
COUNTY
WASHINGTON
TAX LOTS

SHEET TITLE
COMPOSITE SITE PLAN

SHEET NUMBER
P3



MARK DANE PLANNING

INCORPORATED

14631 SW Millikan Way
Beaverton OR 97005
503-332-7167
markdaneplanning@gmail.com

LANDSCAPE PLAN

131ST / FISCHER PROJECT

FOR TIM HORST
CITY OF 'KING CITY'

HOR-003
2/1/18
2/1/18
MSD
MSD

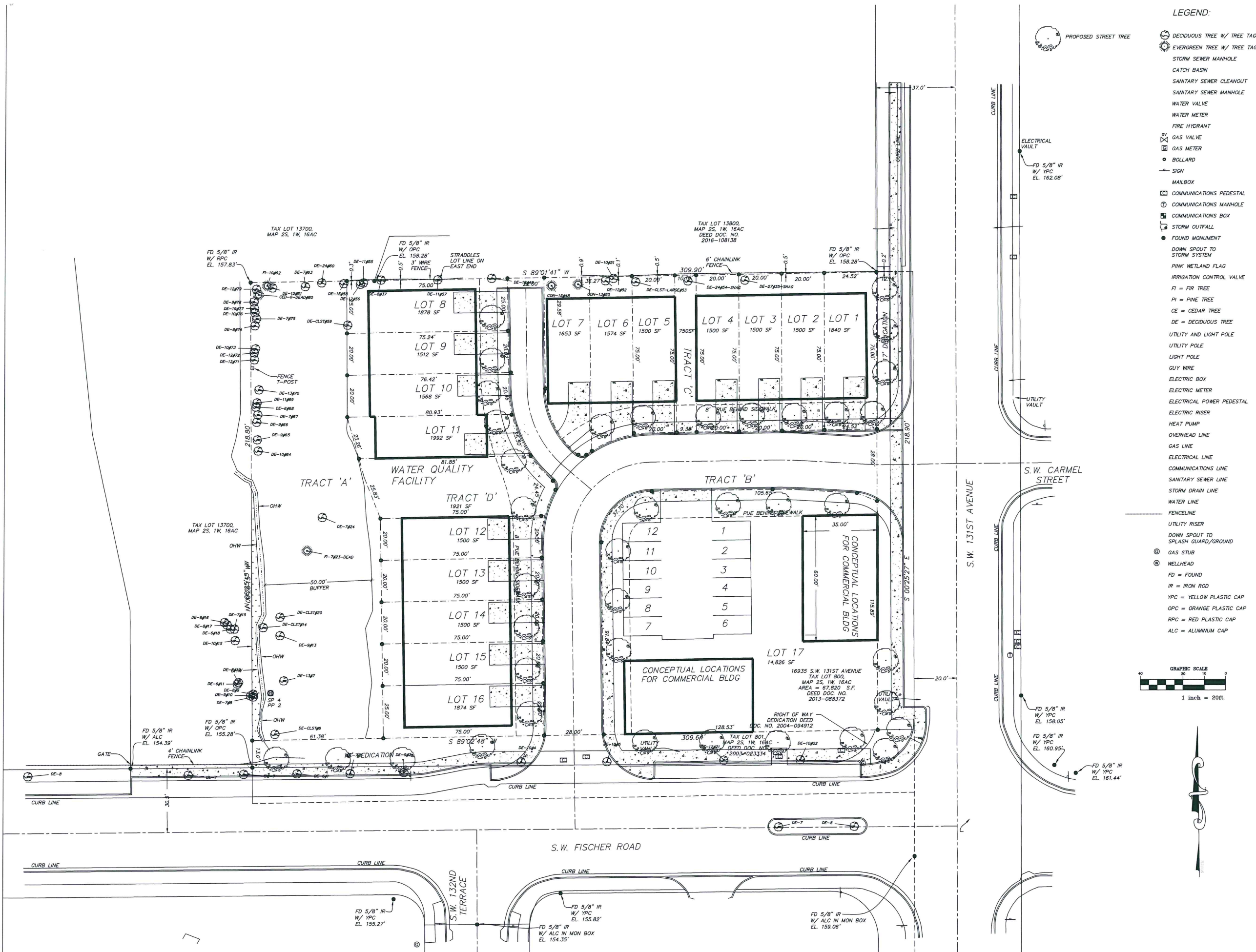
PROJECT NO.
FILE:
DATE:
DESIGNED:
DRAWN:

TOWNSHIP/RANGE/SECTION
1S 3E 13D
COUNTY
WASHINGTON
TAX LOTS

SHEET TITLE
PRELIMINARY PLAT

SHEET NUMBER

P4



From: [Ronnie Smith](#)
To: ["Keith Liden"](#)
Cc: [Michael Weston](#); ["Fulgence Bugingo"](#)
Subject: RE: Fischer/131st Property Application-Completeness Review
Date: Tuesday, November 06, 2018 2:40:00 PM
Attachments: [App for Land Use Action-Mark Dane Planning-16935 SW 131ST Ave.pdf](#)
Importance: High

Keith,

We have received the completed application (20 packets) and \$4,637.50 for the Zone Change and Subdivision located at 16935 SW 131st Ave.

Do you have the notice that needs to go out? Is it 14 or 21 days?

Sincerely,

Ronnie Smith | City Recorder & GIS Specialist

City of King City Records Department | GIS Department

15300 SW 116th Avenue, | King City, OR 97224

(503) 639-4082 Phone | (503)639-3771 Fax

rsmith@ci.king-city.or.us | <http://www.ci.king-city.or.us/>

Find us on the following Social Media Platforms:

[Facebook](#), [Twitter](#), [YouTube](#), [Instagram](#), [LinkedIn](#)

DISCLAIMER: This e-mail may be a public record of the City of King City and may be subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

From: Keith Liden <keith.liden@gmail.com>
Sent: Wednesday, October 24, 2018 9:43 AM
To: 'Mark Dane' <markdaneplanning@gmail.com>
Cc: Michael Weston <mweston@ci.king-city.or.us>; Ronnie Smith <rsmith@ci.king-city.or.us>; 'Fulgence Bugingo' <Fulgence.Bugingo@murraysmith.us>
Subject: Fischer/131st Property Application-Completeness Review

Mark,

A letter confirming the materials you submitted are sufficient. The application will be deemed complete when the items outlined in the letter are completed/submitted. Feel free to contact me if you have any questions.

Keith Liden
503.757.5501

Public Notice

CERTIFICATE OF WEBSITE POSTED NOTICE

STATE OF OREGON
WASHINGTON COUNTY
CITY OF KING CITY

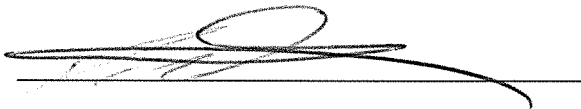
RE: CASE NO. LU 18-03
ZONE CHANGE, SUBDIVISION, TREE
REMOVAL, AND GOAL 5 SAFE HARBOR
REVIEW

RECITALS

I, Ronnie L. Smith certify that I Posted to the City of King City website the Notice of Public Hearing (attached.)

So Affirmed this 15 Day of November 2018

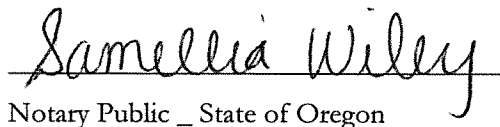
By:

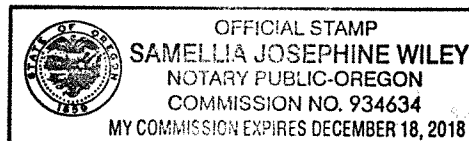


Ronnie L. Smith – City Recorder

STATE OF OREGON
COUNTY OF WASHINGTON

Signed and affirmed before me on November 16, 2018, by Ronnie L. Smith.


Notary Public _ State of Oregon



NOTICE OF PUBLIC HEARING

The King City Planning Commission, at its meeting on December 5, 2018 at 9:30 a.m., shall conduct a public hearing to consider the following land use application

FILE TITLE

Case No. LU 18-03
Zone Change, Subdivision, Tree Removal, and Goal 5 Safe Harbor Review

APPLICANT

Mark Dane Planning
14631 SW Millikan Way, Suite 6
Beaverton, OR 97003

ZONING

R-12 (Attached Residential) Zone

REQUEST

Approval of a zone change from the R-12 to the NMU (Neighborhood Mixed-Use) zone; subdivision approval to create 16 residential lots and one additional parcel for future neighborhood commercial, residential, or mixed-use development; a tree removal permit; and Goal 5 Safe Harbor review regarding the drainageway and habitat on the west edge of the property.

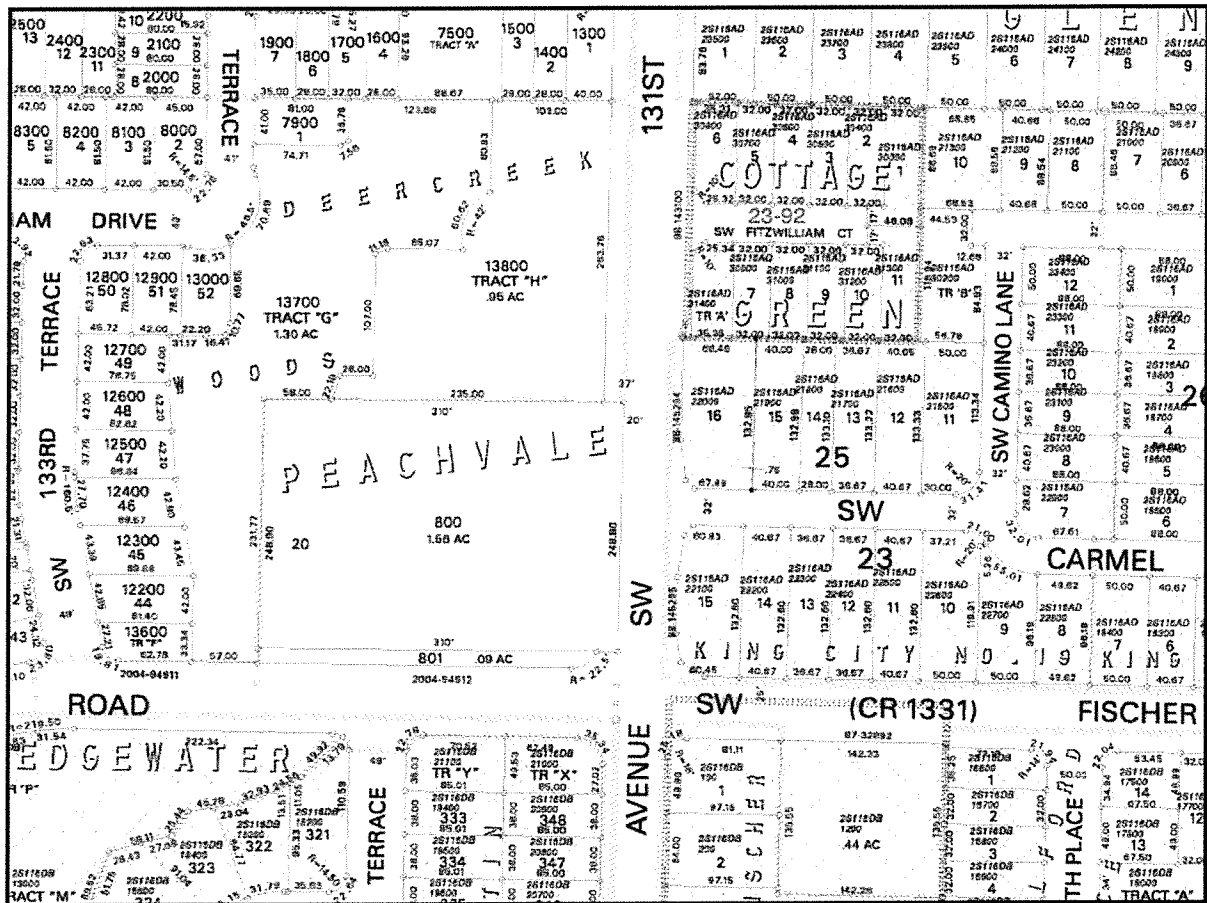
LOCATION

Northwest corner of SW 131st Avenue and SW Fischer Road. Assessors Map No. 2S1 16AC, Tax Lots 800 and 801). See map.

APPLICABLE REVIEW CRITERIA

King City Community Development Code Chapter 16.102 Neighborhood Mixed-Use (NMU); Chapter 16.124 Landscaping and Beautification; Chapter 16.128 Tree Removal; Chapter 16.132 Parking and Loading; Chapter 16.136 Circulation and Access; 16.144 Vision Clearance; Chapter 16.142 Goal 5 Safe Harbor Review; Chapter 16.146 Residential Density Calculation; Chapter 16.152 Site Plan Review; Chapter 16.180 Fences and Walls; Chapter 16.196 Subdivision; Chapter 16.208 Improvements; and Chapter 16.212 Neighborhood Circulation.

Parcel Map



PUBLIC HEARING PROCESS

The Planning Commission shall review the application to make a decision regarding the application.
The hearing shall be held in the Crown Center, 16880 SW 126th Ave, King City, Oregon 97224

The public hearing on this matter will be conducted in accordance with the rules contained in the King City Community Development Code, which is available at City Hall.

The application and all relevant documents are available at City Hall. At least seven days prior to the hearing, a copy of the staff report will also be available. All documents may be examined at no cost or copies can be obtained for 25 cents per page.

Interested persons are invited to testify before the Planning Commission or to submit written testimony prior to the close of their respective hearings. Approval or disapproval of the requests by the commission or council will be based only upon the criteria included in this notice. At the hearing it is important that comments relating to the request pertain specifically to the applicable criteria listed.

Failure to raise an issue in person or by letter precludes an appeal, and failure to specify the criterion from the relevant city ordinances or comprehensive plan at which a comment is directed precludes an appeal based on that criterion.

NOTICE TO MORGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.

For further information please contact King City Hall, at 503-639-4082, 15300 SW 116th Avenue, King City, Oregon 97224.

CERTIFICATE OF MAILED NOTICE

STATE OF OREGON
WASHINGTON COUNTY
CITY OF KING CITY

RE: CASE No. LU 18-03
ZONE CHANGE, SUBDIVISION, TREE
REMOVAL, AND GOAL 5 SAFE HARBOR
REVIEW

RECITALS

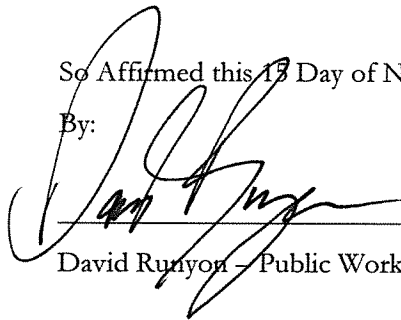
I, David Runyon certify that I mailed the Notice of Public Hearing (attached) to the address attached (250 feet.)

Also, the Notice was posted at the following locations:

City Hall

So Affirmed this 17 Day of November 2018

By:



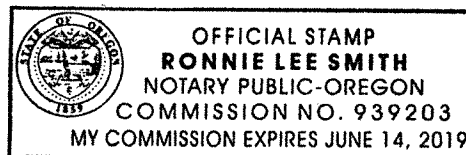
David Runyon - Public Works

STATE OF OREGON
COUNTY OF WASHINGTON

Signed and affirmed before me on November 16, 2018, by David Runyon.



Notary Public _ State of Oregon



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Beaverton, OR 97003

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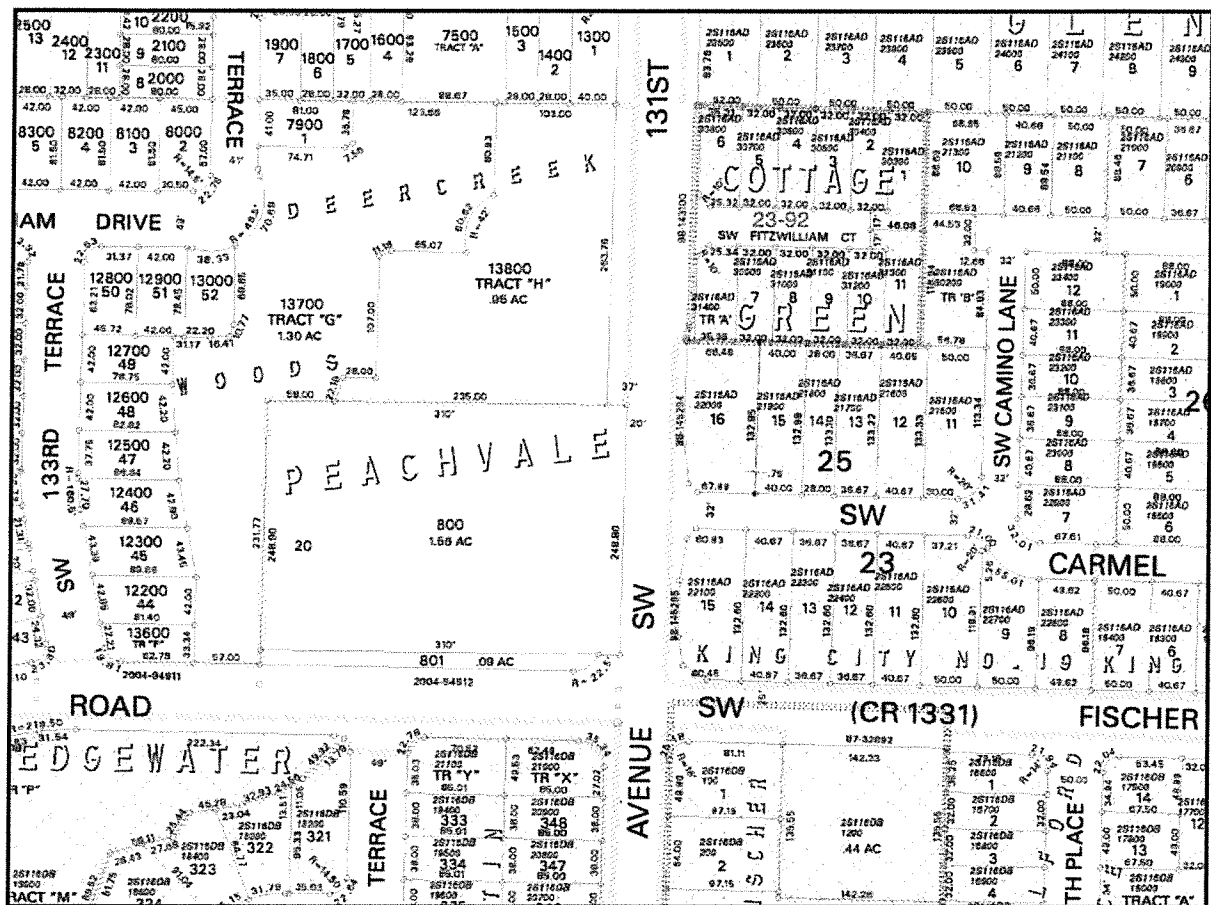
LOCATION

Northwest corner of SW 131st Avenue and SW Fischer Road. Assessors Map No. 2S1 16AC, Tax Lots 800 and 801). See map.

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For further information please contact King City Hall, at 503-639-4082, 15300 SW 116th Avenue, King City, Oregon 97224.

Resident
16935 SW 131ST AVE
KING CITY, OR 97224

Resident
13085 SW CARMEL ST
KING CITY, OR 97224

Resident
13090 SW CARMEL ST
KING CITY, OR 97224

Resident
13080 SW CARMEL ST
KING CITY, OR 97224

Resident
17020 SW 131ST AVE
Tigard, OR 97224

Resident
17040 SW 131ST AVE
Tigard, OR 97224

Resident
13088 SW FITZWILLIAM CT
KING CITY, OR 97224

Resident
17031 SW BARD WAY
KING CITY, OR 97224

Resident
17037 SW BARD WAY
KING CITY, OR 97224

Resident
17053 SW BARD WAY
KING CITY, OR 97224

Resident
17022 SW 132ND TER
KING CITY, OR 97224

Resident
17040 SW 132ND TER
KING CITY, OR 97224

Resident
17047 SW 131ST AVE
KING CITY, OR 97224

Resident
17025 SW 131ST AVE
KING CITY, OR 97224

Resident
16980 SW 133RD TER
KING CITY, OR 97224

Resident
16956 SW 133RD TER
KING CITY, OR 97224

Resident
16940 SW 133RD TER
KING CITY, OR 97224

Resident
16922 SW 133RD TER
KING CITY, OR 97224

Resident
16898 SW 133RD TER
KING CITY, OR 97224

Resident
16884 SW 133RD TER
KING CITY, OR 97224

Resident
13314 SW FITZWILLIAM DR
KING CITY, OR 97224

Resident
13308 SW FITZWILLIAM DR
KING CITY, OR 97224

Resident
13302 SW FITZWILLIAM DR
KING CITY, OR 97224

Resident
16833 SW 131ST AVE
KING CITY, OR 97224

Resident
16849 SW 131ST AVE
KING CITY, OR 97224