

**STAFF REPORT - TYPE III REVIEW
FINDINGS AND RECOMMENDATION**

HEARING DATE: May 29, 2019, 6:30 pm

REPORT DATE: May 22, 2019

TO: Design Commission

FROM: John Heili, Associate Development Planner

FILE NUMBER: MIS 19-2600029 - 5th Street Cottages Innovative Housing

APPLICANT: 5th Street Cottages, LLC

REPRESENTATIVE: Tamara DeRidder AICP, TDR & Associates

LOCATION: South side of NE 5th Street, mid-block between NE Linden Avenue and NE Cleveland Avenue

PARCEL DESCRIPTION: 1S3E10AC 04800 and 04900

PROPOSAL: Type III review of a proposed Innovative Housing development with seven single-family detached dwellings and one attached accessory dwelling unit, two accessory structures for storage and trash enclosure, and a central community garden shed with bike parking. Site improvements include associated site landscaping, 11 parking spaces, carport, and an outdoor fireplace. The proposal includes a Subdivision for seven single family detached lots and two common tracts reviewed under the Type III Innovative Housing application.

RECOMMENDATION: **APPROVAL WITH CONDITIONS of the Type III Innovative Housing Review with Subdivision Review**

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

I. FINDINGS OF FACT

- A. LOCATION:** The subject properties are located on the south side of NE 5th Street mid-block between NE Linden Avenue and NE Cleveland Avenue.
- B. ZONING:** The site is designated Downtown Residential Low-Rise-2 (DRL-2).
- C. PROPOSAL:** The applicant proposes to subdivide parcels 1S3E10AC 04800 and 04900 for an Innovative Housing development with seven single-family detached dwellings and one attached accessory dwelling, two accessory structures and associated site, stormwater, and right of way improvements. A seven-lot subdivision with two shared tracts is proposed as part of the Innovative Housing Review for the single-family detached dwellings and shared common spaces.
- D. SITE DESCRIPTION:** The project narratives and plans provide the following description:
- The proposed overall site (two parcels) is approximately 0.62 acres.
 - The parcels are undeveloped.
 - There are no environmental overlays or significant trees on the properties.
- E. SURROUNDING LAND USES:** The eastern-most and south property lines abut DRL-2 zoned parcels developed with single-family residences, and the western-most property line abuts a vacant property zoned DRL-2. The two properties across NE 5th Avenue, to the north, are zoned DRL-2 and are developed with a triplex and a two-story apartment building with surface parking.
- This finding is based on the application submitted and City maps.
- F. PUBLIC NOTICE AND COMMENTS:** The City of Gresham Development Planning Division sent notices of the request to surrounding residents and owners of record of property (as shown on the most recent property tax assessment roll) within 300 feet of the subject property.
- Various agencies were sent notices; their comments and recommendations are attached to and made a part of this review and recommendation.
- G. APPLICATION ACCEPTANCE DATE:** The application for land use review was submitted on February 5, 2019. The application was deemed incomplete on February 20, 2019 and, upon receipt of the applicant's resubmittal, deemed complete on March 18, 2019.

II. APPLICATION PROCESS FINDINGS

7.0303 - Review of Projects. This section outlines the review process for Innovative Housing projects. Innovative Housing projects within a design district are reviewed by the Design Commission. The development permit application is processed as a Type III review. Land divisions for Innovative Housing projects do not require a separate review.

This Report will describe how the proposal will meet the Code sections in a summary overview with reference to the applicant's narrative. The Report will also provide a

condition of approval where required to bring the proposal into compliance with the standards.

This standard is met.

11.0101 - Development Permit Required. A development permit is being pursued in accordance with the Gresham Development Code standards and requirements. This Staff Report represents the review of the proposed development as it relates to the Gresham Development Code standards and requirements for development.

This standard is met.

11.0203 - 11.0204 - Classification of Applications by Procedure and Review Authorities, Table 11.0204. Table 11.0204 shows proposal types and process information. The Type III application is for Innovative Housing projects (per 7.0303(A)), which requires a pre-application meeting and an early neighborhood notification meeting. The Subdivision review is included in this process.

This standard is met.

11.0500 - Type III Quasi-Judicial Procedures. This proposal is subject to the Type III procedure because it includes a request for Innovative Housing. Under the Type III procedure both a pre-application conference and an early neighborhood meeting were required per the Review Authorities Table 11.0204. A pre-application meeting was held on May 23, 2018. An early neighborhood notification meeting was held on November 20, 2018.

Per 11.0502(E), a public notice of this proposal was mailed to owners of property and residents within 300 feet of the site as well as to representatives of the Central City Neighborhood Association on May 8, 2019. The notice was also posted at the site on May 7, 2019 and provided an opportunity for persons to make written testimony which addressed relevant criteria and standards. No public comments have been received as of the date of this Staff Report.

Section 7.0303(A) requires Innovative Housing applications within Design Districts to be reviewed, and a decision issued, by the Design Commission. The Design Commission hearing is scheduled to occur May 29, 2019.

This standard is met.

11.0900 - Development Permit Application and Decision. The development permit application for a Type III review, in accordance with Section 11.0902, was submitted to the City on February 5, 2019.

The application was initially deemed incomplete on February 20, 2019. Additional information was submitted on March 11, 2019. The application was deemed complete on March 18, 2019. The determination of completeness occurred within 180 days of the submittal of the initial application.

Copies of the application were transmitted to each affected agency and City department for review and comment on March 18, 2019.

Section 11.0903(G) requires that a final decision be issued within 120 days of the determination of completeness (by July 17, 2019). However, the applicant requested a 14-day extension to the 120-day decision period, providing the request form on April 18, 2019. The new final decision date is July 30, 2019.

This standard is met.

III. FINDINGS

The Manager adopts the findings in the applicant's application submittal materials as found in Exhibit B and the supporting evidence relied on therein, except to the extent inconsistent with the findings outlined in this Staff Report. The Manager makes the following findings regarding this application file.

GENERAL

4.1120 - Downtown Residential Low-Rise-2 District Standards. The proposed Single Family Detached dwellings are a permitted use per Table 4.1120.

Table 4.1130 - Maximum Building Height: 50 feet.

This standard is met.

Table 4.1130 - Minimum Net Density: 8.71

Per Section 3.0100 Accessory Dwellings are included in the determination of minimum net density. The net site area of 0.6 acres requires five units where eight units are proposed.

This standard is met

Table 4.1130 - Minimum and Maximum Building Setbacks: NE 5th Street is classified as a Downtown Local Street per Map 4.1140; therefore, setback standards are as follows:

- Minimum Front Façade: 10 feet
- Minimum Front Porch: 6 feet
- Minimum Front Garage: 20 feet
- Minimum Side Interior: 5 feet
- Minimum Rear No Alley: 10 feet
- Maximum Front: 20 feet

These standards are met except for Units 3a, 3b, 4, 5, 6, and 7; the applicant proposes modifications to the minimum front and rear yard standards per Section 7.0303(F)(1) for these units. Staff comments within Section 7.0300 of this Report address these modifications.

Contrary to the applicant's narrative the carport is not subject to the maximum building setback standard.

Table 4.1130 - Minimum Lot Size: 4,000 square feet.

The applicant is proposing modifications to these standards per Section 7.0303(F)(1). Staff comments within Section 7.0300 of this Report address these modifications.

Table 4.1130 - Minimum Lot Dimensions: 35 feet wide by 70 feet deep.

The applicant is proposing modifications to these standards per Section 7.0303(F)(1). Staff comments within Section 7.0300 of this Report address these modifications.

Table 4.1130 - Minimum Street Frontage: 35 feet.

The applicant is proposing modifications to these standards per Section 7.0303(F)(1) for Lots 1, 2, and 7. Staff comments within Section 7.0300 of this Report address these modifications.

6.0000 - Land Divisions. This section specifies standards for dividing land. These standards are met except to the extent as described in this Report.

6.0201 - Subdivision Plan. This proposed subdivision is being reviewed as part of the Type III Innovative Housing review and, therefore, does not require a separate review process per 7.0303(E),1

These standards are met with Conditions of Approval #1 and #6 - #10.

7.0303 - Innovative Housing Review of Projects. The Design Commission issues a decision on all aspects of the proposal recognizing that Innovative Housing proposals should exceed the base housing guidelines and standards of the Development Code and explore opportunities for creative and innovative housing options in accordance with Section 11.0502 for review and comment on applications. Appeals of the decision will be heard by the City Council. An application for an Innovative Housing demonstration project will replace an application for a land division.

This standard is met.

7.0303(F) - Innovative Housing Review of Projects - Modification Requests. The applicant has proposed modifications to the following Code sections as set by this standard; staff's findings are included with each section modification request description. The applicant must demonstrate the modification satisfies the principles and guidelines of Section 7.0310.

Table 4.1130 - Minimum and Maximum Building Setbacks: The applicant is proposing modifications to the minimum front and rear yard standards for Units 3a, 3b, 4, 5, 6, and 7, the garage maximum front yard setback, and rear yard setback for the storage building per Section 7.0303(F)(1).

Staff finds these modifications to the setback standards benefit the project in providing more usable site area for development of both the shared common spaces and private spaces while not detracting from the separation and subsequent privacy of the neighboring properties in compliance with the intent of the guidelines. As noted in this Report, the carport is not subject to the maximum building setback standard. The Design Commission provided comments during the Optional Design Commission Consult (ODCC) meeting of July 19, 2017 in support of these modifications to the standards.

Staff recommends the Design Commission grant this modification.

Table 4.1130 - Minimum Lot Size, Lot Dimensions, and Minimum Street Frontage: The applicant is proposing modifications to the minimum lot size and lot dimensions standards for Lots 1 through 7, and minimum street frontage for Lots 1, 2, and 7.

Staff finds these modifications to be consistent with the guidelines and principles of the Innovative Housing Code in support of the goal of efficient use of urban residential land by providing increased density while still providing opportunities for shared and private open spaces and a compatibility of scale with the adjacent residential uses. For Lots 1, 2, and 7 the street frontage is defined as the abutting common tract property line adjacent to the unit's front entry.

Staff recommends the Design Commission grant this modification.

Section 9.0820(C) - Loading Space Location: The applicant is proposing a modification to this standard; however, a loading space is not required for this development type per Table 9.0840(C).

This standard is not applicable.

Section 9.0823(C)(2) - Parking Lot Landscaping Building Buffer: The applicant is proposing a modification to this standard to provide a minimum 5-foot landscape or pedestrian walkway separation between a building wall and the parking area. Civil drawing Sheet 103C1.4 indicates the applicant is proposing a 5-foot, 3-inch-wide walkway without raised curb adjacent to the storage shed and a 5-foot-wide landscape planter separation adjacent to the east building wall of Unit 7 with notations indicating bollards or separation landscaping is provided to protect the building wall.

Staff finds the proposed separation complies with the standard with a condition of approval requiring the building permit submittal drawings clearly indicate the type and location of landscaping and/or bollard elements necessary to provide separation of the building wall from the parking area at the planter on the east side of Unit 7 and at the northwest corner of the storage building in lieu of standard 9.0824(C), which specifies walkways shall be raised.

Staff recommends the Design Commission grant this modification with Condition of Approval #22.

Section 9.0823(C)(5)(d) - Interior Parking Lot Landscaping: The applicant is proposing a modification to the standard to provide a 9-foot-wide landscape island planted with one

shade tree at the end of each row of parking. The standard applies to the south end of both the east and west row of parking. Staff finds the landscaping at the end of the west row meets the intent of the standard by providing a 12-foot, 9-inch-wide landscape area with two shade trees that includes a 3-foot, 8-inch-wide walkway. The east row of parking, which is under the carport structure, proposes no planter. Staff recognizes the necessity to move this row of parking as far south as possible to protect the root zone of the mature trees to be preserved located at the north end of the parking row; therefore, staff finds this modification is consistent with the principle 7.0310(D)(1) for sustainable site design.

Staff recommends the Design Commission grant this modification.

Section 9.0825(A) - Parking Lot Dimensional Standards: The applicant is proposing a modification to the standard to provide a 26-foot-wide drive aisle and is proposing a 21-foot-wide drive aisle adjacent to the last three stalls in the east parking row due to site constraints. The applicant provided a parking maneuverability diagram demonstrating a vehicle parked in these stalls can exit the parking lot in a forward motion per AASHTO standards and is proposing bollards and/or landscaping to buffer the east building wall of Unit 7 from potential impact.

Staff finds this modification is not detrimental to the functionality of the parking area and supports the Innovative Housing Code goal of efficient use of urban residential land by providing increased density while still providing opportunities for shared and private open spaces and is necessary to meet the standards of 7.0324 and 7.0325 for building separations and open spaces.

Staff recommends the Design Commission grant this modification.

7.0310 - Innovative Housing Development Principles and Guidelines. This section specifies the design principles and guidelines for unique residential developments while also evaluating opportunities for innovation and flexibility that meet the intent of the standards.

These guidelines are met except to the extent as described in this Report.

7.0310(A) - Housing Choices. This section specifies the application shall include housing types not common in Gresham. These housing types are defined as single-family detached dwellings 1,500 square feet or less that are affordable to a broad range of incomes. The proposal includes five units of housing types (cottage and single-family detached, and single-family detached with ADU, under 1,500 square feet) that comply with this guideline, and three units that exceed 1,500 square feet and are, therefore, defined as standard single-family detached dwellings. The proposal includes a majority of unit sizes ranging from 544 square feet to 1,423 square feet meeting the intent of the guideline.

This guideline is met.

7.0310(B) - Sense of Community. This section specifies the application shall include design features that promote interaction such as shared open spaces, porches, gardens, common buildings, and pedestrian connections throughout the development, and consider the role of front door orientation and other building elements in promoting interaction. The proposal includes a shared common open space that incorporates a variety of subspaces defined by unique landscaping, paving, fencing and common accessory structures which are further defined on its three edges by the dwelling units. Half the units' front doors are oriented toward the open space, and the porches of all dwellings abut these common spaces.

This guideline is met.

7.0310(C)(1 and 2) - High Quality Site and Building Design. This section specifies the application shall include site and building design that provide opportunities for social interaction in shared or common spaces and provide opportunities for privacy and private spaces including minimizing views from inside homes into adjacent private spaces, homes, backyards, and neighboring residential developments. Building design shall reflect the human scale and include a variety of unit sizes.

In addition to the shared open spaces described in this Report, the proposal includes fenced outdoor private spaces at backyards or side yards for each unit. The 10-foot-wide side yards are created through a 5-foot easement on the adjoining lot and the proposal includes limited window openings facing this space from the adjoining dwelling for privacy.

As noted in this Report the application includes a variety of unit sizes. The applicant's floor plans and building renderings, elevations, and detail drawings demonstrate a level of detail and attention to scale and proportions that begins with ridge line and eave heights, extends to recessed window and door openings, and includes porch railings and wall trim.

The landscape plans demonstrates the project will provide high quality living plant materials in compliance with 7.0310(C)(1)(d) including a variety of plant types (ground covers, shrubs, and trees) and classes.

These guidelines are met.

7.0310(C)(3) - High Quality Materials. This section specifies the application shall include high quality, long lasting building materials. The elevation drawings and renderings demonstrate proposed exterior finish materials include a variety of siding profiles including cedar shingles with woven corners, wood doors, wood trim and railings, and panel and batten accents at gable ends.

These guidelines are met.

7.0310(D)(2 and 3) - Sustainable Practices. This section specifies the application shall incorporate, and exceed, Gresham's Green Development Practices, and incorporate energy efficient design and construction techniques. The applicant's narrative and drawings demonstrate compliance with Gresham's Stormwater Quality Control Requirements indicating all stormwater will be handled onsite and stating that green building design practices have been met. Additional sustainable site measures included the preservation of mature trees. Sustainable building measures included insulation and window thermal values exceeding building code minimums.

Staff finds these guidelines are met with conditions of approval requiring any work that is performed within the tree protection zones of the trees to be retained must be completed under the onsite supervision of the project arborist, and the following additional measures which shall be incorporated into the building permit submittal:

- a. Specify Low VOC (150 gpl or lower) exterior paint and stain; and
- b. Specify recycled content materials to include: structural wall and roof sheathing, timber framing, flyash in the concrete, insulating materials, gypsum wall board, and cabinetry and finishes.

These guidelines are met with Conditions of Approval #26a, #26b and #31.

7.0310(E) - Compatibility. This section specifies the application shall be compatible with adjacent uses in size, height, and screening. The applicant's narrative and drawings propose dwellings that are similar in size and are separated from the adjacent uses as required to demonstrate compliance with these guidelines. Section 9.0100 - Buffers are not applicable to the Downtown district, but the applicant has proposed a new and existing 6-foot-high sight-obscuring wood fence along much of the site perimeter. The Innovative Housing setback standards do not apply to this project located in the DRL-2 district. Instead, the proposed site layout complies with the Downtown district side and rear yard setback standards at all units and conforms to the 5-foot side yard setbacks at the accessory buildings, but not the 10-foot rear yard setback that applies to the storage building.

The Design Commission provided comments during the ODCC meeting of July 19, 2017 in support of this modification to the standard as noted in Section 7.0303(F) Innovative Housing Review of Projects Modification Requests of this Report.

Staff recommends the Design Commission find these guidelines are met.

7.0310(F) - Uniqueness. This section specifies the application shall be unique from other Innovative Housing projects. This is the City's third Innovative Housing development permit application. This project is centrally located in the downtown core near transit, is of a smaller scale than a previous project and is organized formally around the shared common space and includes accessory support structures. The proposed site configuration for this project does not reflect a traditional subdivision layout or include

townhouse style dwellings with an organic cluster of cottages found in the previous Innovative Housing Demonstration projects.

This guideline is met.

7.0320 - Innovative Housing Development Standards. This section specifies the design standards for these unique residential developments.

These standards are met except to the extent as described in this Report.

7.0320 - Size and Configuration. This section specifies the application shall provide unique housing in clusters of no more than 12 units on sites no less than 20,000 square feet with a total number of units no less than four and no more than 60, with each cluster being distinct and providing both private and shared open space. The proposal includes eight units including one ADU on a site area of approximately 27,000 square feet with both public and private open space.

This standard is met.

7.0321 - Permitted Use. The application consists of the following permitted residential dwelling types: five single-family detached dwellings, including one with an accessory dwelling, and two cottages. A cottage is defined as having no more than 1,500 square feet total with a ground floor area of no more than 1,000 square feet and a second story floor area of no more than 50 percent of the first-floor area. The applicant's scaled drawings provide overall floor area tabulations and some building dimensions that demonstrate compliance with the standard.

This standard is met.

7.0322 - Density. This section specifies the application shall meet the density standards of the underlying land use district if detached single-family dwellings are proposed or greater density where other permitted dwelling types are proposed. Contrary to the applicant's narrative, the applicable minimum residential density is 8.71 units per acre for sites in the DRL-2 zone. There is no maximum density for this zone. The applicable site area for these calculations is 0.6 acres (gross site area minus dedications) which equates to a minimum of five dwelling units per Table 4.1130 where eight units are proposed.

This standard is met.

7.0323 - Unit Size. This section specifies the application shall provide units that do not exceed the prescribed size limitations. Drawing notations indicate Units 1 and 2 meet the size criteria for cottages, Unit 3a is defined as an accessory dwelling by meeting the criteria of Section 10.0100, and the remainder of the five units are defined as single-family detached dwellings where size is not limited.

This standard is met.

7.0324 - Dimensional Requirements. This section specifies the application shall provide building setbacks at the perimeter of the sites in compliance with the underlying district standards and 10 feet minimum distance between buildings on the site. The maximum heights shall not exceed those prescribed by the underlying land use district except for cottages which are limited to 30 feet in height.

The setback standards are met except as described in Section 7.0303(F) - Innovative Housing Review of Projects Modification Requests and Section 7.0310(E) - Compatibility of this Report. The separation distance between structures complies with the standard. The single-family detached dwelling heights do not exceed 50 feet and the cottage heights do not exceed 30 feet.

Staff recommends the Design Commission find these standards are met.

7.0325(A) - Public Open Space. Contrary to the applicant's narrative, this section specifies the application shall provide 200 square feet of open space per unit which is bordered on at least two sides by housing units, and is abutting 50 percent of the units, and is located within 60 feet walking distance of the units and provides recreational opportunities. The eight dwelling units need 1,600 square feet of open space to comply with the standard where 5,758 square feet of open space is proposed. The drawings demonstrate that open space is programmed to support opportunities for recreation with shared garden beds and paved patio space that includes a fireplace designed to facilitate social interaction and recreation. Pedestrian level lighting at open spaces is provided to create safe environments for social interaction.

A condition of approval requires that with the final plat, the applicant shall provide the access agreements for the shared common open spaces and the CC&R's that describe ownership, maintenance and use of each space.

These standards are met with Condition of Approval #9.

7.0325(A) - Private Open Space. This section specifies the application shall provide 200 square feet of private open space adjacent to each unit that has a contiguous dimension of 10 feet in at least one direction. The applicant's narrative and drawings propose these standards are met within the 10-foot rear yard setback, within the side yards with an access easement at adjoining lots to account for the 10-foot width, and in combination with a front porch and adjacent yards. Where located in adjoining side yards, windows are limited on the adjacent dwelling wall to provide privacy for both units in addition to the privacy fencing enclosing these areas. Where private space includes the front porch, these porches are setback from the common areas and screened with railings and landscaping.

A condition of approval requires that with the final plat, the applicant shall provide the access easement agreements for the adjoining lot private open spaces that describe its ownership, maintenance and use.

These standards are met with Condition of Approval #9.

7.0326 - Parking. This section specifies the application shall provide one parking space for units up to 1,000 square feet, 1.5 parking space for units over 1,000 square feet, and .25 visitor parking spaces per unit. Parking shall be screened from adjacent residential uses. A total of 10 spaces are required for the eight dwellings, and two visitor spaces are required. The applicant's narrative proposes a 10 percent reduction in parking per Section 7.0326(A)(4) given the site's proximity to the MAX Cleveland light-rail station and its walking distance to downtown shops and restaurants. This equates to a reduction of one parking space; therefore, the 11 parking spaces proposed comply with the standard.

A condition of approval requires that with the final plat, the applicant shall provide the access agreement for the shared common parking area and the CC&R's that describe its ownership, maintenance and use.

These standards are met with Condition of Approval #9.

7.0327(A) - Commonly Owned Property Maintenance. This section specifies the application shall provide mechanisms for perpetual maintenance of structures and spaces in common ownership and open space easements for areas in common ownership.

A condition of approval requires that with the final plat, the applicant shall provide easements and CC&R's that demonstrate areas of common ownership at shared open spaces, the shared parking area, the shared accessory structures, the adjoining lot private space access easements at Lots 1, 2, 4, 5, and 6, the common use easements at Lots 3 - 7, and CC&R's for the ownership, maintenance and use of these areas and structures.

These standards are met with Condition of Approval #9.

9.0300 - Easements. As noted in Section 7.0300 of this Report various private easements are proposed in order to satisfy standards criteria or a unique aspect of the proposal. Additional public utility easements are addressed under the Agency Comments section of this Report.

These standards are met with Conditions of Approval #9 and #12.

9.0500 - Grading Drainage and Stormwater Quality Control. See Development Engineering comments provided in this Report under **AGENCY COMMENTS**.

These standards are met with Conditions of Approval #2, #3, #5, #11, #14, #16 - #18 and #20.

9.0700 - Neighborhood Circulation and Future Street Plans. See Transportation Planning comments provided in this Report under **AGENCY COMMENTS**.

These standards are met.

9.0800 - Parking Standards. The applicant's Section 9.0800 narrative provides the findings that address the parking standards. Staff accepts the findings that the standards are met with the following clarifications and conditions of approval.

9.0823(B)(2) and (3) - Parking Lot Landscaping Standards - Irrigation and Maintenance. This section states all landscape areas shall be irrigated and maintained; therefore, conditions of approval require the building permit submittal include irrigation system drawings or a City of Gresham Deferred Submittal form that lists irrigation system drawings. Prior to issuance of the building permit the "owner" shall enter into and record a landscape maintenance agreement as approved by the City. The project planner will provide the landscape maintenance agreement template upon request.

This standard is met with Conditions of Approval #27, #30 and #32.

9.0823(B)(3)(c) - Parking Lot Landscaping Standards - Shrubs. This section states evergreen shrubs shall be at least 24 inches high at the time of planting. The landscape drawings 104 L-1 and 105 L-2 do not specify this minimum height for shrubs within the parking area; therefore, a condition of approval requires the building permit submittal landscape drawings include a notation specifying parking area shrubs shall be 24 inches in height at the time of planting when measured following ANSI Z60.1-2014 standards.

This standard is met with Condition of Approval #24a.

9.0823(C)(2) - Parking Lot Landscaping - Building Buffer. See Section 7.0303(F) - Innovative Housing Review of Projects Modification Requests of this Report for staff's findings related to this section.

9.0823(C)(5)(d) - Parking Lot Landscaping - Planter Bay. See Section 7.0303(F) - Innovative Housing Review of Projects Modification Requests of this Report for staff's findings related to this section.

9.0824(C)and (D) - Parking Lot Pedestrian Walkways. This section specifies that walkways within parking lots shall be raised and where walkways are adjacent to vehicular ways without raised curb or a protective barrier, these shall be 3 feet wide minimum and identified with detectable markings. The shared pedestrian walkway from the dwelling units to the waste and storage area terminates at the west edge of the parking lot and begins again at the west edge of the storage building where it is shown to be of a contrasting material flush with the parking lot paving. Staff finds this proposal meets the standard in consideration of the need to maneuver waste receptacles across this paving without a curb transition and with a condition of approval requiring the building permit submittal drawings demonstrate a minimum 3-foot wide marked or contrasting

pedestrian pathway along the west edge of the parking area from the end of the shared walkway to the concrete apron around the waste/storage building.

This standard is met with Condition of Approval #23.

9.0851 and 9.0870 - Off-Street Parking for Private Residences. The number of off-street parking spaces is prescribed by Section 7.0326. Each parking space shall have a dimension of 8 feet, 6 inches wide by 18 feet deep. The proposed parking stall dimensions are 9 feet wide by 18 feet, 6 inches deep including a 2-foot overhang into the adjacent planter. The standard drive aisle width for parking stalls with these dimensions is 26 feet per Figure 9.0825(A). A 26-foot-wide drive aisle is proposed except at the three southernmost parking stalls along the east row of parking. This application included a modification request to vary the standard drive aisle width that is addressed in Section 7.0303(F) of this Report.

A condition of approval requires that with the building permit drawings, the applicant shall provide landscape drawings that demonstrate only ground cover is to be planted within the 2-foot, 6-inch vehicle overhang at planter areas along the headend of the west and east parking rows.

These standards are met with Condition of Approval #24b.

9.1000 - Tree Regulations. This section provides the standards for planting, protection and removal of regulated and required trees. Staff accepts the findings in the applicant's Section 9.1000 narrative that the standards are met with the following clarifications and conditions of approval.

9.1023(B) - Street Tree Planting During Development. Street trees shall be planted at a rate of one tree per 30 feet of frontage excluding driveways. For the 250 feet of frontage eight street trees are necessary to meet the standard. For street trees the minimum caliper size at planting is 1.75 inches. The applicant has proposed five street trees of 3-inch caliper explaining that additional trees cannot be accommodated due to spacing conflicts with utilities, street lights and the mature site trees being preserved near the right of way. However, from the information provided on the Civil Utilities Plan 103 C1.6 and Landscape Plan 105 L-1 it appears two additional trees could be provided, one approximately 30 feet west and one approximately 40 feet east of the proposed area of accent paving. Another tree could be provided 20 feet west of the westernmost street tree near the driveway to satisfy the standard for eight street trees.

A condition of approval requires that with the street improvement permit submittal, the applicant shall revise the landscaping plan to demonstrate compliance with the standards to provide eight street trees. Alternately, if demonstrated through a fully dimensioned coordinated utility and street tree planting plan that the eight trees cannot be accommodated due to conflicts with utilities and street lighting per the standards of Section 9.1023(H), the applicant shall submit an executed City of Gresham Fee in Lieu of

Street Tree form with the street improvements permit submittal, and upon City approval notification provide the associated fee.

This standard is met with Condition of Approval #25.

10.0120(D) - Accessory Dwellings - Setbacks. These standards apply to Unit 3b and state that the accessory dwelling setbacks shall be consistent with the district standards. Those standards are addressed in Sections 4.1120 - Downtown Residential Low-Rise-2 District Standards and 7.0303(F) - Innovative Housing Review of Projects Modification Requests of this Report.

This standard is met.

10.0202 - Residential Accessory Structures - Setbacks. These standards apply to the tool shed and are met as proposed. The storage shed and carport structure is subject to the district setback standards due to its size. Those standards are addressed in Sections 4.1120 - Downtown Residential Low-Rise-2 District Standards and 7.0303(F) - Innovative Housing Review of Projects Modification Requests of this Report.

This standard is met.

A5.000 - Public Facilities. Refer to the Addressing, Development Engineering, Transportation Planning, Recycling & Solid Waste, and Fire comments provided under the **AGENCY COMMENTS** section of this Report.

These standards are met with Conditions of Approval #2 - #5, #10 - #14, #16 - #21, #28a - #28b, and #29a - #29l.

AGENCY COMMENTS

FROM: Jessica Snodgrass, Development Engineering Specialist
DEVELOPMENT ENGINEERING COMMENTS

The project area is located on the south side of NE 5th Street between NE Linden Avenue and NE Cleveland Avenue in the DRL-2 (Downtown Residential Low-Rise-2) land use district and consists of two existing undeveloped lots: 1S3E10AC 04800 and 04900.

The applicant proposes to subdivide the two properties for development of a pocket neighborhood consisting of seven single-family cottages on separate tax lots. This development is proposed as an innovative housing demonstration project. One of the cottages is proposed with an attached accessory dwelling unit. The seven lots are oriented around a shared courtyard on a separate tract. Access to the site is via a driveway to be constructed at the east end of the project that leads to a shared parking lot on a second separate tract.

The following comments are from Development Engineering and refer to the plans submitted by Parametrix on January 29, 2019.

A5.000: GENERAL

Design and construction of all public facility improvements shall be in conformance with all applicable regulatory documents, including but not limited to the [Gresham Community Development Code \(GCDC\)](#), [Gresham Public Works Standards \(PWS\)](#), [Gresham Revised Code \(GRC\)](#) and [Stormwater Management Manual \(SWMM\)](#). The applicant shall schedule and attend a pre-design meeting with Jessica Snodgrass, Development Engineering, at 503-618-2277 prior to submittal of construction plans for building permit review to discuss technical requirements, design and construction schedules, and to review processes.

With construction plan submittal, the applicant will provide an engineer's estimate of the cost of public improvements (including private onsite stormwater detention and water quality systems), enter into an agreement with the City of Gresham for plan review and inspection services, and pay deposits based on the estimate. The applicant will provide a performance bond based on 110 percent of the engineer's estimate.

Approvable public facilities construction plans and performance bond are required prior to plat approval. Approved plans are valid for one year, and all public improvements must be completed within two years of the Notice to Proceed unless otherwise approved by the Manager.

A right of way permit will be required before beginning work in the public right of way.

Any project that includes construction of public facilities shall comply with City of Gresham survey standards. Plans shall reference City of Gresham datum, NGVD 1929, 1947 adjustment. Coordinates must be based on the Lambert State Plane Coordinate System, Oregon North Zone. Basis of bearing for all measurements should be from the City Control Network. Control Points can be found at www.GreshamOregon.gov/Maps/.

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

Local Street Reconstruction Note

Please be aware that NE 5th Street is scheduled to be part of the City's local street reconstruction ("Hitting the Streets") project and is currently estimated for reconstruction in Summer 2020.

Following the City's local street reconstruction project, the portion of NE 5th Street along the project frontage will be under moratorium for two years, meaning that additional pavement restoration in excess of the typical utility trench restoration would be required for any public facilities installations that would require cutting into the newly paved street before the moratorium ends.

It will be in this development's best interest to complete any required public infrastructure improvements in the NE 5th Street right of way, including but not limited to public utility mains

and service lines under the development project's scope and the new curb line for the bulb outs prior to the City's reconstruction of the street. It will be necessary to discuss timelines for design and construction of this project at the pre-design meeting to begin coordination efforts as early as possible.

A5.100: SANITARY SEWER FACILITIES

Existing Sanitary Sewer Facilities and Approved Point of Connection

City records show an existing 8-inch diameter sanitary sewer main in NE 5th Street available for connection. This is the approved point of connection for the proposed development.

Main Line Extension & Lateral Requirements

Separate, minimum 4-inch diameter laterals are required to serve each of the proposed seven fee-simple, single-family lots.

While this development would typically be required to connect to the existing main in NE 5th Street to install the required seven laterals to each of the lots, the lot configuration necessary to meet innovative housing code requirements presents challenges for installing the required utility service connections in accordance with City standards with limited available corridors between buildings and property lines.

Through discussion with the applicant, the City has approved a design modification request to allow the proposed development to install an 8-inch diameter public sanitary sewer main from a new manhole installed over the existing main in NE 5th Street through the site in a public utility easement to serve the proposed lots. The service laterals for each of the proposed seven lots will be installed off the proposed public sanitary sewer main running through the site as proposed in the preliminary plan.

The minimum required 20-foot public easement width will be provided as proposed in the preliminary composite utility plan for the public sanitary sewer main flowing south from manhole (MH) #2 in the parking lot tract to MH #1 in NE 5th Street. Due to the limited clear width between the proposed building structures on Lots 6 and 7, the approved design modification will allow for a minimum 10-foot wide public utility easement over the proposed public main that flows east from the clean out at the west end of the main to MH #2. The approved design modification will also allow for minor encroachment of the eaves of the cottage roofs in the 10-foot easement width, though the City would like to review the final anticipated width and height of eave encroachments prior to finalizing the final subdivision plat through which the public easement is expected to be granted.

As the sanitary sewer main on the property will be publicly owned and maintained, the main, including but not limited to associated structures and lateral connections for each of the homes, must be constructed in accordance with the City of Gresham PWS. Below are design considerations that will need to be addressed and incorporated into the public improvement construction plans submitted for the City's review:

- Sump manholes and sump clean outs as depicted in the profile on the preliminary composite utility plan will not be allowed in the public wastewater conveyance system constructed on the project site.
- With the public improvement construction plan submittal, documentation will need to be provided to show that City maintenance vehicles (i.e. the vac-con truck) will have adequate access to MH #2 in the parking lot tract. In particular, the parking lot pavement section will need to be able to support the weight of the City's maintenance vehicles.
- The driveway approach for the development site will need to be built to commercial standards to ensure that the approach will support the weight of the City's maintenance vehicles.

A5.200 & 9.0500: SURFACE WATER MANAGEMENT SYSTEMS

Approved Point of Discharge

The proposed development site lies in the Johnson Creek drainage basin. There is an existing 10-inch diameter concrete stormwater main in NE 5th Street that terminates in a manhole near the site's west property line. A 10-inch concrete lateral is stubbed out from the manhole to an existing catch basin on the property frontage. This system is the approved point of discharge following the requisite onsite water quality treatment and detention.

Water Quality & Quantity Control Requirements

Projects that add or replace over 1,000 square feet of impervious surface are required to comply with the City's stormwater management requirements in the Stormwater Management Manual (SWMM) for the impervious surface added or replaced. Stormwater facilities associated with development should be designed to infiltrate runoff to the maximum extent feasible. In addition, green/low impact development practices (such as rain gardens, pervious pavement, etc.) must be utilized to meet water quality and quantity control requirements to the maximum extent feasible.

The applicant proposes to treat and infiltrate post-development runoff onsite to the extent it is feasible with the infiltration rates found onsite from the geotechnical engineer's exploration. The following are the measures proposed to treat and retain runoff:

- Two privately owned and maintained rain gardens on the shared parking lot tract will manage the parking lot runoff.
- Pedestrian-only walkways onsite will shed to nearby vegetated landscape/filter strips on the lots and in the central common area.
- Roof runoff from the cottages will drain to a shared horizontal underground injection control (UIC) facility/soakage trench (proposed 24-inch horizontal perforated pipe with a surrounding aggregate section around the pipe).

As the site's stormwater management facilities have been sized to retain the 10-year storm event onsite and have been designed to fully infiltrate the 10-year event within 48 hours, no flow control of post-development peak flows is required according to SWMM Section 1.2.5. The applicant proposes to install overflow structures and conveyance to provide a means to convey runoff from larger storm events from the site to the public system.

The combination of stormwater treatment and retention facilities described above is conceptually acceptable, but the following will need to be addressed for the onsite water quality treatment and retention systems and the associated overflow conveyance to meet SWMM requirements. The below comments must be addressed in the final stormwater report and construction plans to ensure compliance with the SWMM:

- Construction of shared, privately owned and maintained stormwater treatment and retention facilities as proposed is acceptable as long as the facilities (including the overflow conveyance) are constructed to meet SWMM requirements, Uniform Plumbing Code (where applicable), and are designed with adequate structures and materials that will allow for the system to be maintained publicly or privately in the future. The portion of the overflow conveyance in the right of way must be constructed to meet PWS. As the proposed private stormwater treatment and retention facilities (the two rain gardens and the horizontal perforated pipe retention system) will benefit multiple properties under separate private ownership and maintenance is anticipated to be carried out by an HOA or property management company, an Operations & Maintenance (O&M) agreement with an approved maintenance plan will be required in accordance with SWMM Section 6.3. Per SWMM Section 6.2, the O&M agreement shall be executed by the property owner and recorded prior to building permit issuance or prior to subdivision plat approval (whichever occurs first). The O&M plan referenced in the O&M agreement must include all elements of the system.
- Lot level pretreatment of the cottage roof runoff must be provided prior to discharge to the shared horizontal perforated pipe system in accordance with SWMM Section 3.3.1. This may consist of a trapped catch basin structure or other type of sediment removal device (as approved by the City per SWMM requirements) that would remove leaves, sediment, and other debris prior to discharge into the horizontal perforated pipe system. A combined sumped catch basin structure prior to flow entering the perforated pipe retention system as currently proposed would meet this expectation; however, an effort should be made to reduce the quantity of bends/blind tees in the portion of the private stormwater lines between the sumped catch basins and the building downspouts so that a private plumbing company could easily jet the lines leading into the combined sedimentation system back to the point where flow enters the system at the cottage downspouts.
- Clarify in the final storm report and construction plans how the roof of the tool shed and the roof of the solid waste and recycling building (both in common tracts expected to be owned by the HOA) will be treated and infiltrated (storm events up to and including the 10-year event) and safely conveyed to the overflow system (for the 25-year event and

greater). Pretreatment of roof runoff from the common area shared structures may be consistent with the requirements for pretreatment of the cottage roof runoff (i.e. an approved sediment removal device).

- Verify with the Oregon Department of Environmental Quality (DEQ) if the horizontal perforated pipe retention facility will need to be registered under the Underground Injection Control (UIC) program. While DEQ does not typically require private UICs draining single-family residential runoff to be registered, this facility benefits multiple lots and appears to accept runoff from the central common tract too. If DEQ requires the proposed horizontal perforated pipe to be registered, documentation of the UIC registration (by permit or by rule authorization) shall be provided prior to building permit issuance for the proposed development's onsite improvements. If DEQ does not require registration, documentation from DEQ of this decision shall be provided instead.

Conveyance Requirements

The public stormwater conveyance proposed in the preliminary composite utility plan does not meet PWS for multiple reasons including but not limited to:

- The proposed 12-inch diameter stormwater main under the sidewalk is not within the designated utility corridor in the right of way.
- Flow-through catch basin structures (including the solid lid catch basins proposed in the sidewalk) are not approvable in the public conveyance system. These structures would need to be manholes.
- Blind stormwater tees for laterals tying into a public main are not allowed except for laterals that are 6-inch diameter or less and tie into the back of an inlet structure, weep hole in the curb, or a public roadside stormwater treatment facility.

Prior to public improvement construction plan approval, the proposed development shall design a public conveyance system in the right of way that addresses drainage concerns at the proposed bulb outs and provides a means of overflow to the public system for any onsite runoff not able to be fully retained onsite following the requisite water quality treatment. Unless the City approves a design modification request, the public conveyance shall meet PWS requirements, including but not limited to extending a piped system in the designated utility corridor in NE 5th Street as required by the City. The extent of public conveyance required to be extended along the project frontage will depend on how many overflow connections are required from the site, whether overflow for the two private parking lot rain gardens can be conveyed through the site in the public utility easement corridor, and/or whether green infrastructure can be utilized in the bulb outs along the frontage to reduce the amount of piped conveyance necessary in the right of way.

Following a brief review of alternatives for the public conveyance and the overflow conveyance from the project site, the below alternative would be the simplest and least impactful to the current conveyance design:

- Extend a minimum 12-inch diameter public stormwater main along the proposed development frontage. From the public main, the applicant would construct minimum 12-inch diameter laterals to the catch basins necessary at the proposed bulb outs and laterals for each overflow connection needed from the onsite water quality and retention systems. The laterals for the overflow connections from the site would need to connect to the public main at a manhole. If the associated laterals for overflow connections extend into the paved section of the roadway (i.e. do not tie into the back of a catch basin or inlet manhole at curb line), the minimum lateral size is 12-inch diameter.

The below two alternatives to reduce the length of public stormwater main that would need to be extended in NE 5th Street would also be technically feasible and are outlined for the engineer of record to consider:

- Public stormwater treatment planters or swale facilities could be constructed in the bulb outs along the frontage to eliminate the need for catch basins at the bulb outs. The trees planned for the bulb outs would be able to be planted as currently proposed in the public treatment planters or swales. Curb inlets to the treatment planters or swales could be provided to accept gutter flow in lieu of catch basins, and the overflow pipes could be designed to drain directly into the right of way rain gardens or swales. A stormwater treatment planter may be ideal as the sizing factor on the City's "Simplified Sizing Form" in the SWMM is lower than the sizing factor for a swale in areas with Type C/D soils.
- The overflow for the two private rain gardens in the parking lot could be routed internally through the site to a single lateral connection in the right of way so that a public main extension in NE 5th Street would only be necessary to allow the lateral from catch basin #4 to connect to the main at a manhole.

Final Stormwater Report

A final stormwater report as well as construction plans for the private water quality treatment and detention facilities shall be submitted for review with the building permit submittal. The final stormwater report shall contain calculations that show how the City's water quality and retention standards for the proposed development will be met and shall specifically address the comments for SWMM compliance listed in the above "Water Quality and Water Quantity Control" subsection.

Source Control

The proposed development has proposed a fully enclosed and covered accessory structure in the parking lot tract that will house the solid waste storage containers for the development. The solid waste storage area is subject to the requirements of Section 5.5 of the SWMM, including the requirements for a paved concrete pad and area cover over the garbage storage area to ensure the enclosure is hydraulically isolated (no stormwater allowed to enter). The

following shall be addressed prior to building permit issuance for the onsite improvements to meet the source control requirements in SWMM Section 5.5:

- The paved area beneath the cover shall be concrete and sized adequately to cover the activity area for refuse storage or the trash compactor(s) and associated equipment.
- Either a drain in the solid waste storage room with a minimum 4-inch diameter lateral connection to discharge potential spills to the public sanitary sewer main onsite; or alternatively, if the proposed accessory structure is fully enclosed with no opportunity for runoff to enter, a spill control plan is established as part of the CC&Rs and maintenance agreements for the community to ensure spills will be hydraulically isolated from the stormwater system.

Impervious Area Exhibit

An impervious area exhibit with a plan and tabulation illustrating the proposed impervious area expected to be added with the proposed development will be required with the public facilities construction plan submittal for review. The impervious area exhibit will need to include a per lot breakdown of the proposed impervious area on each of the seven lots and on the two common tracts. The impervious area exhibit can be a separate exhibit provided with plan submittal or can be included as an exhibit in the final stormwater report.

Erosion and Sedimentation Control Requirements

Erosion and sedimentation control shall comply with Appendix C of the Stormwater Management Manual and Section 9.0500 of the Development Code.

A5.300: WATER FACILITIES

Existing Water Facilities and Approved Point of Connection

The site lies in the Grant Butte service level with a static pressure of 58 pounds per square inch (psi) at the hydrant on the project frontage. City records show an existing 6-inch diameter cast iron water main in NE 5th Street along the project frontage. There are no existing service connections to the project site, though there is an existing public fire hydrant on the west end of the project frontage with an available fire flow of 1,800 gallons per minute (GPM) at 46 psi.

The existing cast iron water main along the project frontage would be the approved point of connection for this project's water service, though the City has maintenance concerns regarding the location of the proposed bulb out curb line that would be located over the water main.

Domestic Water Service Requirements

Separate, minimum 1-inch diameter water service lines with 3/4-inch water meters are required to serve each of the proposed seven fee-simple, single-family lots.

This development would typically need to pay City Water Division Crews to tap the water main in NE 5th Street to install the required seven water services and meter boxes for each of the

lots. The applicant has submitted a design modification request, like the proposal for providing sanitary sewer service to the proposed lots, to extend a minimum 4-inch diameter public water main in the same public utility easement corridor proposed onsite for the public sanitary sewer main and to install separate water service lines off this main to serve the proposed seven single-family lots. The City has approved this design modification request provided that the proposed water main, service lines, meter boxes, and other appurtenances will be constructed to meet PWS, including but not limited to providing adequate vertical and horizontal separation between the proposed water and sanitary sewer mains (and the associated service lines and laterals) per the Oregon Health Code requirements outlined in City of Gresham PWS Detail 510.

The proposed development may still proceed per the public water main and service plan outlined in the preliminary composite utility plan provided that adequate vertical and horizontal separation requirements between the public water and public sanitary sewer systems in the proposed public utility easement corridor onsite will be provided per Standard Detail 510. However, due to the City's concerns outlined above (both separation requirements and the existing water line conflict with the proposed curb line for the bulb outs in NE 5th Street) and the timing of the Transportation division's local street reconstruction project, the City has proposed a second mutually beneficial alternative to the development project team:

- As part of the City Water division's capital improvement program (CIP) project to remedy system deficiencies in advance of local street reconstruction, the City will design and construct a new 8-inch diameter water main along this project's NE 5th Street frontage and abandon the existing 6-inch diameter cast iron main to eliminate the conflict with this project's proposed curb line. With construction of the new water main along the project frontage, the City proposes to provide the required 1-inch service line stubs off the new water main in NE 5th Street for each of the seven proposed single-family lots for the development at the resolution rate service line installation cost instead of at actual installation cost (typically required for three or more service installations) as an additional incentive to run the water service lines outside of the same public utility easement corridor as the proposed sanitary sewer main.

Either the alternative proposed in the preliminary composite utility plan or the City's alternative proposal to provide separate water service lines off a newly constructed water main in NE 5th Street will be acceptable means of providing domestic water service for the proposed development; however, in either case, adequate vertical and horizontal separation between water and sanitary sewer systems shall be provided in accordance with City of Gresham PWS Detail 510.

Irrigation Service and Backflow Protection Requirements

A separate irrigation service with a 1-inch water meter is proposed to be installed off the proposed public water main to provide irrigation for the community landscaping.

In the alternative presented by the City described above in the "Domestic Water Service Requirements" section, this service and the associated meter box would also be installed with the City's reconstructed water main in NE 5th Street. The irrigation service installation would be

paid for by the developer at resolution rate like the domestic water service installations prior to public improvement plan approval.

Please note that the contractor will be required to install an approved backflow prevention assembly on the private side of the proposed irrigation service line directly behind the post-dedication right of way line for premise isolation.

Fire Flow Requirements

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

All new and existing public and private hydrants must be equipped with a Storz adaptor. In addition, all new and existing hydrant locations must be marked by a blue reflective raised pavement marker.

Work on Live Public Water Systems

All work on live public water systems will be performed by City Water division crews and paid for by the developer at actual costs for time and materials. A deposit for the public water work order costs will be paid prior to public facilities construction plan approval.

The only exception to this typical requirement would be for the domestic and irrigation water service lines to be installed by the City with construction of the new water main in NE 5th Street (as already described, these would be charged at the resolution rate charge per service as preliminarily agreed upon by the City).

OTHER

Easements

All existing and proposed public and private easements required for this development shall be shown on the public facilities construction plans submitted for building permit review as well as on the final subdivision plat.

CHARGES AND FEES

A check of engineering records indicates no liens or assessments for the properties included in this project.

System Development Charges (SDCs) and connection fees for parks, transportation, stormwater, water, and wastewater will be due to the City of Gresham prior to single-family building permit issuance for each of the proposed cottages (including the cottage on Lot 3 with the attached accessory dwelling unit). SDCs and connection fees for water and stormwater associated with impervious area in the shared common area tracts and the installation of a separate irrigation service and meter for the project will be charged prior to building permit issuance associated with the construction of the onsite improvements.

SDCs can be estimated using our online calculator found at www.greshamoregon.gov/sdc. A person challenging the calculation of a SDC or a Facilities Charge (FC) must appeal within 10 calendar days of the issue date of the associated building permit. The appellant must file with the City Manager a written notice of appeal pursuant to GRC 1.05.025.

For required public improvements, the developer will enter into a contract to pay City staff for plan review and inspection services. A deposit will be paid based on the engineer's estimate, and these services will be paid for at actual rates. A guarantee of completion will be required for 110 percent of the public improvement estimate.

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

CONCLUSION

Findings submitted under each proceeding code section are generally consistent with Section A5.000 of the Community Development Code and the Public Works Standards. Recommended conditions will ensure that the Community Development Code and the Public Works Standards are met and adequate public facilities to serve this development are constructed.

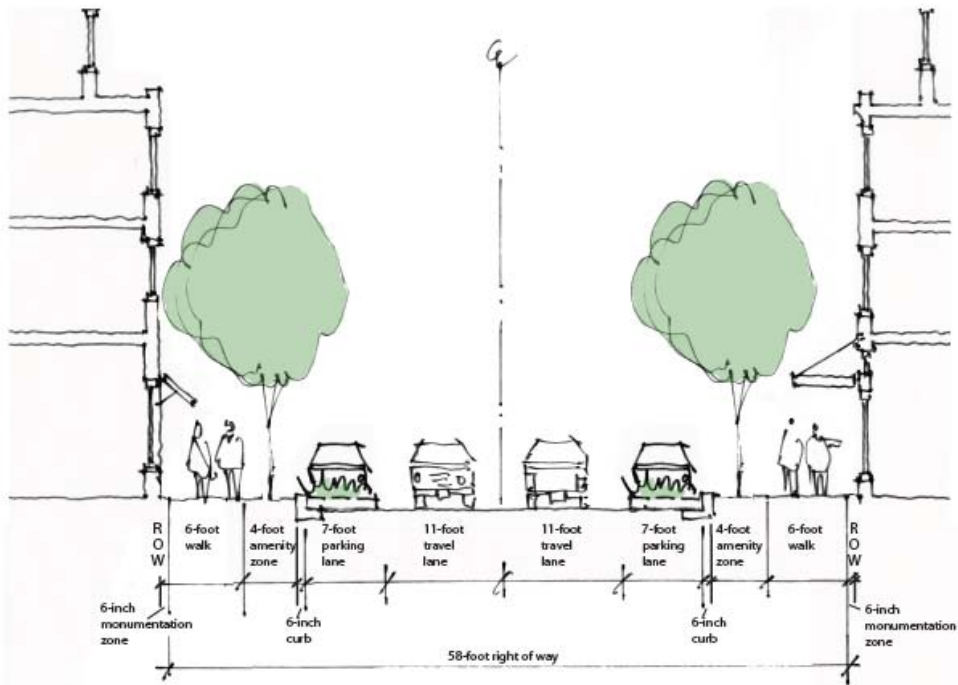
Refer to Conditions of Approval #2 - #5, #11 - #14, and #16 - #20.

TRANSPORTATION PLANNING Comments:

FROM: Jay Higgins

Right of Way Dedication NE 5th Street is classified as a Downtown Local street requiring 58 feet of right of way (ROW) to roadway centerline. This classification was updated with changes to the Public Works Standards January 1, 2019. There is currently 50 feet of right of way with 25 feet to centerline. An additional 4 feet of ROW must be dedicated along the site's frontage to meet current standards. The applicant is showing a 3-foot dedication. With an approved design exception, discussed in the next section, the 3-foot dedication is acceptable.

Downtown Local:



Frontage Improvements

The applicant is proposing a unique curb design with 7-foot curb extensions in two areas that create an 11-foot planting strip for large trees. The 2019 Gresham Public Works Standards call for a minimum 12-foot lane adjacent to curb extensions, so these proposed curb extensions may be a maximum of 6 feet. This can be approved with a design exception. A 5-foot sidewalk is proposed behind the redesigned planter area, and the applicant has proposed a 1-foot planting area behind the sidewalk. This can be approved with a design exception as a 5-foot sidewalk is Gresham's standard for sidewalks on other local streets.

The applicant has proposed an area of pavers that cross the sidewalk at 90 degrees to tie a pathway from the development to a seating area in the redesigned planter area. The installation of these pavers requires a design exception detailing how they will be installed. The applicant may substitute colored concrete and/or a different scoring pattern for this segment of the sidewalk for the pavers. The required design exception, which Transportation is willing to approve with a change in curb extension width, can cover all three of these elements and requires submission with the public facilities permit.

Pavement Moratorium

NE 5th Street is planned for repaving in 2020. After repaving there is a pavement moratorium in place for three years. If any pavement cuts are permitted by the City after 2020 a much greater width of pavement will need to be replaced, typically curb to curb.

Dolan Analysis

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

A new single-family home generates 9.56 trips per unit per day, for a total of 76.16 trips per day for the proposed development. The development has driveway access to NE 5th Street and 100 percent of trips will use NE 5th Street. This provides a nexus between the proposed development and the required improvements.

First, a calculation for the total proportional exaction is created. For the purposes of the analysis, NE 5th Street is a Downtown Local street. A Downtown Local street has an average segment length of 351 feet with an assumed value of right of way at \$10 per square-foot and \$269,850 in frontage improvements for a total of \$473,430 per segment. The average daily trips on a Downtown Local street are 627, of which the applicant's trips on NE 5th Street are 12.15 percent of the total. This provides a proportional exaction of \$57,506.

$$(12.15\% * \$473,430) = \$57,506$$

Then a calculation for the required improvements is created. The NE 5th Street frontage is approximately 269 feet long. The required frontage improvements of a 6-foot sidewalk and planter strip with street trees have an assumed value of \$36,289.

The costs of the applicant's proposed design for the wider planting strip and curb extensions are not considered in the analysis as these are not required by the City and will be fully borne by the applicant.

As the proportional exaction is \$57,506 and the total requirements are \$36,289, the analysis shows that all required improvements are proportional to the project's impact to the transportation system.

Recommendation

This application can be approved with the following conditions:

- A 3-foot dedication along the site's frontage.
- Frontage improvements along the site's frontage, either to standard or with a design exception.

Refer to Conditions of Approval #10 and #21.

FIRE COMMENTS

FROM: Kyle Stuart, Gresham Fire (Kyle.Stuart@GreshamOregon.gov)

NOTE: This review is for the proposed site plan in ePlan consisting of eight units total: seven cottage/single-family homes and one attached accessory dwelling with a car port storage/recycling building as well as a tool shed. Building permit plans shall include a separate "FIRE ACCESS AND WATER SUPPLY PLAN" indicating all the following:

1. Provide fire flow from the water purveyor. The fire flow reading must be from within the last the year. If construction is of type IIIB, the minimum fire flow for the site will be 1,500 gpm with a 75 percent reduction for fire sprinkler systems. Fire Flow forms will be required to be filled out during the building permit process. OFC App B.
2. Each building may be required to be sprinklered if the code's minimum water flow is not available. OFC App B.
3. Temporary address of 6 inches shall be provided at each construction entrance prior to any construction materials arriving onsite. Prior to the building finals, permanent address placards will be required conforming with Gresham Fire's addressing policy. The addressing policy can be emailed upon request. OFC 505 & 1401.
4. Required fire hydrants and access road shall be installed and approved prior to any construction material arriving onsite. OFC 1412.1.
5. Required Fire Department access roads onsite shall be designed to support an apparatus weighing 75,000 lb. gross vehicle weight. Provide an engineer's letter stating the access road meets those requirements at the time of building permit submittal. OFC, Appendix D, Section D102.1.
6. "No Parking Fire Lane" signage or curb marking will be required. Fire access roads 20 to 26 feet wide require the marking on both sides. Indicate on the building permit plans. This policy can be emailed upon request. OFC D 103.6.
7. If a gate is installed on a fire access road, it must meet the requirements of the Gresham Fire Gate Policy. The code requires that the gates have a clear width of 20 feet. A lock box is provided for each gate to allow Fire to take control of the gate. This policy can be emailed upon request. OFC 506.1.
8. Each public or private fire hydrant used for fire flow for this property shall have a 5-inch Storz adapter with National Standard Threads installed on the 4½-inch fire hydrant outlet. The adapter shall be constructed of high-strength aluminum alloy, have a Teflon coating on the seat and threads, and use a rubber gasket and two (2) set screws to secure it in place. The adapter shall be provided with an aluminum alloy pressure cap. The cap shall be attached to the hydrant barrel or Storz adapter with a cable to prevent theft of the cap. Adapter shall be Harrington HPHA50-45NHWCAP or equal approved by Gresham Fire.
9. For public hydrants, order the connectors and, once received, contact the Water Operations Supervisor at 503-618-2626 to schedule installation. OFC 507 and NFPA 24-7.1.3.

10. For private (onsite) fire hydrants the connectors will be inspected under permit by Gresham Fire. OFC 507 and NFPA 24-7.1.3.
11. Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be blue. They shall be located adjacent and to the side of the centerline of the access roadway on which the fire hydrant is located. In the case that there is no center line, assume a centerline and place the marker accordingly. OFC 508.5.4.
12. Fire access roads must extend to within 150 feet of all portions of all buildings. OFC 503.1.1.

Refer to Conditions of Approval #29a - #29l.

RECYCLING & SOLID WASTE COMMENTS

FROM: Shannon Martin, Program Manager

This property would require space for a 3-yard garbage container, 90-gallon roll cart for glass, a 350-gallon tub for mixed recycling and possibly two roll carts for yard debris if home owners are responsible for yard maintenance. There will need to be a smooth transition (curb cut) from the enclosure to the parking lot.

Refer to Condition of Approval #28a and #28b.

ADDRESSING COMMENTS

FROM: Carrie Osborn, Planning Technician II

The project site is currently unaddressed and identified as State IDs 1S3E10AC 04800 and 04900, Gresham OR 97030. However, these identification numbers will not be used for the innovative housing community addresses. Instead, new addresses will be assigned to each lot and released once the final plat is recorded with Multnomah County. The applicant and/or representative may contact the Addressing Coordinator at 503-618-2809 to obtain addresses before submitting for building permits. An official Notice of Address Assignment will be distributed to the applicable agencies after the decision has been made final. Addresses will be assigned in accordance with the City of Gresham Street Naming and Property Numbering Guidelines of Gresham Development Code Appendix 13.

Refer to Condition of Approval #15.

IV. CONCLUSION

This development proposal is consistent with the applicable development procedures and standards or can reasonably be made to comply with the applicable standards and criteria through the imposition of conditions of approval. While the development proposal is generally consistent with the applicable development standards, conditions of approval are aimed at assuring the criteria are met when the applicant's narrative and plans do not provide enough information to assure each criterion is met.

V. RECOMMENDATION

Approval with conditions of this Type III Miscellaneous with Subdivision review for the Innovative Housing development with seven single-family detached dwellings and one attached accessory dwelling unit, two accessory structures, and associated site, stormwater, and right of way improvements.

The approval of this application is with the following ***conditions of approval***. Note that this approval is based on the applicant's presented narrative and plans, and that any conditions are aimed at assuring the criteria are met when the applicant's narrative and plans do not provide enough information to assure compliance. Consistency with the submitted plans is required. Where Code standards and criteria could be met with conditions of approval, the finding "***These standards are met with Condition of Approval***" is made.

GENERAL

1. This approval for the subdivision is valid for one year from the date of decision (the end of the appeal period). A final plat must be submitted within one year of this decision (per **11.0105**). This approval for the Innovative Housing review is valid for one year from the date of decision (the end of the appeal period). A building permit(s) must be submitted within one year of this decision (per **11.0105**). An extension, as permitted under Section **11.0106**, is possible. Any changes to the plans must comply with the Gresham Development Code, City of Gresham Public Works Standards, the Building Code, and Uniform Fire Code.
2. The applicant shall provide adequate public facilities and services including access, drainage, water and sanitary sewer, as applicable, per all applicable sections of Appendix 5 of the Community Development Code, City of Gresham Public Works Standards (PWS), and the Stormwater Management Manual (SWMM).
3. The applicant shall schedule and attend a pre-design meeting with Jessica Snodgrass, Development Engineering, at 503-618-2277 prior to submittal of construction plans for building permit review to discuss permit processes, technical requirements, design and construction schedules, and plan review processes.
4. Any project that includes construction of public facilities shall comply with City of Gresham survey standards. Plans shall reference the City of Gresham datum, NGVD 1929, 1947 adjustment.
5. As the proposed site area is less than 1-acre, erosion and sedimentation control shall comply with Appendix C of the Stormwater Management Manual (SWMM), and Section 9.0500 of the Development Code.

GENERAL FINAL PLAT SUBMITTAL REQUIREMENTS

6. Within one year of the decision date for the tentative plan, submit (to the Permit Center) six paper copies of the final plat, along with the required fee, application, and documents required by Section **6.0402** or coordinate an electronic plan review (ePlan) submittal with the Permit Center.

7. The final plat submittal shall conform to Sections **6.0401 through 6.0403** and shall comply with the approved preliminary plan, conditions of approval, and applicable requirements of the Development Code.
8. Provide condominium plats for common open spaces.
9. Provide a copy of all access easements, private utility easements, deed restrictions, grounds and building maintenance agreements, homeowners' association agreement, shared common open space agreements, deed restrictions, and other agreements, to be recorded separately, as applicable. For homeowner associations, maintenance management shall be established for purposes of maintenance responsibilities. Where private easements are established (such as with Innovative Housing standards) to meet open space requirements, property owners will be held responsible for maintenance responsibilities via easement language and deed covenants and restrictions. Maintenance systems shall be established prior to occupancy and appropriate documentation provided to the City for verification. Provide easements and CC&R's that demonstrate areas of common ownership at shared open spaces, the shared parking area, the shared accessory structures, the adjoining lot private space access easements at Lots 1, 2, 4, 5, and 6, the common use easements at Lots 3 - 7, and CC&R's for the ownership, maintenance and use of these areas and structures.
10. The applicant shall provide a 3-foot dedication along the site's frontage.

PRIOR TO FINAL PLAT APPROVAL

11. As the proposed private stormwater management facilities onsite benefit multiple lots under separate ownership and maintenance is anticipated to be carried out by an HOA or property management company, an operations and maintenance (O&M) agreement with an approved maintenance plan shall be executed by the property owner and recorded prior to building permit issuance or prior to subdivision plat approval (whichever occurs first). The O&M plan referenced in the O&M agreement must include all elements of the system.
12. All existing and proposed public and private easements required for this development shall be shown on the public facilities construction plans submitted for building permit review as well as on the final subdivision plat.

PRIOR TO PUBLIC FACILITIES CONSTRUCTION PLAN APPROVAL

13. Either the alternative proposed in the applicant's preliminary composite utility plan or the City's alternative proposal to provide separate water service lines off a newly constructed water main in NE 5th Street will be acceptable means of providing domestic water service for the proposed development; however, in either case adequate vertical and horizontal separation between water and sanitary sewer systems shall be provided in accordance with City of Gresham PWS Detail 510.
14. The proposed development shall design a public stormwater conveyance system in the right of way that addresses drainage concerns at the proposed bulb outs and provides a means of overflow to the public system for any onsite runoff not able to be fully retained onsite following the requisite water quality treatment. Unless a design modification request is

approved by the City, the public conveyance shall meet PWS requirements, including but not limited to extending a piped system in the designated utility corridor in NE 5th Street as required by the City.

PRIOR TO BUILDING PERMIT SUBMITTAL

15. The applicant and/or representative may contact the Addressing Coordinator at 503-618-2809 to obtain addresses before submitting for building permits.

WITH BUILDING PERMIT

16. A final stormwater report for the private water quality treatment and retention facilities shall be submitted for review with the building permit submittal. The final stormwater report shall contain calculations that show how the City's water quality and retention standards for the proposed development will be met and shall specifically address the comments for SWMM compliance listed in the "Water Quality and Water Quantity Control" subsection of Section A5.200 in the Development Engineering agency comments.
17. Documentation of the UIC registration (by permit or by rule authorization) from the Department of Environmental Quality (DEQ) for the private horizontal perforated pipe stormwater retention facility shall be provided prior to building permit issuance for the proposed development's onsite improvements. If DEQ does not require registration, documentation from DEQ of this decision shall be provided instead.
18. The proposed solid waste storage area in the accessory structure (located in the parking lot common tract) is subject to the requirements of Section 5.5 of the SWMM, including the requirements for a paved concrete pad and area cover over the garbage storage area to ensure the enclosure is hydraulically isolated (no stormwater allowed to enter).
19. The paved area beneath the cover shall be concrete and sized adequately to cover the activity area for refuse storage or the trash compactor(s) and associated equipment.
20. Either a drain in the solid waste storage room with a minimum 4-inch diameter lateral connection to discharge potential spills to the public sanitary sewer main onsite, or alternatively, if the proposed accessory structure is fully enclosed with no opportunity for stormwater to enter, a spill control plan shall be established as part of the CC&Rs and maintenance agreements for the community to ensure spills will be hydraulically isolated from the stormwater system.
21. Frontage improvements shall be designed to either the standard or alternately approved through a City's Development Engineering design exception.
22. Drawings shall clearly indicate the type and location of landscaping and/or bollard elements necessary to provide separation of the building wall from the parking area at the planter on the east side of Unit 7 and at the northwest corner of the storage building.
23. Drawings shall clearly demonstrate a minimum 3-foot-wide marked or contrasting pedestrian pathway along the west edge of the parking area from the end of the shared walkway to the concrete apron around the waste/storage building.

24. Provide landscape drawings that:
 - a. Include a notation specifying parking area shrubs shall be 24 inches in height at time of planting when measured following ANSI Z60.1-2014 standards.
 - b. Demonstrate only ground cover is to be planted within the 2-foot, 6-inch vehicle overhang at planter areas along the headend of the west and east parking rows.
25. Demonstrate compliance with the standards to provide eight street trees. Alternately, if demonstrated through a fully dimensioned coordinated utility and street tree planting plan that the eight trees cannot be accommodated due to conflicts with utilities and street lighting per the standards of Section 9.1023(H), the applicant shall submit an executed City of Gresham Fee in Lieu of Street Tree form with the street improvements permit submittal, and upon City approval notification provide the associated fee.
26. Drawings shall demonstrate the following sustainable elements are incorporated into the buildings:
 - a. Specify Low VOC (150 gpl or lower) exterior paint and stain; and
 - b. Specify recycled content materials to include: structural wall and roof sheathing, timber framing, flyash in the concrete, insulating materials, gypsum wall board, and cabinetry and finishes.
27. Provide irrigation system drawings or a City of Gresham Deferred Submittal form that lists irrigation system drawings.
28. Drawings shall demonstrate the following:
 - a. Space for a 3-yard garbage container, 90-gallon roll cart for glass, a 350-gallon tub for mixed recycling and possibly two roll carts for yard debris if home owners are responsible for yard maintenance.
 - b. A smooth paving transition (curb cut) from the waste enclosure to the parking lot.
29. Building permit plans shall include a separate "FIRE ACCESS AND WATER SUPPLY PLAN" indicating all the following:
 - a. Provide fire flow from the water purveyor. The fire flow reading must be from within the last year. If construction is of type IIIB, the minimum fire flow for the site will be 1,500 gpm with a 75 percent reduction for fire sprinkler systems. Fire Flow forms will be required to be filled out during the building permit process. OFC App B.
 - b. Each building may be required to be sprinklered if the code's minimum water flow is not available. OFC App B.
 - c. Temporary address of 6 inches shall be provided at each construction entrance prior to any construction materials arriving onsite. Prior to the building finals, permanent address placards will be required conforming with Gresham Fire's addressing policy. The addressing policy can be emailed upon request. OFC 505 & 1401.

- d. Required fire hydrants and access road shall be installed and approved prior to any construction material arriving onsite. OFC 1412.1.
- e. Required Fire Department access roads onsite shall be designed to support an apparatus weighing 75,000 lb. gross vehicle weight. Provide an engineer's letter stating the access road meets those requirements at the time of building permit submittal. OFC, Appendix D, Section D102.1.
- f. "No Parking Fire Lane" signage or curb marking will be required. Fire access roads 20 to 26 feet wide require the marking on both sides. Indicate on the building permit plans. This policy can be emailed upon request. OFC D 103.6.
- g. If a gate is installed on a fire access road, it must meet the requirements of the Gresham Fire Gate Policy. The code requires that the gates have a clear width of 20 feet. A lock box is provided for each gate to allow Fire to take control of the gate. This policy can be emailed upon request. OFC 506.1.
- h. Each public or private fire hydrant used for fire flow for this property shall have a 5-inch Storz adapter with National Standard Threads installed on the 4½-inch fire hydrant outlet. The adapter shall be constructed of high-strength aluminum alloy, have a Teflon coating on the seat and threads, and use a rubber gasket and two (2) set screws to secure it in place. The adapter shall be provided with an aluminum alloy pressure cap. The cap shall be attached to the hydrant barrel or Storz adapter with a cable to prevent theft of the cap. Adapter shall be Harrington HPHA50-45NHWCAP or equal approved by Gresham Fire.
- i. For public hydrants, order the connectors and, once received, contact the Water Operations Supervisor at 503-618-2626 to schedule installation. OFC 507 and NFPA 24-7.1.3.
- j. For private (onsite) fire hydrants the connectors will be inspected under permit by Gresham Fire. OFC 507 and NFPA 24-7.1.3.
- k. Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be blue. They shall be located adjacent and to the side of the centerline of the access roadway on which the fire hydrant is located. In the case that there is no center line, assume a centerline and place the marker accordingly. OFC 508.5.4.
- l. Fire access roads must extend to within 150 feet of all portions of all buildings. OFC 503.1.1.

PRIOR TO ISSUANCE OF BUILDING PERMIT

30. The "owner" shall enter into and record a landscape maintenance agreement as approved by the City. The project planner will provide the landscape maintenance agreement template upon request.

DURING CONSTRUCTION

31. Any work that is required within the tree protection zones of the trees to be retained must be completed under the onsite supervision of the project arborist.

PRIOR TO OCCUPANCY

32. Installation of landscaping and irrigation systems shall be provided in accordance with the approved landscape plans prior to temporary building occupancy unless an appropriate financial guarantee (such as a cash deposit or surety bond) is provided at a 110 percent value to insure said installation. Installation of landscaping and irrigation systems shall be provided prior to any final occupancy.

End of Staff Report

All exhibits and plans referenced in this Staff Report are filed and maintained with the City of Gresham Urban Design & Planning Department and are available for review upon request.