

January-16						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					S&CC 1st Friday CITY OFFICES CLOSED	
3	4	5	Municipal Court	6	7	8
	Planning Comm 7pm	CCI 5:30pm	Water Providers EC 5:30pm	Western WA County Cities Joint Legislative Session 6:15 pm Social; 7pm Program Community Auditorium EDC Noon	WC Mayors JWC - Noon	9
10	11	12		13	14	15
	CITY COUNCIL 5:30 PM - JT EXECUTIVE SESSION CC&URA (Prop) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	Red Cross Blood Drive 1pm - 6pm - Comm Aud Library 6:30pm	Beaverton City Address 7:30pm MPAC 5pm	Mercy Corps 4pm, Fire St PAC 5pm Ford Leadership		16
17	18	19		20	21	22
	FGS&CC Bd Mtg 6:30pm CITY OFFICES CLOSED	Fernhill Wetlands 5:30pm Planning Comm 7pm	Municipal Court P&R 7am CFC 5:15pm CAO 5pm CWAC 5:30pm	B&C Recognition Reception 5:30 pm Social; 7pm Program FG Senior Center Mercy Corps 4pm, Fire St Food Film 7:30pm	Ford Leadership	23
24	25	26		27	28	29
	Chamber Luncheon CITY COUNCIL 5:30 PM - WORK SESSION (B&C Interviews) 6:30 PM - WORK SESSION (Not-For-Profits) 7:00 PM - REGULAR MEETING 8:30 PM - WORK SESSION (Marijuana Regulations) COMMUNITY AUDITORIUM	HLB 7:15pm	PSAC 7:30am MPAC 5pm Tualatin City Address 8pm	WEA Breakfast Mercy Corps 4pm, Fire St Sustainability 6pm Hillsboro City Address 7pm	OMA Board Retreat - LOC	30
31						Annual Town Mtg 9am - Comm Aud
February-16						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
	Planning Comm 7pm	CCI 5:30pm	Municipal Court Metro Equitable Housing Summit-8am Water Providers CB 6:30pm	EDC Noon Tigard City Address 6:30pm	S&CC 1st Friday	6
7	8	9		10	11	12
	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	Red Cross Blood Drive 1pm - 6pm - Comm Aud Library 6:30pm	MPAC 5pm	PAC 5pm	WC Mayors	13
14	15	16		17	18	19
	FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	Fernhill Wetlands 5:30pm	Municipal Court P&R 7am CFC 5:15pm CAO 5pm CWAC 5:30pm	Food Film 7:30pm Ford Leadership	Ford Leadership	20
21	22	23		24	25	26
	Chamber Luncheon - State of City Addresses Cities of Forest Grove & Cornelius CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	HLB 7:15pm	PSAC 7:30am MPAC 5pm	WEA Breakfast Sustainability 6pm	LOC Board Mtg	27
28	29					
March-16						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
		CCI 5:30pm	Municipal Court	EDC Noon	S&CC 1st Friday	NLC
6	7	8		9	10	11
	Planning Comm 7pm	Red Cross Blood Drive 1pm - 6pm - Comm Aud Library 6:30pm	MPAC 5pm	PAC 5pm Ford Leadership	WC Mayors Ford Leadership	12
National League of Cities (NLC) Congressional Conference, Washington, DC						
13	14	15		16	17	18
	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	Fernhill Wetlands 5:30pm	Municipal Court P&R 7am CFC 5:15pm CAO 5pm CWAC 5:30pm	Food Film 7:30pm		19
20	21	22		23	24	25
	Chamber Luncheon FGS&CC Bd Mtg 6:30pm Planning Comm 7pm	HLB 7:15pm	PSAC 7:30am MPAC 5pm	WEA Breakfast Sustainability 6pm		26
27	28	29		30		
	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM					

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CITY COUNCIL MEETING AGENDA

MONDAY, JANUARY 25, 2016

- 5:30 PM – Work Session (B&C Interviews)**
- 6:30 PM – Work Session (Not-For-Profits Contribution)**
- 7:00 PM – Regular Council Meeting**
- 8:30 PM – Work Session (Marijuana Regulations)**

**Community Auditorium
1915 Main Street
Forest Grove, OR 97116**

Forest Grove City Council Meetings are televised live by Tualatin Valley Community Television (TVCTV) Government Access Programming, Ch 30. To obtain the programming schedule, please contact TVCTV at 503.629.8534 or visit <http://www.tvctv.org/government-programming/government-meetings/forest-grove>.

PETER B. TRUAX, MAYOR

Thomas L. Johnston, Council President
Richard G. Kidd III
Victoria J. Lowe

Ronald C. Thompson
Elena Uhing
Malynda H. Wenzl

All meetings of the City Council are open to the public and all persons are permitted to attend any meeting except as otherwise provided by ORS 192. The public may address the Council as follows:

➔ **Public Hearings** – Public hearings are held on each matter required by state law or City policy. Anyone wishing to testify should sign in for any Public Hearing prior to the meeting. The presiding officer will review the complete hearing instructions prior to testimony. The presiding officer will call the individual or group by the name given on the sign in form. When addressing the Council, please use the witness table (center front of the room). Each person should speak clearly into the microphone and must state his or her name and give an address for the record. All testimony is electronically recorded. In the interest of time, Public Hearing testimony is limited to three minutes unless the presiding officer grants an extension. Written or oral testimony is heard prior to any Council action.

➔ **Citizen Communications** – Anyone wishing to address the Council on an issue not on the agenda should sign in for Citizen Communications prior to the meeting. The presiding officer will call the individual or group by the name given on the sign in form. When addressing the Council, please use the witness table (center front of the room). Each person should speak clearly into the microphone and must state his or her name and give an address for the record. All testimony is electronically recorded. In the interest of time, Citizen Communications is limited to two minutes unless the presiding officer grants an extension.

The public may not address items on the agenda unless the item is a public hearing. Routinely, members of the public speak during Citizen Communications and Public Hearings. If you have questions about the agenda or have an issue that you would like to address to the Council, please contact the City Recorder, aruggles@forestgrove-or.gov, 503-992-3235.

City Council meetings are handicap accessible. Assistive Listening Devices (ALD) or qualified sign language interpreters are available for persons with impaired hearing or speech. For any special accommodations, please contact the City Recorder, aruggles@forestgrove-or.gov, 503-992-3235, at least 48 hours prior to the meeting.

**FOREST GROVE CITY COUNCIL AGENDA
JANUARY 25, 2016**

Anna Ruggles, City Recorder Jesse VanderZanden, City Manager	<u>5:30</u>	<u>WORK SESSION: BOARDS, COMMITTEES AND COMMISSIONS INTERVIEWS AND APPOINTMENT CONSIDERATIONS</u>
The City Council will convene in the Community Auditorium – Conference Room to conduct the above work session(s). The public is invited to attend and observe the work session(s); however, no public comment will be taken. The Council will take no formal action during the work session(s).		
Paul Downey, Administrative Services Director Jesse VanderZanden, City Manager	<u>6:30</u>	<u>WORK SESSION: NOT-FOR-PROFITS CONTRIBUTION</u>
The City Council will convene in the Community Auditorium – Conference Room to conduct the above work session(s). The public is invited to attend and observe the work session(s); however, no public comment will be taken. The Council will take no formal action during the work session(s).		
Colleen Winters, Library Director	<u>7:00</u>	<ol style="list-style-type: none"> 1. <u>REGULAR MEETING:</u> Roll Call and Pledge of Allegiance 1. A. <u>EMPLOYEE RECOGNITION:</u> <ul style="list-style-type: none"> ▪ <i>Ann M. Dondero, Library Youth Services, 36 Years of Service</i> 2. <u>CITIZEN COMMUNICATIONS:</u> Anyone wishing to speak to Council on an item <u>not on the agenda</u> may be heard at this time. <i>Please sign-in before the meeting on the Citizen Communications form posted in the foyer.</i> In the interest of time, please limit comments to two minutes. Thank you. 3. <u>CONSENT AGENDA:</u> See Page 4 4. <u>ADDITIONS/DELETIONS:</u> 5. <u>PRESENTATIONS:</u>
Tom Gamble, Parks and Recreation Commission Director Colleen Winters, Library Director	7:15	<ol style="list-style-type: none"> 5.A. <ul style="list-style-type: none"> • <i>“Art In The Park” Selection, presentation by Dana Zurcher, Public Arts Commission (PAC) Chair</i>
Dan Riordan, Senior Planner Jon Holan Community Development Director Jesse VanderZanden, City Manager	7:30	<ol style="list-style-type: none"> 6. <u>CONTINUE PUBLIC HEARING FROM JANUARY 11, 2016: SECOND READING OF ORDINANCE NO. 2016-01 AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT BETWEEN TOKOLA PROPERTIES AND CITY OF FOREST GROVE FOR FOREST GROVE MIXED-USE PROJECT LOCATED NORTH OF PACIFIC AVENUE AND WEST OF A STREET; FILE NO. 311-15-00022-PLNG</u>

**FOREST GROVE CITY COUNCIL AGENDA
JANUARY 25, 2016**

Dan Riordan, Senior Planner Jon Holan Community Development Director Jesse VanderZanden, City Manager	8:00	7. <u>PUBLIC HEARING AND ORDER NO. 2016-01 APPROVING DESIGN REVIEW FOR THE FOREST GROVE DOWNTOWN MIXED-USE PROJECT (LOCATED NORTH OF PACIFIC AVENUE AND WEST OF A STREET). FILE NO. 311-15-00022-PLNG</u>
Dan Riordan, Senior Planner Jon Holan Community Development Director Jesse VanderZanden, City Manager	8:10	8. <u>PUBLIC HEARING AND ORDER NO. 2016-02 APPROVING SITE DEVELOPMENT REVIEW FOR THE FOREST GROVE DOWNTOWN MIXED-USE PROJECT (LOCATED NORTH OF PACIFIC AVENUE AND WEST OF A STREET). FILE NO. 311-15-00022-PLNG</u>
Paul Downey, Administrative Services Director Jesse VanderZanden, City Manager	8:20	9. <u>RESOLUTION NO. 2016-08 AUTHORIZING CITY MANAGER TO EXECUTE OREGON PUBLIC SERVICE RETIREMENT PLAN COVERAGE AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND THE STATE OF OREGON FOR NEWLY HIRED POLICE OFFICERS AND FIREFIGHTERS TO PARTICIPATE IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS)</u>
Jon Holan, Community Development Director Jesse VanderZanden, City Manager	<u>8:30</u>	10. <u>WORK SESSION: MARIJUANA REGULATIONS</u> The City Council will reconvene in the Community Auditorium to conduct the above work session(s). The public is invited to attend and observe the work session(s); however, no public comment will be taken. The Council will take no formal action during the work session(s).
City Councilors	9:05 15min	11. <u>CITY COUNCIL COMMUNICATIONS:</u>
Jesse VanderZanden, City Manager	9:20 5min	12. <u>CITY MANAGER'S REPORT:</u>
Peter Truax, Mayor	9:25 5min	13. <u>MAYOR'S REPORT:</u>
	<u>9:30</u>	14. <u>ADJOURNMENT:</u>

**FOREST GROVE CITY COUNCIL AGENDA
JANUARY 25, 2016**

3. **CONSENT AGENDA:** Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the remaining Consent Agenda item(s).
- A. Approve Council and Urban Renewal Agency Board Joint Executive Session (Real Property) Meeting Minutes of January 11, 2016.
 - B. Approve City Council Regular Meeting Minutes of January 11, 2016.
 - C. Accept Library Commission Meeting Minutes of December 8, 2015.
 - D. Accept Parks and Recreation Commission Meeting Minutes of December 16, 2015.
 - E. Accept Planning Commission Meeting Minutes of December 7, 2015, and January 5, 2016.
 - F. Accept Public Arts Commission Meeting Minutes of August 13, September 10, November 12 and December 10, 2015.
 - G. Endorse New Liquor License Application (Full On-Premises) for Bites Restaurant, 2014 Main Street (Applicant: Thomas Gilstrap).
 - H. Endorse New Liquor License Application (Full On-Premises) for Kama'aina, LLC, 1910 Main Street, Suite A (Applicant: Kevin Yamada).
 - I. Accept Resignation on Committee for Citizen Involvement (CCI) (Martha Ochoa, Term Expiring January 31, 2016).
 - J. **RESOLUTION NO. 2016-07 MAKING REAPPOINTMENT TO COMMITTEE FOR CITIZEN INVOLVEMENT (CCI) (Reappointing Briana Larios, Student Advisor, Term Expiring January 31, 2017).**
-



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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>WORK SESSION:</u>
FINAL ACTION:	_____

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *January 25, 2016*

PROJECT TEAM: *Anna D. Ruggles, CMC, City Recorder*

SUBJECT TITLE: *B&C Interviews and Appointment Considerations*

ACTION REQUESTED:

<input type="checkbox"/>	Ordinance	<input type="checkbox"/>	Order	<input type="checkbox"/>	Resolution	<input type="checkbox"/>	Motion	<input checked="" type="checkbox"/>	Informational
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X all that apply

BACKGROUND:

Attached you will find the following items for the Boards, Committees, and Commissions interview(s) scheduled for Monday, January 25, 2016, City Council Work Session.

- Boards, Committees, Commissions Number of Vacancies;
 - Possible Interview Questions; and
 - Application(s) attached:
- I. Karen Hessen who lives inside the city – Library Commission and Public Safety Advisory Commission
 - II. Elizabeth Beechwood who lives inside the city – Library Commission
 - III. Larissa Whalen Garfias who lives inside the city – Historic Landmarks Board

Council interviewed two applicants on November 23, 2015; applications are attached:

- I. Thomas Epler who resides outside of the city – Community Forestry Commission
- II. Jane Burch-Pesses who resides outside of the city – Community Forestry Commission and Sustainability Commission

Council interviewed two applicants on December 14, 2015; applications are attached:

- I. Michael Howell who resides inside the city – Budget Committee and Community Forestry Commission
- II. Kenneth Cobleigh who resides inside the city – Sustainability Commission, Community Forestry Commission, Parks and Recreation Commission and Planning Commission

STAFF RECOMMENDATION:

Conduct interview of the applicant(s) who expressed interest in serving on the Advisory Boards, Committees, and Commissions (B&C). Staff requests Council make determinations of new appointment(s) as the City’s annual B&C recruitment has closed. Resolutions making appointments shall be considered at the next regular Council Meeting.

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2016 BOARDS, COMMITTEES & COMMISSIONS VACANCIES

COMMISSION	REQUIREMENTS	# VACANCIES	EXPIRES
BUDGET Meets in April/May	7 – Members 3 – Year Term; All members must live in City per ORS		
COMMITTEE FOR CITIZEN INVOLVEMENT Meets 1 st Tuesday, 5:30 pm	7 – Members - 4 – Year Term Student Advisor	1 – Vacancy 1 – Vacancy 1 – Vacancy	01/31/20 01/31/20 01/31/20
COMMUNITY FORESTRY COMMISSION Meets 3 rd Wednesday, 5:15 pm	7 – Members - 3 – Year Term 3 members may live outside City – Currently 3 Student Advisor	1 – Vacancy 1 – Student Vacancy	12/31/16 12/31/16
ECONOMIC DEVELOPMENT COMMISSION Meets 1 st Thursday, Noon	19 – Members - 3 – Year Term 6 Public & Non-Profit; 12 Business 1 At-Large Student Advisor	1 – Student Vacancy	12/31/16
HISTORIC LANDMARKS BOARD Meets 4 th Tuesday, 7:15 pm	7 – Members - 4 – Year Term 2 members may live outside City – Currently 0 Student Advisor	1 – Vacancy 1 – Vacancy 1 – Student Vacancy	12/31/16 12/31/16 12/31/16
LIBRARY Meets 2 nd Tuesday, 6:30 pm	7 – Members - 2 – Year Term Student Advisor	1 – Vacancy 1 – Vacancy	12/31/17 12/31/17
PARKS & RECREATION COMMISSION Meets 3 rd Wednesday 7:00 am	9 – Members - 4 – Year Term 3 members At-Large – Currently 2 2 members may live outside City – Currently 1 1 member each district: NNW = Forest Glen, Knox Ridge, Thatcher/Loomis; NW = Lincoln, Hazel Sills, Aquatic Center, Talisman; SW = Rogers; SE = Joseph Gale; NE = Bard and Stites Parks Student Advisor	1 – Vacancy – SW 1 – Vacancy – At-Large 1 – Student Vacancy	12/31/17 12/31/19 12/31/16
PLANNING COMMISSION Meets 1 st and 3 rd Monday 7:00 pm	7 – Members - 4 – Year Term 2 members may live outside City – Currently 1 1 member in real estate for profit – Currently 1 2 members same trade/occupation – Currently 0		
PUBLIC ARTS COMMISSION Meets 2 nd Thursday, 5:00 pm	9 – Members - 3 – Year Term All members At-Large	1 – Student Vacancy	12/31/16
PUBLIC SAFETY ADVISORY COMMISSION Meets 4 th Wednesday 7:30 am	7 – Members - 4 – Year Term 2 members Rural Fire District – Currently 0 Non-Voting Reps Rural Fire Dist; Chamber; FG School District; and Pacific University	1 – Citizen Fire District 1 – Citizen Fire District 1 – Student Vacancy	12/31/16 12/31/17 12/31/16
SUSTAINABILITY COMMISSION Meets 4 th Thursday 6:00 pm	13 – Members - 4 – Year Term 3 At-Large; Voting Reps Clean Water Services; Economic At-Large; Educator; Ethnic/Cultural Affiliation; FG School District; Non-Profit Service; Pacific University; Sustainable Business; 1 Pacific University Student; and 1 – FG High School Student		

Possible Questions for B&C Applicant Interviews:

Please feel free to use any questions and/or information that you wish in order to conduct a successful interview. Please note: 5-7minutes are allotted for question and answer time.

If there were one area you've always wanted to improve upon, what would that be?

What can you offer the advisory board on which you would like to serve?

What are some of your proudest achievements?

What ideas do you have for increasing citizen involvement in Forest Grove?

Is there an area in which you think the City may be letting its citizens down? If so, what would that be?

What do you see as a critical need or a major concern facing the City?

Do you favor growth or do you feel the City is currently big enough?

How would you respond to an unpopular decision that is strongly criticized by the public? Such as making an unpopular decision that may go against property owners' desire or that is not supported by your friends and neighbors.

What ideas do you have that would help Forest Grove become a more sustainable community?

Do you have any grant-writing experience? _____

In addition, Mayor, please ask:

Do you have any conflict with the meeting date(s) and time(s) of the advisory board to which you have applied? _____

If we cannot appoint you to your first choice, are there any other advisory boards that interest you?

May we keep your application on file? _____

Do you have any questions for us? _____

Note: Once Council renders a decision on the status of the selected appointment(s), the City Recorder will notify applicant soon thereafter.



CITIZEN ADVISORY BOARDS, COMMITTEES

INTERVIEW
Jan 25, 2016
5:30pm

RECEIVED
DEC 9 5 REC'D
BY:

(Please complete, sign and date application form and return to:
City of Forest Grove
Attn: Anna Ruggles, City Recorder
1924 Council Street • P. O. Box 326
Forest Grove, OR 97116-0326
Fax • 503.992.3207 Office • 503.992.3235
aruggles@forestgrove-or.gov

Please check the Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

- Budget Committee 3-4 times in May
- Committee for Citizen Involvement 1st Tuesday, 5:30pm
- Community Forestry Commission 3rd Wednesday, 5:15pm
- Economic Development Commission 1st Thursday, Noon
- Historic Landmarks Board 4th Tuesday, 7:15pm
- Library Commission 2nd Tuesday, 6:30pm
- Parks & Recreation Commission 3rd Wednesday, 7am
- Planning Commission 1st & 3rd Monday, 7pm
- Public Arts Commission 2nd Thursday, 5pm
- Public Safety Advisory Commission 4th Wednesday, 7:30am
- Sustainability Commission 4th Thursday, 6pm

NAME: Karen R. Hesse HOME PHONE: [REDACTED]
 RESIDENCE ADDRESS: [REDACTED] BUSINESS PHONE: [REDACTED]
 MAILING ADDRESS: Same E-MAIL: [REDACTED]
 EMPLOYER: retired OCCUPATION/PROFESSION: writer-letter carrier

Years living in Forest Grove? 20 Live in City limits? yes How did you hear of this opportunity? Eye Forest Grove

How would you currently rate City's performance? Excellent Good Fair Poor

What ideas do you have for improving "Fair" or "Poor" performance? _____

Why are you interested in serving on the Advisory Board/Committee/Commission? I now have the time to be involved in the community and want to help it & the people when I delivered mail here

What contributions do you feel you can/will make to the Board/Committee/Commission? Knowledge of the city & the people, open-minded, no agenda except what is good for the city

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? Knowledge of the city, degree in health & safety studies

Previous/current appointed or elected offices: none in F. Local School Site Council Tom Miller

Previous/current community affiliations or activities: Member F.G. Christian Church

If not appointed at this time, may we keep your name on file? Yes No
 Signature: Karen Hesse Date: 12-2-2015
I have sufficient time to devote to this responsibility and will attend the required meetings if appointed

(App 01/14)



Duplicate

SUBMIT

CITIZEN ADVISORY BOARDS, COMMITTEES, & COMMISSIONS

RECEIVED
DEC 15 REC'D
BY:

(Please complete, sign and date application form and return to:
City of Forest Grove
Attn: Anna Ruggles, City Recorder
1924 Council Street • P. O. Box 326
Forest Grove, OR 97116-0326
Fax • 503.992.3207 Office • 503.992.3235
aruggles@forestgrove-or.gov

Please check the Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

- Budget Committee 3-4 times in May
Committee for Citizen Involvement 1st Tuesday, 5:30pm
Community Forestry Commission 3rd Wednesday, 5:15pm
Economic Development Commission 1st Thursday, Noon
Historic Landmarks Board 4th Tuesday, 7:15pm
Library Commission 2nd Tuesday, 6:30pm
Parks & Recreation Commission 3rd Wednesday, 7am
Planning Commission 1st & 3rd Monday, 7pm
Public Arts Commission 2nd Thursday, 5pm
Public Safety Advisory Commission 4th Wednesday, 7:30am
Sustainability Commission 4th Thursday, 6pm

NAME: Karen R. Hesson
RESIDENCE ADDRESS: [Redacted] Vic Road, Forest Grove, OR 97114
MAILING ADDRESS: Sumner
EMPLOYER: Retired
HOME PHONE: [Redacted]
BUSINESS PHONE: [Redacted]
E-MAIL: [Redacted]
OCCUPATION/PROFESSION: Mail Carrier

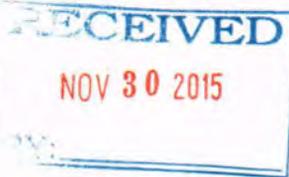
Years living in Forest Grove? 20 Live in City limits? yes How did you hear of this opportunity? Flyer Forest Grove
How would you currently rate City's performance? [X] Good
What ideas do you have for improving "Fair" or "Poor" performance?

Why are you interested in serving on the Advisory Board/Committee/Commission? I now have the time to be involved in the community & grew to love it & the people when I delivered mail here.
What contributions do you feel you can/will make to the Board/Committee/Commission? Knowledge of the people & the city. I am open-minded, have no agenda except what is good for the city.
What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? Degree in health & safety with an emphasis in safety. Knowledge of the city.
Previous/current appointed or elected offices: Local School Bd Council - Tom McCall
Previous/current community affiliations or activities: Member Forest Grove Christian Church
If not appointed at this time, may we keep your name on file? Yes No
Signature: [Handwritten Signature] Date: 12-2-2015
I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.



CITIZEN ADVISORY BOARDS, COMMITTEES, &

INTERVIEW
Jan 25, 2016
5:40 pm



(Please complete, sign and date appli

City of Forest Grove
Attn: Anna Ruggles, City Recorder
1924 Council Street • P. O. Box 326
Forest Grove, OR 97116-0326
Fax • 503.992.3207 Office • 503.992.3235
aruggles@forestgrove-or.gov

Please check the Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

<input type="checkbox"/> Budget Committee	3-4 times in May	<input type="checkbox"/> Parks & Recreation Commission	3rd Wednesday, 7am
<input type="checkbox"/> Committee for Citizen Involvement	1st Tuesday, 5:30pm	<input type="checkbox"/> Planning Commission	1st & 3rd Monday, 7pm
<input type="checkbox"/> Community Forestry Commission	3rd Wednesday, 5:15pm	<input type="checkbox"/> Public Arts Commission	2nd Thursday, 5pm
<input type="checkbox"/> Economic Development Commission	1st Thursday, Noon	<input type="checkbox"/> Public Safety Advisory Commission	4th Wednesday, 7:30am
<input type="checkbox"/> Historic Landmarks Board	4th Tuesday, 7:15pm	<input type="checkbox"/> Sustainability Commission	4th Thursday, 6pm
<input checked="" type="checkbox"/> Library Commission	2nd Tuesday, 6:30pm		

NAME: Elizabeth Beechwood HOME PHONE: [REDACTED]
 RESIDENCE ADDRESS: [REDACTED] Limpus Lane, Forest Grove BUSINESS PHONE: _____
 MAILING ADDRESS: same E-MAIL: [REDACTED]
 EMPLOYER: Washington County/ Animal Services OCCUPATION/PROFESSION: Admin. Assistant

Years living in Forest Grove? 1 Live in City limits? yes How did you hear of this opportunity? vol. at library

How would you currently rate City's performance? Excellent Good Fair Poor

What ideas do you have for improving "Fair" or "Poor" performance? _____

Why are you interested in serving on the Advisory Board/Committee/Commission? Becoming active in and contributing to the community.

What contributions do you feel you can/will make to the Board/Committee/Commission? I have experience working in libraries in Alaska, Washinaton, Oregon, and California.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? I have experience working in libraries, managing a book store, and my undergrad deegree is Liberal Arts/Literature and my Master's deegree is in creative writing.

Previous/current appointed or elected offices: none

Previous/current community affiliations or activities: none

If not appointed at this time, may we keep your name on file? Yes No

Signature: <u>Elizabeth Beechwood</u>	Date: <u>11/29/15</u>
<i>I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.</i>	

(App 01/14)



CITIZEN ADVISORY BOARDS, COMMITTEES, & C

INTERVIEW
Jun 25, 2016
5:50 pm

RECEIVED
NOV 25 2015

(Please complete, sign and date application form and return to:

City of Forest Grove
Attn: Anna Ruggles, City Recorder
1924 Council Street • P. O. Box 326
Forest Grove, OR 97116-0326
Fax • 503.992.3207 Office • 503.992.3235
aruggles@forestgrove-or.gov

Please check the Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

<input type="checkbox"/> Budget Committee	3-4 times in May	<input type="checkbox"/> Parks & Recreation Commission	3 rd Wednesday, 7am
<input type="checkbox"/> Committee for Citizen Involvement	1 st Tuesday, 5:30pm	<input type="checkbox"/> Planning Commission	1 st & 3 rd Monday, 7pm
<input type="checkbox"/> Community Forestry Commission	3 rd Wednesday, 5:15pm	<input type="checkbox"/> Public Arts Commission	2 nd Thursday, 5pm
<input type="checkbox"/> Economic Development Commission	1 st Thursday, Noon	<input type="checkbox"/> Public Safety Advisory Commission	4 th Wednesday, 7:30am
<input checked="" type="checkbox"/> Historic Landmarks Board	4 th Tuesday, 7:15pm	<input type="checkbox"/> Sustainability Commission	4 th Thursday, 6pm
<input type="checkbox"/> Library Commission	2 nd Tuesday, 6:30pm		

NAME: Larissa Whalen Garfias

RESIDENCE ADDRESS: Breanna Street, Forest Grove, OR 97116

MAILING ADDRESS: (as above)

EMPLOYER: Virginia Garcia Memorial Health Center

HOME PHONE: [REDACTED]

BUSINESS PHONE: [REDACTED]

E-MAIL: [REDACTED]

OCCUPATION/PROFESSION: Physician Assistant

Years living in Forest Grove? 11 Live in City limits? Yes How did you hear of this opportunity? FYI Forest Grove

How would you currently rate City's performance? Excellent Good Fair Poor

What ideas do you have for improving "Fair" or "Poor" performance? _____

Why are you interested in serving on the Advisory Board/Committee/Commission? Forest Grove has an incredibly rich history and I want to be a part of preserving that for my young children and their children who will follow. I would also appreciate the opportunity to learn from those in our community who have dedicated themselves to this cause.

What contributions do you feel you can/will make to the Board/Committee/Commission? History excites me - especially local history. Though I have much to learn about the historical preservation of Forest Grove's buildings. my passion for her history will hopefully allow me to become a valuable member of this board.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? I have studied and researched Forest Grove's early history with a concentration on the early 1900's. I am a writer and I enjoy teaching - these two strengths could be used to help excite the community about preserving our unique local history.

Previous/current appointed or elected offices: N/A

Previous/current community affiliations or activities: N/A

If not appointed at this time, may we keep your name on file? Yes No

Signature: [Handwritten Signature] Date: 11/27/15

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

(App 01/14)

APPLICANTS INTERVIEWED

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RECEIVED
SEP 11 2015
BY: _____

Interviewed
Nov 23, 2015
5:45pm

APPLICATION FOR CITIZENS ADVISORY BOARDS, COMMITTEES & COMMISSIONS

Please check the Advisory Board(s) on which you would like to serve. (If interested in more than one, please note order of preference):

- | | |
|---|--|
| <input type="checkbox"/> Budget Committee | <input type="checkbox"/> Library Commission |
| <input type="checkbox"/> Committee for Citizen Involvement | <input type="checkbox"/> Parks & Recreation Commission |
| <input checked="" type="checkbox"/> Community for Forestry Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Economic Development Commission | <input type="checkbox"/> Public Arts Commission |
| <input type="checkbox"/> Historic Landmarks Board | <input type="checkbox"/> Public Safety Advisory Commission |

SEEKING REAPPOINTMENT: Reappointments interviewed at Council's discretion.

_____ # of term(s) previously served _____ % of previous attendance.

Name: Thomas Epler Home Phone: _____

Residence Address: _____ Business Phone: _____

Address: _____ sw Old Highway 47 E-mail Address: _____

Mailing Address: _____ Occupation Profession: Sales and operations

Employer: EF Nursery Inc.

Years lived in Forest Grove? 29 Do you reside within City limits? NO How did you hear of this opportunity? Commission member

How would you currently rate the City's performance? Excellent Good Fair Poor

What ideas do you have for improving "Fair" or "Poor" performance? _____

Why are you interested in serving on the Advisory Board/Commission(s)? I am interested in a position since trees are such a needed and undervalued portion of our city, undervalued by the general public, and feel the need to help inform them.

What contributions do you feel you can/will make to the Board/Commission(s)? Being an employee of EF Nursery, I feel that I can bring the grower perspective to the commission that is lacking.

What qualifications, skills, or experiences would you bring to the Board/Commission(s)? With the city planting trees at 2" caliper, I feel that I can help everyone with how the trees will look now as opposed to the mature look and size.

Previous appointed or elected offices: 2 terms as Vice President of the Northwest Bison Association

Previous/current community affiliations and activities: Vp of NWBA, Treasurer of Pi Kappa Phi at OSU

May we keep your name on file if not appointed at this time? YES NO (10/08)

CITY OF FOREST GROVE P.O. BOX 326 FOREST GROVE, OR 97116-0326 503-992-3200 FAX 503-992-3207

INTERVIEW
Nov 23, 2015
6pm



(Please complete, sign and date application form and return to:

City of Forest Grove
Attn: Anna Ruggles, City Recorder
1924 Council Street • P. O. Box 326
Forest Grove, OR 97116-0326
Fax • 503.992.3207 Office • 503.992.3235
aruggles@forestgrove-or.gov

Please check the Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

<input type="checkbox"/> Budget Committee	3-4 times in May	<input type="checkbox"/> Parks & Recreation Commission	3 rd Wednesday, 7am
<input type="checkbox"/> Committee for Citizen Involvement	1 st Tuesday, 5:30pm	<input type="checkbox"/> Planning Commission	1 st & 3 rd Monday, 7pm
<input checked="" type="checkbox"/> Community Forestry Commission	3 rd Wednesday, 5:15pm	<input type="checkbox"/> Public Arts Commission	2 nd Thursday, 5pm
<input type="checkbox"/> Economic Development Commission	1 st Thursday, Noon	<input type="checkbox"/> Public Safety Advisory Commission	4 th Wednesday, 7:30am
<input type="checkbox"/> Historic Landmarks Board	4 th Tuesday, 7:15pm	<input checked="" type="checkbox"/> Sustainability Commission	4 th Thursday, 6pm
<input type="checkbox"/> Library Commission	2 nd Tuesday, 6:30pm		

NAME: Jane Burch-Pesses HOME PHONE: [REDACTED]

RESIDENCE ADDRESS: [REDACTED] SE Sierra St., Hillsboro, OR 97123 BUSINESS PHONE: [REDACTED]

MAILING ADDRESS: 2004 Main St., Suite 200, FG, OR 97116 E-MAIL: [REDACTED]

EMPLOYER: self OCCUPATION/PROFESSION: Acupuncturist

Years living in Forest Grove? 0 Live in City limits? no How did you hear of this opportunity? a friend

How would you currently rate City's performance? Excellent Good Fair Poor

What ideas do you have for improving "Fair" or "Poor" performance? _____

Why are you interested in serving on the Advisory Board/Committee/Commission? I would like to support and promote tree planting and tree care in Forest Grove. I would also like to see a co-operative business in Forest Grove similar to the in Cleveland to provide reliable jobs.

What contributions do you feel you can/will make to the Board/Committee/Commission? I care about these issues and I have worked in bureaucracies before (Navy vet) so I understand that it requires a long view to get anything done, and also a willingness to pay attention to details and do what is required.

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? I am currently working with the DCCFW on our tree gleaning project. I shepherded the DCCFW through the 501(c)3 application, assisted the state acupuncture association in rewriting their by-laws, etc.

Previous/current appointed or elected offices: Membership director for Oregon Acupuncture Assoc. 2002 to 2003

Previous/current community affiliations or activities: Dairy Creek Community Food Web (DCCFW)

If not appointed at this time, may we keep your name on file?

Yes No

Signature: Jane Burch-Pesses Date: 10/15/15
I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

(App 01/14)

NOV 06 2015

BY:

Interview
Dec 14, 2015
6:00pm

APPLICATION FOR CITIZENS ADVISORY BOARDS, COMMITTEES & COMMISSIONS

Please check the Advisory Board(s) on which you would like to serve. (If interested in more than one, please note order)

- Budget Committee
- Committee for Citizen Involvement
- Community for Forestry Commission
- Economic Development Commission
- Historic Landmarks Board
- Library Commission
- Parks & Recreation Commission
- Planning Commission
- Public Arts Commission
- Public Safety Advisory Commission

SEEKING REAPPOINTMENT: Reappointments interviewed at Council's discretion.

0 # of term(s) previously served. _____ % of previous attendance.

Name: Michael Howell Home Phone: [REDACTED]
 Residence Address: [REDACTED] Business Phone: [REDACTED]
 Mailing Address: [REDACTED] Willamina ave Forest Grove E-mail Address: [REDACTED]
 Employer: Howell Tree Farm Occupation Profession: land manager

Years lived in Forest Grove? 27 Do you reside within City limits? yes How did you hear of this opportunity? David Mizel

How would you currently rate the City's performance? Excellent Good Fair Poor

What ideas do you have for improving "Fair" or "Poor" performance? _____

Why are you interested in serving on the Advisory Board/Commission(s)? I would like to give back while being more involved with my community.

What contributions do you feel you can/will make to the Board/Commission(s)? As a young member of the community I bring a new

What qualifications, skills, or experiences would you bring to the Board/Commission(s)? I have science & business degrees from linn benton. I run a land mgmt company centered around timber. I understand tactical & strategic planning.

Previous appointed or elected offices: none

Previous/current community affiliations and activities: none

May we keep your name on file if not appointed at this time? YES NO

(10/08)



CITIZEN ADVISORY BOARDS, COMMITTEES

INTERVIEW
Dec 14, 2015
6:10pm

RECEIVED
NOV 12 2015
BY:

(Please complete, sign and date application form and return to:
City of Forest Grove
Attn: Anna Ruggles, City Recorder
1924 Council Street • P. O. Box 326
Forest Grove, OR 97116-0326
Fax • 503.992.3207 Office • 503.992.3235
aruggles@forestgrove-or.gov

Please check the Advisory Board on which you would like to be considered for appointment. If interested in serving on multiple Boards, please list the order of preference (1-10). Terms vary. (Please note: The meeting dates/times are subject to change with advance notice).

<input type="checkbox"/> Budget Committee	3-4 times in May	<input checked="" type="checkbox"/> 3 Parks & Recreation Commission	3 rd Wednesday, 7am
<input type="checkbox"/> Committee for Citizen Involvement	1 st Tuesday, 5:30pm	<input checked="" type="checkbox"/> 4 Planning Commission	1 st & 3 rd Monday, 7pm
<input checked="" type="checkbox"/> 2 Community Forestry Commission	3 rd Wednesday, 5:15pm	<input type="checkbox"/> Public Arts Commission	2 nd Thursday, 5pm
<input type="checkbox"/> Economic Development Commission	1 st Thursday, Noon	<input type="checkbox"/> Public Safety Advisory Commission	4 th Wednesday, 7:30am
<input type="checkbox"/> Historic Landmarks Board	4 th Tuesday, 7:15pm	<input checked="" type="checkbox"/> 1 Sustainability Commission	4 th Thursday, 6pm
<input type="checkbox"/> Library Commission	2 nd Tuesday, 6:30pm		

NAME: Kenneth A. Cobleigh HOME PHONE: [REDACTED]
 RESIDENCE ADDRESS: [REDACTED] Hawthorne FG 97116 BUSINESS PHONE: [REDACTED]
 MAILING ADDRESS: _____ E-MAIL: [REDACTED]
 EMPLOYER: None, semi retired OCCUPATION/PROFESSION: Engineer / semi retired

Years living in Forest Grove? 1+ Live in City limits? Yes How did you hear of this opportunity? Newsletter

How would you currently rate City's performance? Excellent Good Fair Poor

What ideas do you have for improving "Fair" or "Poor" performance? Keep on track - for a small town of 23,000 or so, I think a good job is being done overall, but to be excellent, we must focus on growth and environmental impacts more closely. A good example is Fern Hill Wetlands, which we all love. A noticeable achievement, with volunteers!

Why are you interested in serving on the Advisory Board/Committee/Commission? To have a say in how the future is realized; to fulfill a need of community involvement; to foster relationships of Forest Grove to Washington County and the State of Oregon; to ensure FG is affordable and livable; to be locally b involved in environmental concerns.

What contributions do you feel you can/will make to the Board/Committee/Commission? I am a 35 year veteran systems engineer, so I pay attention to the details while ensuring the bigger picture is not lost or negatively affected in any way. I am both an excellent listener and speaker, have an environmental background, & have served the public before

What qualifications, skills, or experiences would you bring to the Board/Committee/Commission? 1) Avid writer 2) Active listener 3) An engineer (need I say more?) 4) Excellent note keeper 5) Financier 6) Environmentalist 7) Activist 8) Enthusiastic 9) Have the time to focus on these positions 10) Can put things in laymen terms fore all to identify with.

Previous/current appointed or elected offices: None so far...

Previous/current community affiliations or activities: SeaTac and other Seattle gardens, food banks, The Nature Conservancy

If not appointed at this time, may we keep your name on file? Yes No

Signature: Ka Cobleigh Date: 11/7/15
 I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

(App 01/14)



Memorandum

TO: City Council

FROM: Jesse VanderZanden, City Manager
Paul Downey, Director of Administrative Service

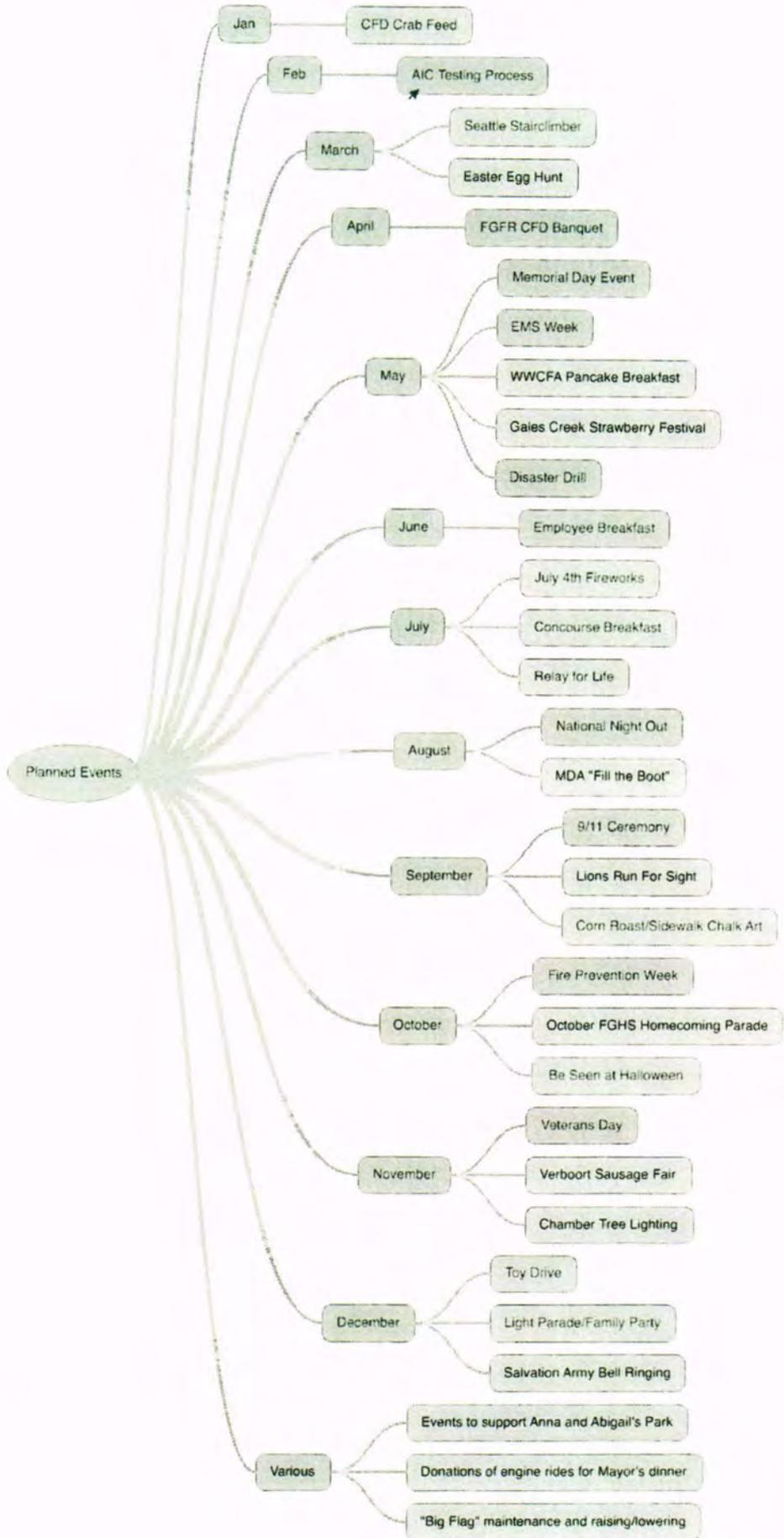
CC:

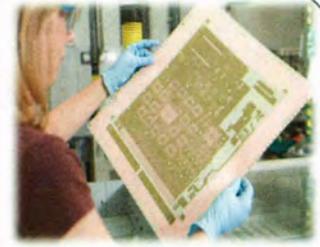
DATE: January 25, 2016

SUBJECT: Contribution Policy Discussion

During the FY 2015-16 budget process, the Budget Committee was considering the funding request from the Forest Grove Senior and Community Center. Some councilors questioned the process for allocating funds to not-for-profits (NFP) and how other NFP could be considered for funding. The outcome of the discussion was that staff would bring the topic of NFP funding to the Council at a work session prior to the preparation of the FY 2016-17 Budget. Attached is a Powerpoint which provides some history and lays out a frame work for the discussion.

FIRE DEPARTMENT





Contribution Policy Discussion

Council Work Session
January 25, 2016

A place where businesses and families thrive.

Basis for Work Session

- During FY2015-16 Budget Committee meetings, discussion was held on the request for a \$35,000 contribution to the Forest Grove Senior and Community Center
- The City has been making a contribution to the Senior Center for several decades as part of the budget process
- A few councilors asked what was the process for other not-for-profits under IRS code section 501(c)(3) (NFP) to request funding from the City. Staff responded there is nothing stopping any not-for-profit from asking for funding but there is not a formal process
- Council members directed staff to come back at work session to discuss City funding of NFP

History

- FY 1991-92 - Social service agency donation allocation was set at 1/10% of operating budget; contributions had happened for many years prior
- FY 1992-93 - \$21,095 was distributed in funding
- FY 1994-95 – Budget reductions due to Measure 5 eliminated the social services agency donation allocation.
- FY 1996-97 – separate line item of \$10,000 for Senior Center was approved as part of budget process. This line item has continued since then.

Current City Contributions

- Asked the departments to list cash contributions made to not-for-profit organizations or non-cash contributions that utilize City resources such as staff time and/or equipment
- Objective of this is to give Council a summary of contributions currently being made
- The following list is probably not all-inclusive

Current City Contributions

- General Fund Contributions
 - Admin. Services – Senior Center excluding building maintenance of City-owned building
 - FY 15-16 - \$35,000; FY 14-15 - \$30,000; FY 13-14 - \$22,500
 - Parks – load of bark chips delivered once or twice a year
 - Aquatics – donated for fundraisers annually (on average) – 25 to 35 10-time punch pass; 50 to 100 one-time admission passes; two 3-month family memberships
 - Fire Department – wide variety of events during the year – see handout – some involves paid-time for staff and/or off-duty staff or volunteers – difficult to quantify direct City cost

Current City Contributions

- Light and Power Department
 - Cash contributions - \$1,500 total – FG Uncorked, Corn Roast, Christmas Light Parade
 - Non- cash contributions –
 - Hang Christmas Decorations – 2 days of time for six linemen and 2 bucket trucks
 - Hang Street Banners – average 104 banners per year – crew and bucket truck
 - Bucket trucks and crew at functions such as Corn Roast and National Night Out – 3 man crew normally 3 to 5 hours
 - Participate in events such as High School Homecoming Parade and Christmas Light Parade
- Public Works Department
 - Periodic donation (maybe two per year) of surplus fire hydrants for NFP fundraisers – includes staff time to clean-up and paint the hydrant

Policy Discussions

- **Types of funding requests**
 - Annual Operations – example of this would be the City’s annual contribution to the Senior Center
 - Intermittent Events – City receives requests from NFP to donate to its fundraising efforts – example of this would be City receives periodic requests from NFP to purchase tables at fundraising events

Annual Operations Funding

- Examples of policy considerations
 - Does City want to re-establish such funding and open it to all NFPs? If yes, consider following:
 - Will a designated amount of funding be available or will all requests be considered without a funding cap
 - Budget source of funds
 - What criteria will be established for funding considerations
 - Tie funding requests to City vision and goal
 - Consider overall financial strength of NFP
 - Establish process for evaluating requests – in the 1990s, allocating \$21,000 in these funds added an extra budget committee meeting

Intermittent Event Requests

- The City frequently receives requests from NFP to purchase tables at fundraising events – currently no budgeted funds to do this
- Does the Council wish to establish a policy about City funding of NFP's fundraising efforts
 - One policy question to consider is should taxpayer dollars be used to support NFP fundraising
- If yes, what will be process to make decisions when these requests come in and how much could be budgeted for this activity

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CERTIFICATE OF RETIREMENT

Awarded to

Ann Dandera

Youth Services Librarian

**In Recognition of 36 Dedicated Years of Service to the
City of Forest Grove and Citizens of Forest Grove**

The Forest Grove City Council sincerely thanks you for your exceptional employment and years of service and is so honored to have had you as an employee of the City of Forest Grove since 1980.



FOREST
GROVE OREGON

place where businesses and families thrive.

*Peter B. Truax, Mayor
Forest Grove City Council
January 21, 2016*

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3A

**FOREST GROVE CITY COUNCIL and URBAN RENEWAL AGENCY BOARD
 JOINT EXECUTIVE SESSION
 ORS 192.660(2)(E) REAL PROPERTY TRANSACTION
 JANUARY 11, 2016 – 5:30 P.M.
 COMMUNITY AUDITORIUM – CONFERENCE ROOM
 PAGE 1**

Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Peter Truax called the Joint Executive Session with Council and Urban Renewal Agency Board to order at 5:30 p.m. **ROLL CALL: COUNCIL AND URBAN RENEWAL AGENCY BOARD (URA) PRESENT:** Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Ronald Thompson; Elena Uhing (via telephone conference call); Malynda Wenzl; and Mayor Peter Truax (URA Chair). **STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Elsner, City Attorney; Paul Downey, Administrative Services Director; Jon Holan, Community Development Director; Jeff King, Economic Development Manager (via telephone conference call at Uhing's residence); and Anna Ruggles, City Recorder. VanderZanden introduced two ECO Northwest and two Tokola Properties consultants who were present.

2. EXECUTIVE SESSION:

The City Council and Urban Renewal Agency Board met in Joint Executive Session in accordance with:

ORS 192.660(2)(E) to deliberate with persons designated by the governing body to negotiate in real property transactions.

3. ADJOURNMENT

Mayor Truax (URA Chair) adjourned the Executive Session at 6:57 p.m.

Respectfully submitted,

 Anna D. Ruggles, CMC, City Recorder



A place where businesses and families thrive.

<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>3B</u>
FINAL ACTION:	_____

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *January 26, 2016*

PROJECT TEAM: *Anna Ruggles, CMC, City Recorder*

SUBJECT TITLE: *City Council Regular Meeting Minutes of January 11, 2016*

ACTION REQUESTED:

<input type="checkbox"/>					
	Ordinance	Order	Resolution	Motion	Informational

X all that apply

Item 3. B. Approve City Council Regular Meeting Minutes of January 11, 2016, will be submitted prior to the regular Council meeting of Monday, January 25, 2016, due to staff vacation schedule.

**FOREST GROVE CITY COUNCIL REGULAR MEETING
JANUARY 11, 2016 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 1**

Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:13 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL**

PRESENT: Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Ronald Thompson; Malynda Wenzl; and Mayor Peter Truax.

COUNCIL ABSENT: Elena Uhing, excused. **STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; Rob Foster, Public Works Director; Tom Gamble, Parks and Recreation Director; Jon Holan, Community Development Director; Dan Riordan, Senior Planner; Derek Robbins, Project Engineer; Michael Kinkade, Fire Chief (in the audience); Jeff King, Economic Development Manager (in the audience); and Anna Ruggles, City Recorder.

1. A. AWARD PRESENTATION:

Sheri Wantland, Clean Water Services, Public Involvement Coordinator, presented the City Council with the *Pacific Northwest Clean Water Association's 2015 Sustainability Award*, noting the award was awarded to Fernhill Wetlands NTS, Clean Water Services, City of Forest Grove and Fernhill Wetlands Council, in recognition of projects that showcase exceptional sustainable design elements in the Pacific Northwest region.

2. CITIZEN COMMUNICATIONS: None.

3. CONSENT AGENDA: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the remaining Consent Agenda item(s).

- A. Approve City Council Work Session (Tokola Properties Project) Meeting Minutes of December 14, 2015.
- B. Approve City Council Work Session (B&C Interviews) Meeting Minutes of December 14, 2015.
- C. Approve City Council Work Session (Police COPS Grant) Meeting Minutes of December 14, 2015.
- D. Approve City Council Regular Meeting Minutes of December 14, 2015.

**FOREST GROVE CITY COUNCIL REGULAR MEETING
JANUARY 11, 2016 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 2**

- E. Accept Community Forestry Commission Meeting Minutes of October 21 and November 18, 2015
- F. Accept Historic Landmarks Board Meeting Minutes of November 24, 2015.
- G. Accept Library Commission Meeting Minutes of November 12, 2015.
- H. Accept Parks and Recreation Commission Meeting Minutes of November 9, 2015.
- I. Accept Planning Commission Meeting Minutes of November 2, 2015.
- J. Accept Public Safety Advisory Commission Meeting Minutes of October 28, 2015.
- K. Community Development Department Monthly Building Activity Informational Report for December 2015.
- L. **RESOLUTION NO. 2016-01 DESIGNATING CITY OF FOREST GROVE CITY COUNCIL MEETINGS FOR YEAR 2016.**
- M. **RESOLUTION NO. 2016-02 MAKING REAPPOINTMENT TO COMMUNITY FORESTRY COMMISSION (Reappointing Lance Schamberger, Term Expiring December 31, 2018).**
- N. **RESOLUTION NO. 2016-03 MAKING REAPPOINTMENT TO LIBRARY COMMISSION (Reappointing Pamela Bailey, Term Expiring December 31, 2017).**
- O. Accept Resignation on Parks and Recreation Commission (Todd Winter, SW, Term Expiring December 31, 2017).
- P. **RESOLUTION NO. 2016-04 MAKING REAPPOINTMENT TO PUBLIC ARTS COMMISSION (Reappointing Kathleen Leatham, Term Expiring December 31, 2018).**
- Q. **RESOLUTION NO. 2016-05 MAKING REAPPOINTMENT TO SUSTAINABILITY COMMISSION (Reappointing Edgar Sanchez-Fausto, Student Advisory, Term Expiring December 31, 2016).**

MOTION: Councilor Kidd moved, seconded by Councilor Lowe, to approve the Consent Agenda as presented. **ABSENT:** Councilor Uhing. **MOTION CARRIED 6-0 by voice vote.**

- 4. **ADDITIONS/DELETIONS:** None.
- 5. **PRESENTATIONS:**
 - 5. A. **Latino Summit Report:**
Brian Schimmel, Sustainability Commission Chair; Karin Pfeiffer-Hoyt,

**FOREST GROVE CITY COUNCIL REGULAR MEETING
JANUARY 11, 2016 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 3**

Vice Chair; Edgar Sanchez-Fausto, Student Advisor, and Araceli Román Peralta, Adelante Mujeres, presented a PowerPoint presentation and executive summary report recapping the Forest Grove Latino Community Summit, noting the summit was held May 20, 2015, and was organized by the Social Equity workgroup of the Sustainability Commission, as well as partnering with Adelante Mujeres and Pacific University and support from the United Church of Christ and Sunrise Church, for the purpose of focusing on identifying and addressing barriers to civic engagements among underserved populations in Forest Grove, which is a target area of the Sustainability Commission's Action Plan. The group reported approximately 45 Latino community members attended, as well as Council members, Mayors of Forest Grove and Cornelius, City staff and Forest Grove School District representative, noting the summit was conducted in Spanish with English interpretation and the focus groups asked various questions and received feedback from attendees, which identified primary barriers to civic engagements as lack of voice; lack of bilingual/bicultural communications; feelings of deep separation between Latino community and the predominant culture; and wanting a better relationship with police. In addition, the group reported the recommendations identified were bilingual/bicultural communication and events to build trust and improve communication channels and education and outreach, such as increasing family and youth activities and volunteerism, connecting Latino community interests and values with advisory citizen boards and exploring the possibility of a Latino community liaison on City staff. In conclusion of the above-noted presentation, the group indicated the next steps are to plan a second summit in spring 2016 and seek a Community Enhancement Program grant to fund a pilot project to translate City-related written information into Spanish. The group addressed various Council inquiries and scenarios posed pertaining to social media and language barriers and student advisors serving on the City's boards, committees and commissions. In addition, Council commended the Sustainability Commission for their community outreach efforts. At the conclusion of the above-noted discussion, Mayor Truax mentioned potential legislation that would make English the official language of the United States.

5. B. Food Waste Composting Survey Results:

Downey presented a PowerPoint presentation recapping the Food Waste Composting Program Public Forum held on December 9, 2015, noting nine members of the public attended as well as City and County staff, Sustainability Commission members and industry representative, noting

**FOREST GROVE CITY COUNCIL REGULAR MEETING
JANUARY 11, 2016 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 4**

six of the attendees were in favor of implementing the program and staff received five calls opposing the program. Downey reported the City has been evaluating a program to combine food waste from the regular waste stream with yard debris so food waste is also composted, noting as part of the program implementation, the City with assistance of Washington County Cooperative Recycling Program has applied for a \$27,256 grant from the Oregon Department of Environmental Quality (DEQ) for kitchen pails to collect food waste before it is taken out to yard debris/food waste recycling roll cart. Downey indicated the objectives of the program are to reduce the amount of material the City sends to the landfill and reduce the life impacts of food by recovering food scraps for compost, noting Waste Management estimates 245 tons annually will be diverted once volume builds up. In addition, Downey added after reviewing Waste Management's proposed costs to implement the program, staff is recommending a \$1.45 per month rate increase (instead of \$1.68 per month with the additional \$0.20 per month to fund education efforts as originally proposed) to single-family residential customers, noting Washington County Cooperative Recycling Program will partner with the City and is committing staff time and funds to develop, print and distribute educational material to help implement the program. In conclusion of the above-noted presentation, Downey advised if the Council affirms willingness to implement the program, staff needs to inform DEQ that the City is committed to implementing the program as part of the grant evaluation process and, if so, staff will bring back a rate increase proposal to Council at a later date to fund the new program and staff will begin working with Washington County Cooperative Recycling Program to develop educational materials so the program is ready for implementation by May 1, 2016. At the conclusion of the above-noted discussion, Mayor Truax asked for a motion and voice vote affirming the Council's willingness to implement the Food Waste Composting Program.

MOTION: Councilor Lowe moved, seconded by Councilor Wenzl, based on the City's Vision Statement and Council goals on sustainability efforts, affirming to proceed with implementing the Food Waste Composting Program.

VOICE VOTE: AYES: Councilors Kidd, Lowe, Thompson, Wenzl, and Mayor Truax. NOES: Council President Johnston. ABSENT: Councilor Uhing. MOTION CARRIED 5-1.

6. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2016-

**FOREST GROVE CITY COUNCIL REGULAR MEETING
JANUARY 11, 2016 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 5**

**01 AUTHORIZING THE CITY MANAGER TO ENTER INTO A
DEVELOPMENT AGREEMENT BETWEEN TOKOLA PROPERTIES
AND CITY OF FOREST GROVE FOR FOREST GROVE MIXED-USE
PROJECT LOCATED NORTH OF PACIFIC AVENUE AND WEST OF A
STREET; FILE NO. 311-00022-PLNG**

Staff Report:

Riordan and Holan presented the above-proposed ordinance for first reading, noting the proposed ordinance is requesting to authorize the City Manager to enter into a Development Agreement with Tokola Properties to allow for development of Phase I, a four story, mixed-use residential apartment and commercial development project comprised of 78-apartment units (including five live-work units), approximately 2,500 square feet of commercial space, 94 parking spaces, and a privately constructed/publicly accessible plaza area comprised of approximately 2,900 square feet on 1.53 acres located north of Pacific Avenue and west of A Street in downtown Forest Grove (former Times Litho property). Holan advised the matter before the Council this evening is on the Development Agreement, which is a Type IV land use review process requiring Council approval, noting the Disposition and Development Agreement (DDA) is a separate action and should not be discussed as part of this evening's land use hearing (refer below). Holan added the Development Agreement is necessary to accommodate project density and other design features necessary to achieve the City's redevelopment objectives for the property. Riordan provided background information as outlined in the staff report, noting the City solicited requests for development proposals in 2014 and, as a result, entered into an exclusive agreement with Tokola Properties in 2015 in order to refine the project concept based on the City's objectives for the property. Riordan referenced the following attachments to the staff report: Attachment A., Application for Development Agreement, Site Plan Review and Design Review for Forest Grove Mixed-Use Building, dated November 20, 2015; Attachment B., Design Review and Development Agreement (Plan sheets and Diagrams), dated November 20, 2015; Attachment C., Staff Report to Planning Commission, dated December 7, 2015; Attachment D., Planning Commission Minutes, dated December 7, 2015; Attachment E., Planning Commission Decision 2015-05, dated December 11, 2015; Attachment F., Supplemental Traffic Analysis, dated December 15, 2015 (Kittleson and Associates); and Attachment G., proposed Ordinance Authorizing the City Manager to enter into Development Agreement (Exhibit A) with Tokola Properties. Holan and Riordan explained the land use review criteria

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addresses three relevant elements of submittal requirements as outlined in the Development Code Sections 10.2.350 (Design Review Criteria); 10.2.450 (Site Development Review Criteria); and 10.2.840 (Development Agreement Review Criteria), noting the approval of the Design Review and Site Development are required by separate Orders and will be scheduled on the January 25, 2016, Council meeting agenda, pending second reading and adoption thereof of the above-noted ordinance. In addition, Holan and Riordan recapped the Planning Commission hearing, noting the Planning Commission recommended approving the Development Agreement, Site Development Review and Design Review and not included in the Planning Commission's finding, the Commission also passed a motion recommending Council look at pedestrian safety around the site to require crosswalks for each leg of Pacific Avenue and A Street intersection for pedestrian safety and passed a second motion recommending Council make an agreement with developer for future egress on B Street. In conclusion of the above-noted staff report, Holan and Riordan advised staff is recommending Council approve the proposed ordinance and accept the Planning Commission's Conditions of Approval as stated in Decision No. 2015-05 (Attachment E). In addition, Holan and Riordan reported Tokola Properties is seeking public assistance to address project-funding gaps and to make the project feasible, noting any public assistance provided to the project will be addressed by the City through the Urban Renewal Agency (URA) through a separate DDA at a future URA meeting.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2016-01 for first reading.

VanderZanden read Ordinance No. 2016-01 by title for first reading.

MOTION: Councilor Kidd moved, seconded by Councilor Thompson, to adopt Ordinance No. 2016-01 Authorizing the City Manager to Enter into a Development Agreement between Tokola Properties and City of Forest Grove for Forest Grove Mixed-Use Project located North of Pacific Avenue and West of A Street; File No. 311-000022-PLNG.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

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Written Testimony Received:

Cherie Sovioe Tintary, owner of Heritage Salon, 1918 21st Avenue, submitted an e-mail to Riordan dated January 7, 2016, regarding parking concerns.

Russ Dondero, Forest Grove, submitted an e-mail to Council dated December 30, 2015, asking to send the plan back to the Planning Commission for further review to persuade the developer to make the complex more inclusive of a range of incomes for the benefit of all residents because the plan does not mention any rental units for incomes below 50 percent of area median income (AMI).

Rhoda Markus, Cornelius, submitted an e-mail to Council dated January 3, 2016, asking to make modification to the current plan to include a percentage of affordable housing units as well as in any multiple unit projects.

No other written testimony was received prior to the deadline of January 11, 2016, 7:00 p.m.

Applicant's Proposal:

Dwight Unti, President/Owner of Tokola Properties; Jeff Edinger, Vice President of Tokola Properties; and Eric Gernard and Jim Walker, Studio C Architects, Applicant/Developer Representatives, who reported Tokola Properties is an Oregon-based real estate development firm and long-term investors, focused on designing quality, urban communities with a focus on sustainability and health, safe and inspiring communities. Tokola reported Forest Grove was selected for its authentic and charming historic main street district, strong community commitment to downtown revitalization, opportunity to make a difference, and a community with a bright long-term future. Tokola representatives presented a PowerPoint presentation highlighting the Design Review and development plans, noting Phase I is proposing a four-story, mixed-use development with 73 luxury apartments (studio to three bedrooms), five live-work units, common residential amenities and ground floor commercial space all choreographed in a well-crafted urban mixed-use building that honors the historic downtown Forest Grove. Included in the design plan is an urban plaza facing Pacific Avenue, a large rain garden that will embrace the project's most public side, an innovate green roof structure that will function to shelter parking while providing a unique visual opportunity, a

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bike room, elevator access, a fourth floor community terrace for residents, and 94 parking slots with security entry gate access. Tokola reported they designed the building to the scale, materiality and articulation of existing buildings in the downtown area and windows and doors were shaped and designed as well as how datum lines and building heights interacted within a building and also between adjacent structures in a way that honors the historic design principles while not creating a false sense of history with new construction. In addition, Tokola highlighted a slide showing Phase II, massing plan, noting potential uses for Phase II may include 50 to 55 unit luxury apartments, 55 to 60 room boutique hotel, or office, retail center, condominiums, townhouse or other mixed uses. In conclusion of the above-noted presentation, Tokola reported the site development plan complies with all applicable development design standards and it ensures compatibility with surrounding uses, noting the project will provide new sidewalks between existing street curb and building along A Street as well as planting new street trees and promotes safe, attractive and usable pedestrian facilities that connect building entrances, public sidewalks, bicycle and transit facilities.

Proponents:

Dale Buck, 1526 Willamina Avenue, Forest Grove, reported she is the manager of Tokola Properties, located at Fourth and Main in Hillsboro. Buck indicated at the Planning Commission meeting on December 7, 2015, she heard concerns about traffic and parking, noting she urged commissioners to visit Hillsboro's site to get a better viewpoint. Buck added that street parking at the Hillsboro site is limited to two-hour parking, noting not all residents own vehicles and the few who do own vehicles park in the complex parking lot not on the street.

Camille Miller, 2410 Pansy Court, Forest Grove, formerly-elected Forest Grove Councilmember, reported she is thrilled with the proposed project; however, she is concerned with retail parking, which she pointed out has been a concern of hers for about 40 years. Miller encouraged the City to enforce its parking regulations to encourage movement in retail areas.

No one else testified and no other written comments were received.

Opponents:

Jennifer Yocum, 1323 Hawthorne Street, Forest Grove, reported she is the pastor of Forest Grove United Church of Christ, noting they have been running a homeless shelter for about eight years. Yocum voiced concern

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of raising the benchmark on rental prices, noting her recommendation to Council is that they do all they can to have affordable housing especially on city-owned property.

Russ Dondero, 1506 Limpus Lane, Forest Grove, submitted written testimony and a booklet titled "A Road Home, 10-Year Plan to End Homelessness, 2015 Homeless Assessment Report to Board of County Commissioners, Year 7: A Summary of Outcomes and Challenges". Dondero advocated for the homeless and need for low-income housing in Forest Grove, noting the development is designed for luxury apartments and does not mention any rental units for low-income residents at the 50 percent and below of AMI. In addition, Mayor Truax referenced the above-noted e-mail submitted by Dondero dated December 30, 2015.

Victoria Eaton, 2716 19th Place, #9, Forest Grove, advocated for the homeless and need for low-income housing in Forest Grove, noting she is concerned the development is designed for luxury apartments.

Barbara Malizia, 1620 22nd Avenue, Forest Grove, signed in but was not present when name was called.

Celeste Goulding, 3081 Sunset Avenue, Forest Grove, voiced concern regarding market rate housing, noting she encourages Council to develop a community-based consortium that is advising and taking into account affordable housing versus market rate housing.

Tom Beck, 1324 Hawthorne Street, Forest Grove, provided clarification as the Chair of the Planning Commission about the motions the Commission made at the Commission hearing (motions referenced in the staff report and staff presentation above). Beck reported the Commission was concerned about traffic flow and intersections at all four crossings at Pacific Avenue and A Street. Beck pointed out if the Commission had seen the proposal as one whole property, the Commission would have had conditions of approval instead of motions. Beck explained the Commission did not see Phase II, which the applicant presented this evening, noting he would like to see an agreement having an exit coming out on B Street to relieve pressure on A Street. In addition, Beck reported at the last Commission meeting, the Commission considered the Development Code and discussed the change in definition of net acreage, noting the vote was split two to two with four members present at the meeting. In addition, Beck indicated his personal opinion not that of the

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Commission is that he thinks the project as a standalone is a beautiful project; however, as a redevelopment project, using public money, on city-owned property, Beck stated he thinks it is wrong for Forest Grove and agreed that much more needs to be done for Forest Grove's population. Beck added that Phase II should have low-cost housing because that is what Forest Grove needs.

Sean Clapshaw, 2038 17th Avenue, Forest Grove, indicated he is not opposed to the project and is looking forward to getting new businesses; however, Clapshaw noted because the project is city-owned property, he encourages Council to think about the property and perhaps having a community center, such as a YMCA.

Joshua Coleman, 2314 A Street, Forest Grove, supported comments heard regarding requiring affordable, low-income housing units.

No one else testified and no written comments were received.

Council Discussion:

Hearing no discussion from the Council, Mayor Truax recessed the Public Hearing until the next meeting of Monday, January 25, 2016.

Public Hearing Recessed:

Mayor Truax recessed the Public Hearing until the next Council meeting of Monday, January 25, 2016.

7. PUBLIC HEARING AND RESOLUTION NO. 2016-06 FIXING WATER SYSTEM DEVELOPMENT CHARGES FOR THE CITY OF FOREST GROVE AND REPEALING SECTION 1 OF RESOLUTION NO. 2007-64

Staff Report:

Robbins and Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is increasing Water System Development Charges (SDC) from \$4,820 to \$5,478 (3/4 inch water meter or less) based on the City's update of capital improvement needs and consultant's financial analysis. Robbins reported at the Council work session held on April 27, 2015, Council raised the question of establishing specific areas to charge different Water SDC. Robbins advised at this time, staff is recommending postponing further discussion for area specific SDC until more work is done to analyze costs of providing services in different areas, noting future analysis will update

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information from the Westside Planning Study on the potential number and type of housing units in the David Hill area. In conclusion of the above-noted staff report, Robbins and Downey advised staff is recommending Council approve the resolution increasing the Water SDC as proposed.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2016-06.

VanderZanden read Resolution No. 2016-06 by title.

MOTION: Councilor Lowe moved, seconded by Councilor Thompson, to approve Resolution No. 2016-06 Fixing Water System Development Charges for the City of Forest Grove and Repealing Section 1 of Resolution No. 2007-64.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Testimony Received:

No written testimony was received prior to the deadline of January 11, 2016, 7:00 p.m.

Proponents:

No one testified and no written comments were received.

Opponents:

Al Jeck, Venture Properties, 4230 Galewood Street, Suite 100, Lake Oswego, submitted written testimony, noting the proposed Water SDC increase is a 14 percent increase over the existing Water SDC. Jeck indicated they are currently developing the third phase of Pacific Crossing and hope to develop the fourth phase this spring; however, their biggest concern is affordability, pointing out the cost to obtain building permits, including the SDC fees, for most homes built in Forest Grove is over \$30,000, noting when taking into totality the other fees charged to build a new house in Forest Grove, it just further decreases housing affordability.

Jon Kloor, Home Builders Association, 1555 SW Bang Road, Suite 301, Lake Oswego, submitted written testimony, noting they appreciate the needs of communities having suitable infrastructure; however, everyone

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must be cognizant of the impacts, both individually and cumulative, of SDC and other associated fees on housing affordability. Kloor noted they would like to collaborate with the City in future discussions concerning development issues, such as SDC modification and future concept planning, as a way to avoid the fate of our counterparts to the north and south.

No one else testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Kidd voiced concern that he did not have convincing input for the proposed increase and comparison to other jurisdictions, to which Downey referenced the planned capital improvement projects. In addition, Kidd voiced concern about fire sprinkler requirements for single-family dwellings, to which Fire Chief Kinkade addressed, noting a 3/4-inch connection would work.

Council President Johnston noted the public needs to know the costs are for connectivity to the system not connection from the street.

Lowe referenced various projects the City is anticipating, spoke about the City's aging system and need for water, noting she would have liked to see the Water SDC cost higher.

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Johnston, Kidd, Lowe, Thompson, Wenzl, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

8. WORK SESSION: MARIJUANA-RELATED ACTIVITIES (PROPOSED AMENDMENTS TO CITY CODE)

Due to time, VanderZanden postponed the above-noted work session to a date uncertain.

9. COUNCIL COMMUNICATIONS:

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Due to time, Mayor Truax postponed Council Communications to the next Council meeting of January 25, 2016.

10. CITY MANAGER'S REPORT:

Due to time, Mayor Truax postponed City Manager's Report to the next Council meeting of January 25, 2016.

11. MAYOR'S REPORT:

Due to time, Mayor Truax postponed Mayor's Report to the next Council meeting of January 25, 2016.

12. ADJOURNMENT:

Mayor Truax adjourned the regular meeting at 9:57 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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APPROVED

Library Commission approved minutes as presented on Jan 12, 2016.

1. CALLED TO ORDER AND ROLL CALL:

Pamela Bailey, Chair, called the meeting of the Library Commission to order at 6:30PM on Tuesday December 8, 2015.

Members Present: Pamela Bailey, Chair; Doug Martin; Jon Youngberg, Secretary; Kathleen Poulsen, Vice-Chair;

Members Absent: Mitchell Faris, Student; Nickie Augustine;

Staff: Colleen Winters, Library Director

Council Liaison: Malynda Wenzl

Others: None

2. ADDITIONS/DELETIONS: None.

3. APPROVE LIBRARY COMMISSION MEETING MINUTES OF (Nov 12, 2015):

MOTION: Doug moved, seconded by Jon, to approve the November 12, 2015 minutes as amended. **MOTION CARRIED** by all.

4. CITIZEN COMMUNICATIONS: None.

5. INFORMATIONAL ITEMS:

5a. FOUNDATION REPORT: Colleen Winters reported about the Library Foundation of Forest Grove:

- a) The Foundation board has not met recently.
- b) See the Library Foundation of Forest Grove's web site (www.fglf.org).

5b. FRIENDS REPORT: Colleen Winters reported about the Friends of the Forest Grove Library:

- a) Online book sales continue to do well, on Amazon.com, "Forest Grove Friends" are listed the sellers for these books.
- b) Tues Dec 1, 2015 Cultural Series talk on coffee roasting by Nathan Palmer was very interesting and well-attended.

c) The Friends web site is at: fglibraryfriends.org.

5c. COUNCIL LIAISON REPORT :

- a) Our appearance at a work session with the City Council went well. That all Library Commission members attended and participated was seen positively.
- b) An urban renewal project update is scheduled at the next City Council mtg.
- c) City Council will be considering the start of a proposal on food composting.

5d. LIBRARY DIRECTOR'S REPORT: Colleen Winters reported these items:

- a) There are still two vacancies on the Library Commission. The City Council is currently interviewing applicants for other B & Cs. How to get the applicants to also consider being on the Library Commission as well?
- b) Will talk to Library Commission soon, about ideas for a "New Adult" mini collection coming for 18 to 21-year olds.
- c) Robyn Cram's 30th-year service anniversary party here at library.
- d) During our recent major rainy period, the library suffered multiple leaks, mostly near some south-facing windows. Necessary minor repairs being considered.
- e) The library's annual "Wassail Party" was held on the very busy "Christmas in the Grove" day in downtown, Sat Dec 5 from 1 to 4pm. Four different classical music groups played during the event. There were baked items, and punch to drink. There were many attendees. Parking was a problem.
- f) New furniture for the Children's area of the library has all been ordered. Some pieces have arrived. Will possibly coordinate a dedication event with Ann Dondero's (35-year) retirement party.
- g) The WCCLS county-wide library levy did pass in Nov, and with a 60% approval vote here in Forest Grove. This is considered a very positive result, and a positive change from the past!
- h) Colleen discussed what this might mean for our Forest Grove library. That our library might get "more" from WCCLS than last year. There are new libraries and new branches planned in Hillsboro (maybe two), Cornelius, and Cedar Mill, and some may be allocated for them. There could be a "reserve fund" for technology enhancements. There could be additions to funds for non-expanding libraries that wish to increase services, open hours, and various programs.
- i) The changes to WCCLS funding amounts, formulas, and policies are being discussed on committees by Jesse VanderZanden, Paul Downey, and Colleen.
- j) The budget process here in Forest Grove, including for the library, will start in January, to be finished in June 2016.

6. DISCUSSION OF ITEMS:

a) Teen Area Presentation by Amy Gregory (adult services, focuses on teens).

1) A variety of changes have been made and will be made in the Teen area of the library, including: Better offerings and more programming for teens. A new Facebook page. Crafts and “upcycling”. More changes coming, for example: no library catalog is required in the Teen area.

2) Furniture changes in the Teen area. Larger tables removed. Bean bag “chairs”, lounging type of chairs, with new chairs coming from extra \$8000 received from WCCLS in late 2015.

3) Observed that teens are less likely to want to go to the Teen area if adults are present. Teens want “their own space”. Library wants it to be a safe and appealing place for teens. Side-effect: Area becomes attractive for all library visitors, just as for the Children’s area, or the Spanish-language area. Problem: How to keep adults out, either during after-school hours, or during all library open hours?

4) It is a national trend for libraries to reserve a Teen area. Cedar Mill and Beaverton libraries have a reserved Teen area. This is a proposal for our library, hoping to figure out how to do? What are other libraries doing, and how?

5) Collection being rearranged in Teen area. Creating displays with shelving. Some DVDs and CDs are being moved out. Teens can make book recommendations to each other. List: “Books that make you think about the world” and section “Hidden Gems” of books that haven’t circulated recently. Updated signage to make clear it is a Teen area? Furniture will also give a clue?

6) Date not decided for a Teen area re-opening event with treats, hot choc., on a Friday night after closing hours. Has had teen advisors, informal input.

b) “Future of the Forest Grove City Library” Strategic Planning process continues.

1) The library staff has taken all the input from the second big planning meeting but has not yet processed the info or made changes from the four general categories of ideas established after the first big planning meeting. “Community” shows up a lot, in many comments. The idea of “Partnerships” seemed important.

2) Colleen said that the library staff would produce a report soon for presentation and for budget proposals as input to the 2016 budget process. It was noted that many of the detailed new activities and changes would not need to be part of a budget proposal, that they would be done, with little or no budget effects.

c) Library Commission Survey ideas for 2016.

1) Library staff also asked how to get positive and negative feedback about current library services and levels of services. The Library Commission felt that this would be something worthwhile for it to consider and tackle in 2016, almost surely

with a survey.

2) How do we capture why people are coming to the library, and how they are using it? Questions we might ask could include: “How do you use the library?”, “What one improvement would you suggest?”, “What one library service would you miss the most, if it went away?”

3) The last library survey was a long time ago (at least 4 years ago), and they used to be held more regularly. Doug said that we always learned useful information from past surveys.

4) Malynda volunteered to host our Annual Retreat (in Feb or Mar) and the survey (as well as our other 2016 plans) would be a major topic of discussion.

d) Joint Work Session with City Council – was Monday Nov 23 6-7PM.

1) The Library Commission met with the City Council for about 40 minutes between 6 and 7PM on Mon Nov 23, before the regular City Council meeting, for a joint work session. A very nice dinner and dessert were also provided. The Library Commission explained the general directions we would like to see the library head (that is, the output from our strategic planning process), as well as explain the formal planning process that was used. Of some interest was that we used community input, rather than use an expensive consultant. This was a great way to have a conversation with the City Council.

2) Pamela gave a short PowerPoint presentation, with all Library Commission members present and participating. The City Council did ask questions: a. What are our ideas of future expansion of the library (time-wise, location-wise)? b. Is our relationship with WCCLS as good as it could be? Are we getting all the funds we could receive from them? Are we doing all that they want us to do?

7. ANNOUNCEMENT OF NEXT MEETING:

The next Library Commission meeting will be held on Tues Jan 12, 2016 at 6:30PM in the Rogers Conference Room at the Forest Grove Library.

8. ADJOURNMENT:

Hearing no further business, Chair Bailey adjourned the meeting at 8PM.

Minutes respectfully submitted by:

Jon Youngberg, Library Commission Secretary

APPROVED

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PARKS AND RECREATION COMMISSION REGULAR MEETING
WEDNESDAY, DECEMBER 16, 2015
COMMUNITY AUDITORIUM CONFERENCE ROOM
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1) **ROLL CALL:**

- a) Commissioners – Brad Bafaro, Quinn Johnson, Howard Sullivan, Susan Taylor, Jeremiah Toews, Glenn VanBlarcom and Paul Waterstreet. Absent – Ralph Brown and Todd Winter.
- b) Council Liaison – Tom Johnston
- c) Staff – Tom Gamble, Steve Huffman and Cindy Donovan.

2) **CITIZEN COMMUNICATIONS:** None

3) **APPROVAL OF MINUTES:** The minutes of the November 18, 2015 meeting were approved.

4) **ADDITION/DELETIONS:** None

5) **OLD BUSINESS:**

a) **By-Laws Update**

- i) Work is continuing on this.

b) **C.E.P. Update**

- i) Jeremiah presented the Commission with a brochure mock-up.
- ii) The Commission approved parts of the design and made a few changes.
 - (1) Parks listed by number from left to right on the map.
 - (2) Icons for park features with a key, rather than listing them separately.
 - (3) Color and graphics were good.
 - (4) The lighter weight paper was preferred.
 - (5) The City is redoing their logo, so that will be updated.
 - (6) Add the bike trail, a logo to designate the schools and the kiosk on Main Street.
 - (7) Put website links to the City, Metro and Intertwine.

c) **Art In The Park Project**

- i) The sixteen applicants work was reviewed by a committee, who then narrowed the field to five.
- ii) They used the following criteria:
 - (1) Would it fit?
 - (2) Is it indicative of Forest Grove?
 - (3) Is it safe?
 - (4) Is it art?

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- iii) The art will be installed at either Rogers Park or Lincoln Park. Once the selection of the piece is made, the design will drive the placement.
- iv) The Arts Commission had questions on each piece, so they are currently getting answers and asking some artists to re-submit their designs.

6) NEW BUSINESS:

a) Council Creek Trail Presentation

- i) Derek Robbins, Project Manager, presented us with maps and information about this future trail.
- ii) In 2002 Metro adopted the regional trail plan. The Master Plan was published earlier this year.
- iii) Still looking at the trail alignment, costs and phasing options.
- iv) Two sections, North/South and East West.
 - (1) North/South section is less refined and encompasses farmland, which offers challenges with the timing for development. This section would align with Porter Road thru Verboort.
 - (2) East/West involves more detailed planning with the route following the rail line. The Forest Grove rail line has been unused for the last year and is falling into disrepair. ODOT owns the right-of-way.
- v) The section from Hillsboro to Forest Grove is a big focus.
- vi) The entire trail will be 16 miles long and cost an estimated \$50 million dollars, with the Forest Grove segment costing \$4,565,000.
 - (1) Looking at ways to find money and to cut costs.
 - (2) When the alignment is planned and agreed upon, then they can apply for transportation dollars.
- vii) A statewide poll revealed 70% of people bike walk or run and would like places to do it safely.
- viii) Who will be responsible for maintaining the trail is still under discussion.
- ix) Once the plan is approved by the City Council it would probably be ten years until it is completed.
- x) Components of the project:
 - (1) Stakeholder's Advisory Committee
 - (2) Project Advisory Committee
 - (3) Three Public Open Houses
 - (4) Stakeholder's Technical Interviews
 - (5) Final Master Plan Public Comment Period

**PARKS AND RECREATION COMMISSION REGULAR MEETING
WEDNESDAY, DECEMBER 16, 2015
COMMUNITY AUDITORIUM CONFERENCE ROOM
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b) Eagle Scout Projects (New)

- i) Hazel Sills Park
 - (1) Split rail fence to separate people from traffic.
- ii) Thatcher Park
 - (1) Solar chargers for cell phones.
- iii) Lincoln Park
 - (1) Take out the sand pit by Shelter 1, add play equipment that was removed from another park and add woodchip fall material.
- iv) Since 1997 there have been 72 Eagle Scout projects completed in the City.

c) Winter Aquatics Schedule Change

- i) Beginning in January the Aquatic Center will offer an earlier public swim time in the activity pool for children 12 and under and their parents. Monday, Wednesday, Thursday and Friday from 6:45 to 7:30 p.m.
- ii) This will move all the regular swimming lessons during this time to the main pool.

7) COMMISSIONER'S REPORTS:

a) Paul:

- i) The Boards and Commissions dinner is January 21.

8) COUNCIL LIAISON REPORT:

a) Tom:

- i) Work sessions have begun on the Times-Litho property.
- ii) The Council is looking at "Cops Grants".
- iii) The roundabouts at Purdin and David Hill Roads should be completed by the end of 2017.
- iv) Turn lanes at the Hwy 47/Hwy 8 interchange will be completed in the next 6 to 18 months. There is a 50 inch water pipe from Hagg Lake that needs to be moved before the project can continue.

9) STAFF REPORTS:

a) Steve:

- i) I'm retiring April 1!

b) Tom:

- i) Rogers Park has been selected as the site for Anna and Abby's Playground. A private family foundation just gave a gift of \$7,000 to the project. They hope to break ground this summer. Once the playground design has been finalized

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then the City will hire a landscape architect for the project. As part of the project a bathroom will be installed and the tennis courts will be repaired.

- ii) There will be a brick campaign to raise funds for the “Art in the Park” installation.

10) ANNOUNCEMENT OF NEXT MEETING: The next meeting will be Wednesday, January 20 at 7:00 a.m.

11) ADJOURNMENT: The meeting was adjourned at 8:25 a.m.

APPROVED

PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM

December 7, 2015-7:00 P.M.

PAGE 1 of 8

1. CALL TO ORDER:

Chairman Beck called the meeting to order at 7:00 p.m.

Planning Commission Present: Tom Beck, Sebastian B. Lawler, Lisa Nakajima, Dale Smith, Phil Ruder, Carolyn Hymes, and Hugo Rojas.

Absent: None.

Staff Present: Jon Holan, Community Development Director; Dan Riordan, Senior Planner; Cassi Bergstrom, Stand-In for Assistant Recorder.

2. PUBLIC MEETING:

2.1 PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS: None.

2.2 PUBLIC HEARING:

Chairmen Beck read the following:

Planning Commission approval of a development agreement, site development review and design review for a mixed-use development project comprised of 78-apartment units, approximately 2,500 square feet of commercial space and 94 parking spaces on a 1.53 acre portion of a site known as the Times-Litho property. The property is located north of Pacific Avenue and west of A Street in downtown Forest Grove.

The hearing procedures were then read through, and no challenge was made toward the hearing.

Staff Report:

Community Development Director Jon Holan explained that the Tokola project is viewed as a catalytic project investing in the Forest Grove town center. The definitions of DA (Development Agreement-the land use action) and DDA (Disposition and Development Agreement-financial aspects) were given, and it was stated that the financial aspect (DDA) of the project is not part of tonight's discussion. It will be further discussed by the City Council in January.

Mr. Holan also noted that a Memorandum was received to Dan Riordan, Sr. Planner, from Jim Walker, Studio C Architect, in regards to the modification of some conditions of approval, and there is no staff objection to the proposed changes.

Sr. Planner Dan Riordan entered two documents into the record: One being the Memorandum from Mr. Walker, and the other being draft findings and conditions of approval. Chairman Beck suggested that a vote be taken on the recommendation to City Council for the project, and take a second vote on the findings. Mr. Holan agreed.

Mr. Riordan gave a presentation on the project, and started by explaining the three land use applications under consideration: Site Development Review, Design Review, and Development Agreement. These can be concurrently considered, but all need to be presented to City Council for approval. Under the Development Code the review process is based on the highest numbered application type. Approval of a Development Agreement is a Type IV (Legislative) application so all applications are reviewed as Type IV. Type IV applications require City Council approval.

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Mr. Riordan got into the specifics of the project and the proposal by the developer, Tokola properties, with a Power Point presentation. The property is known as the "Times Litho" block, and the project shown as Phase 1 on the site plan is approximately 1.5 acres in size. A description of the vicinity of the project was presented, and it was noted that the remaining portion of the property facing B Street is possible phase II of the project. In regards to the project overview, 78 market rate apartments will be constructed with 5 of those apartments available as live/work space along Pacific Avenue. Chairman Beck asked to define live/work space, and Mr. Riordan answered that it is likely a space to live upstairs and commercial space downstairs. Chairman Beck questioned if it allows the tenant to live in the commercial space of the building. Mr. Holan suggested the applicant be asked regarding the specificity of the space. Mr. Riordan explained retail space on the ground floor is to be 2,500 square feet in addition to the live/work and residential living space, along with 2,900 square feet of public plaza. Mr. Riordan went on to say it is a 4 story structure at 55 feet high, with parking underneath a portion of the building. Chairman Beck asked for clarification on the stories of the building. Mr. Holan clarified that the first story and the parking are on the same level with 3 additional stories over it.

Mr. Riordan continued to describe the project as catalytic, resulting in more investment in the town center. Height is based on story, not feet, in the Development Code. An overview of the project's design elements was presented. Project amenities include a landscaped, carport eco-roof to reduce the visual impact of parking from above. The eco-roof also increases the overall landscaping provided by the project. The Development Code requires 5% landscaping in the town center, and this project incorporates about 18.6% landscaping. A rain garden is also proposed along Pacific Avenue, which is a sustainable way to deal with drainage. Other features include a community garden for residents, children's play area, fitness center, an elevator, and a bike storage/cleaning area.

Mr. Riordan presented the site plan, showing the public plaza along with the primary entrance facing Pacific Avenue. The primary residential entrance to the building being is along A Street. Commissioner Lawler asked if the community meeting place was designated just for residents, and Mr. Riordan stated that the project manager could answer that question more specifically.

Mr. Riordan explained where the rain garden and plaza will be located. Mr. Holan clarified that placing the rain garden and plaza next to each other creates synergy. Chairman Beck still questions why a rain garden would be put on the main street of town, and why it wouldn't be put somewhere within the project. Mr. Riordan stated that it complements the public façade, adding visual interest along the streetscape.

Vice Chair Nakajima asked if there is only one access into the parking area. Mr. Riordan stated that is true, and the location of the driveway meets the city's Development Code standard for minimum separation distance from street intersections. The off-street parking area includes 94 spaces for residents and visitors. The parking lot perimeter incorporates 10 trees but the city standard requires 12 trees if you deduct the area under the landscaped carport the driveway area, and portion of the parking area under the building. An administrative adjustment is permitted that allows for a reduction up to 20% of the landscaping requirement. With an adjustment only 10 trees would be required. Chairman Beck suggested maybe including 2 trees along the walkway between the rain garden and community garden. Mr. Riordan stated that it could be a possibility. After discussion the Commission agreed that 10 trees along the parking lot would be sufficient.

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Mr. Riordan went on with his presentation, showing the different elevations for the proposed buildings.

Mr. Riordan then went on to describe the land use actions. The first land use action is the Development Agreement. A Development Agreement is required since the project as proposed does not comply with the maximum density of 20.28 dwellings per net acre contained in the Development Code. The project as proposed complies with the Development Code regarding permitted uses and height. The project as proposed will meet the proposed revisions to the Development Code related to density and proposed definition of net density. Chairmen Beck asked what the density is under the current definition. Mr. Riordan stated the current definition defines it as 210 units/acre; with the proposed changes in the definition it is 55 units/acre. Chairmen Beck asked if they choose not to change the unit/acre code, what will happen. Mr. Holan stated that this project is under a separate agreement, so it would continue. Mr. Riordan explained Development Agreements are allowed under state law. Chairman Beck asked for further clarification about Development Agreements. Mr. Riordan explained that the Development Agreement approach is similar to the approval of the Pacific University master plan. Similar to this project, the Pacific University Master Plan required a Development Agreement. A Development Agreement was necessary since the Master Plan preceded approval of proposed amendments to the Development Code.

The second land use action is Site Development Review approval. Mr. Riordan went on to describe the site plan as it relates the approval criteria including compatibility with surrounding uses. Potential traffic impacts were provided in the staff report, and the analysis shows not much impact. Chairman Beck questioned the intersection of A Street and 19th Avenue, and wondering if that is in consideration. Turning left on 19th Avenue can be challenging. Mr. Holan stated that discussion with the Public Works Director was had, and back up of cars can be resolved by taking alternate routes such as 21st Avenue. Commissioner Ruder stated that it would be nice if there was B Street access. Mr. Holan stated that when there is a development of the Phase II of the site, the B Street access will be discussed. Chairmen Beck stated that intersection of A Street and 19th Ave is dangerous with the current traffic. Mr. Riordan continued presenting the criteria of the project.

Commissioner Lawler wanted to bring to attention the pedestrian crossings, and if pedestrian safety has been addressed. Mr. Riordan stated nothing specifically, but design treatments can be done. Mr. Holan agreed that there is opportunity for safety to be looked at and could be addressed by the Public Works Director through stripping crosswalks. Commissioner Ruder reinstated that a lot of pedestrian foot traffic will be brought to that area, and more protection is needed.

The third land use action is Design Review approval. Mr. Riordan continued to present his slides related to the Design Review criteria and applicable design guidelines. The purpose of design guidelines is to allow departure from proscriptive standards so long as the intent of the applicable design guideline is met. In terms of design, the building façade is contemporary but reflects design queues from the historic Forest Grove downtown.

Chairman Beck asked the question if it is possible to agree to create a driveway onto B Street. Mr. Holan invited City Financial Director Paul Downey to answer that question. Mr. Downey stated it is tentatively possible but not guarantee because the developer for Phase II is not decided. Commissioner Lawler asked if the downtown Hillsboro mixed use building has one or two access

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points in the parking garage. Mr. Holan stated that would be a question for the applicant, as they are the same developer at that site as well.

Mr. Riordan then continued his presentation on the proposed conditions of approval. Staff proposed a pedestrian alert signal at the entry/exit of the parking area. Chairman Beck asked how many visitor parking spaces are available. Mr. Riordan answered that 94 parking spaces for the 78 units are available, but did not discuss the exact number as visitor spaces. Staff has identified a loading and unloading space. Chairman Beck and Vice Chair Nakajima inquired about the parking restrictions on the adjacent streets. The Commission discussed that parking is only allowed on one side of A Street. Mr. Holan stated an agreement can be made for off-site, overnight parking areas.

Mr. Riordan concluded his staff report. Mr. Holan clarified the Memorandum sent by Jim Walker regarding the signage. Vice Chair Nakajima asked about the sprinklers within the building and the requirements. Mr. Riordan stated the applicant can shed more light on the sprinkler requirements.

Applicant's Report:

Applicant's introduced themselves as the following:

Dwight Unti, President/Owner of Tokola Properties
Jeff Edinger, Vice President of Tokola Properties
Eric Gernard, Architect at Studio C Architecture
Jim Walker, Architect at Studio C Architecture

Mr. Unti introduced Tokola Properties to the staff and public. They are an Oregon-based company, and are long term investors in their projects. Their main focus is on re-emerging historic main street districts. Forest Grove is committed to downtown revitalization, and Tokola properties are looking for projects that make a difference in a community. The project outcome will add residents, improve streetscape, attracts retail space, and establishes new benchmark for rental rates which in turn will speak well with the community.

Mr. Walker spoke on behalf of Studio C Architecture, and stated that their firm provides personalized attention to the project at hand. The project takes into account aspects of the 2014 Comprehensive Plan Update meeting certain sustainability, economic development and urban policy goals. The amenities were again gone over, and the rain garden was described as being sustainable and very public. This way everyone can see how it works. Chairman Beck asked if a public sculpture was ever considered for the rain garden to make it special. Mr. Walker explained that the rain garden has plantings and natural elements, and would be preferred. Vice Chair Nakajima made the suggestion that a drawing of the rain garden would help to give the commission a visual on what it looks like. Chairman Beck asked if the rain garden is required to be fenced. Mr. Walker clarified that the water goes down and gets filtrated in the rain garden so no standing water is a danger.

Commissioner Hymes asked the applicant what other projects have been done regarding the rain garden and if signage was used to educate the public as to the purpose. Mr. Walker stated that he has not in particular. Mr. Unti clarified that on site staff share information with the public in regards to the sustainability of the grounds. Discussion continued on the amenities of the

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apartment units, and Mr. Walker clarified that there is a fire suppression system in each unit as required by the state building code.

In regards to the parking lot, Commissioner Lawler inquired about future electric car charging ports. Mr. Walker stated that this will be on the table once the design review is complete. Architect Eric Gernard described the green roof with having eco-friendly, low growing succulent plants to help retain water. Chairman Beck asked about assigning parking spaces, and Mr. Gernard stated that was the plan. Vice Chair Nakajima asked about the plan for another exit within the parking facility, and Mr. Walker stated that Phase II has ideas on how it could work, but the parking facility design has been confirmed with the Fire Marshall. The current plan of the parking area has no dead ends within it, so a car can make a full loop without having the back up. Mr. Unti stated the security of residents is high, so the single point of entry has more management and control of who is coming on the property with a gated fence.

Mr. Gernard described how he came about with the idea of the colors, designs and materials to create the building. There was reference to the old buildings in downtown to create ingenuity and connecting the new building to the downtown buildings by utilizing the brick face, patterns of the windows, and referencing the design planes of historic buildings. Mr. Unti stated that this design approach honors the downtown district. Commissioner Lawler asked if a reinvestment has been made to local businesses for the future of the community. Mr. Unti stated that within downtown Hillsboro and Gresham sites, the number of vacant storefronts move to 100% occupancy due to the combination of the economy and forward thinking development. High quality development creates inspiration.

Public Hearing

Chairman Beck opened the floor to the public hearing session.

Proponents:

Dale Buck, 1526 Willamina Ave.

Ms. Buck is the manager of the Tokola property in downtown Hillsboro, and is knowledgeable of the governing of the facility since she is there every day. She urges folks to visit the property site. There are 71 apartments with amazing residents who are in love with their building. For incoming businesses there is a captive audience right there. Residents can walk to wherever they want downtown with a community feel. In working for Tokola, Ms. Buck realizes how much they care about residents and staff of their properties. This is not a “make a fast buck” business. Concerns that were raised tonight have been dealt with at that property. This will revitalize Forest Grove.

Opponents:

None.

Other:

Parks Adams, 2122 A Street

Mr. Adams initially was delighted and impressed with the demolition and a prospective development there. His concern is in regards to the parking of the project. It looks awfully tight to

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move cars in and out of the project. An exit on B Street is encouraged to keep the flow. Traffic and safety needs to be looked at, as there are already problems with the intersection at Pacific and A Street. The cars parked in front of Wells Fargo or along 19th make it hard to see if a car is approaching. The same is for pedestrians crossing the street. Also, Mr. Adams is curious about the projected rental rates of the apartments.

Chairman Beck stated the interior parking lot is strictly regulated by city code, so the project manager has to meet certain standards.

Todd Edwards-Leerer, 2117 A Street

Mr. Edwards-Leerer stated his biggest concern is 21st and A Street. The parking during the Wednesday Farmer's Market can get packed. People leaving the proposed apartments and heading north on A Street is going to be a challenge.

Paula Adams, 2122 A Street

Ms. Adams appreciates the concern about sustainability and reusing the water. The parking is concern with it being dark, and the northeast parking lot can be full during the farmer's market. The pull out place would need to be wider so there isn't double parking. Ms. Adams urged to not let the development here preclude the development of the post office.

Chairman Beck stated that the post office is a different issue.

Ms. Adams went on to say that a grocery market is needed for the residents.

Chairman Beck asked if there was further public comment, and none was made. The floor was then open up to the applicant to state anything further.

Mr. Unti addressed the question about the projected rental rates, and stated it is too early in the process to know for sure what they will be. The high quality of the apartments will carry with them a higher rate, but there are also diverse floor plans ranging from studio apartments to 3 bed/2 bath penthouse style. The 5 live/work apartments present an opportunity for entrepreneurs just beginning their business.

Chairman Beck closed the public hearing, went back to Commission for discussion.

Commission Discussion

Commissioner Lawler stated that he used public transit to commute within downtown Hillsboro at the transit center, and had never noticed a jam up or outflow of traffic at the Tokola property.

Commissioner Hymes stated that we need to ask the question as to what the city can do for our crosswalks. Mr. Holan suggested a separate motion could be considered by the Commission.

Commissioner Ruder stated that this is a very exciting project, and his only concern is the traffic flow. A Street and 21st Avenue is very narrow and typically only has room for one car to pass through.

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Commissioner Smith is encouraged by the design. Commissioner Rojas and Vice Chair Nakajima agreed.

Commissioner Lawler believes this is setting a precedent of investing within Forest Grove, and not just “filling space”.

MOTIONS:

Commissioner Lawler moved the motion to recommend approval of the Development Agreement, Site Development Review and Design Review to the city council. Vice Chair Nakajima seconded the motion. The motion passed 7-0.

Commissioner Ruder moved the motion to approve the findings as amended by the memorandum provided by Jim Walker at Studio C Architecture. Vice Chair Nakajima seconded the motion. The motion passed 7-0.

Commissioner Lawler moved the motion to recommend the city council to take a look at pedestrian safety around the site. Commissioner Ruder went on to add to the motion to include painted, prominent crosswalks at all four crossings at Pacific Ave. and A Street for pedestrian safety. Commissioner Smith seconded the motion. The motion passed 7-0.

Commissioner Smith moved the motion to recommend to the city council that an agreement be made between the city and developer for future egress on B Street. Commissioner Lawler seconded the motion. The motion passed 7-0.

2.3 ACTION ITEMS: None.

2.4 WORK SESSION ITEMS: None.

3.0 BUSINESS MEETING:

3.1 APPROVAL OF MINUTES:

Commissioner Lawler had a small correction to page 3, paragraph 2 of the minutes from November 2, 2015. The correction was noted. Commissioner Hymes moved the motion to approve the minutes from the November 2, 2015 meeting as amended. Commissioner Lawler seconded. Motion passed 7-0.

3.2 REPORTS FROM COMMISSIONERS/SUBCOMMITTEES: None.

3.3 DIRECTOR’S REPORT:

Mr. Holan gave the Director’s Report as follows:

There will be no commission meeting during Christmas week.

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The next meeting will be held January 4, 2016. At that meeting there is scheduled a development code update hearing.

Second meeting in January will be held on Tuesday, January 19th because of Martin Luther King Day being on that Monday. A public hearing will be held on the Comp Plan Designation for the Hayworth property. In addition, a public hearing will be held amending the Transportation System Plan to incorporate the Council Creek Trail. There will also be a public hearing to some amendments to the development code dealing with marijuana. These amendments need immediate attention. Finally, there may be discussion of the bowling alley sign on 19th Ave.

The February 1st commission meeting will be a work session on the infrastructure analysis on the Westside Planning Analysis.

Nothing further is scheduled, but there will be some potential annexations in the future.

In April, Tom Gamble (Parks & Rec Director) would be interested in a work session with the Commission on the Parks & Recreation Master Plan.

Chairman Beck inquired about a work session with the Sustainability Commission, and Mr. Holan replied that the Sustainability Commission began that discussion at their last meeting.

Chairman Beck and Commissioner Rojas will not be at the meeting on January 4th, but there will be a quorum for the meeting.

Chairman Beck requested concrete information in regards to the density issue discussed earlier in the meeting. Mr. Holan gave the current definition of net density, and if it applied to the Tokola project site, the number of units allowed would be 17 using 40 units per acre as the standard. Vice Chair Nakajima commented that we should be going along with state standards in density calculation. There will be further discussion of this at the code update meeting.

3.4 ANNOUNCEMENT OF NEXT MEETING:

Next meeting will be held on January 4, 2016 at 7 p.m.

3.5 ADJOURNMENT: The meeting was adjourned at 9:29 p.m.

Respectfully submitted by:
Cassi Bergstrom
Assistant Recorder

APPROVED

1. CALL TO ORDER:

Chairman Beck called the meeting to order at 7:02 p.m.

Planning Commission Present: Tom Beck, Sebastian B. Lawler, Lisa Nakajima, Dale Smith,

Absent: Carolyn Hymes, Phil Ruder and Hugo Rojas.

Staff Present: Jon Holan, Community Development Director; James Reitz, Senior Planner; Dan Riordan, Senior Planner; Marcia Phillips, Assistant Recorder.

2. PUBLIC MEETING:

2.1 PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS: None.

2.2 PUBLIC HEARING:

A. File # 311-15-00020-PLNG - City initiated Amendments to the Forest Grove Development Code, Comprehensive Plan Map and Official Zoning Map to implement provisions of the Forest Grove Comprehensive Plan.

Chairman Beck opened the public hearing and called for the staff report.

Mr. Riordan explained that this project included a robust public involvement process, which provided opportunities for input from the general public as well as property owners directly affected by the code amendments.

Mr. Riordan submitted into the record two pieces of correspondence he had received. The first was a letter from the Fair Housing Council requesting they be allowed to review the fair housing implications of the amendment to help ensure that the City would retain an adequate supply of residential land and associated opportunities for fair and affordable housing. The letter stated that they were unable to locate a copy of the staff report online, and requested a continuance of the hearing to allow time to review the application. Riordan explained that they mistakenly thought the hearing was scheduled for December 7th, so he called them and explained that the hearing would not take place until January 5th. Riordan said he discussed the issues with them and resolved the issues to their satisfaction. The second piece of correspondence was an email from Paul Minor, property owner, who stated his concern that increased apartment density would increase the problem of minor children using the parking lot spaces for play and sometimes mischief and tagging. Minor said in his experience minors do not go to park areas even within a block, but play near where they live. In his email, Minor also expressed his concern for ample parking with increased density. Mr. Riordan explained that under the Development Code apartments with 20 or more units must provide half their open space as recreational/play areas for children.

Mr. Riordan gave a PowerPoint presentation. He said the purpose of these amendments is: to implement provisions adopted in the Comprehensive Plan update to establish a neighborhood mixed use zone and to increase residential development density in the Town Center, increase residential development density in the Community Commercial zone, bring the official Zoning Map into consistency with the Comprehensive Plan map, ensure consistency between the Development Code sections and Design Guideline Handbook, consolidate Town Center zones,

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and provide opportunities for public participation during the Comprehensive Plan implementation process. Mr. Riordan stated that staff has received a number of calls from people asking how these amendments will affect their property.

Mr. Riordan gave a brief overview of the amendments. He said the amendments to Article # 3 would: establish a new Neighborhood Mixed Use (NMU) zoning district, amend Article # 3 to allow continuation of existing auto-oriented uses in the NMU zone, amend Article # 3 to allow continuation of auto-oriented uses in the Town Center expansion area, amend Article # 3 density and commercial area in the NMU area. Riordan said amendments to Article # 4 would establish a review process for development to NMU zoned areas.

Mr. Riordan stated that amendments to Article # 7 (miscellaneous provisions) would establish a list of amenities for density between 40 and 100 units per acre in the Town Center.

He said amendments to Article #8 (general development standards) would require a minimum of street parking for multifamily residential in the Town Center. Mr. Riordan said amendments to Article # 12 (definitions) would redefine Net Density Calculation.

In response to a question from Chairman Beck, Mr. Riordan explained that having different definitions of Net Density Calculation in different zones might be confusing for people. He said the amended Net Density calculation would make it easier for the City to meet density requirements.

Mr. Riordan said amendments to the Design Guideline Handbook would edit for consistency with Code amendments and update the graphics.

Mr. Riordan said regarding the NMU commercial floor area, an alternative cap on the size of commercial buildings of 75,000 sq. ft. was suggested. He said the question is whether or not there is enough demand for a 130,000 sq. ft. building serving a mixed use neighborhood – but this is purely a local decision.

Mr. Riordan said the purpose of a Mixed Use Planned Development (MUPD) is: to ensure sites zoned NMU are developed into pedestrian-friendly mixed use neighborhoods, encourage diversity of housing types and promote neighborhood scale, retain service and office uses. He explained that the MUPD is a Type III quasi-judicial process. He said a village center is permitted within each NMU area of up to 50% of the NMU area or 3 acres (whichever is greater) with a maximum building footprint of 40,000 sq. ft.

Mr. Riordan showed the amendments to the Comprehensive Plan map and explained that the Community Commercial zone would become Town Center Transition from Cedar to Elm St. and a half block south of 19th Ave. to 21st Ave. He said Town Center Transition would become Town Center Support.

Mr. Riordan explained that the amendments to the official Zoning Map would change: Single Family Residential (R-10) to Neighborhood Mixed Use (NMU) along David Hill and Thatcher Roads, Light Industrial would change to NMU on the Davidson site, Commercial Planned Development would become NMU, Town Center Support would become Town Center

Transition, and Community commercial would become Town Center Transition from Cedar to Elm St. and a half block south of 19th Ave. to 21st Ave. and Town Center Transition would become Town Center Support.

Mr. Riordan said he would not go into detail of the review criteria, but explained that the findings provided by the City's consultant need to be incorporated into the Planning Commission's decision. He explained that the findings can be modified. Riordan said staff recommends that the Planning Commission recommend City Council approval of the proposed Development Code amendments, Comprehensive Plan Map amendments, and zoning map amendments described in this report and exhibits as modified by the Planning Commission.

COMMISSION DISCUSSION:

Chairman Beck said in his opinion there are two issues – the increase in density and the square footage of commercial buildings. Beck asked for comments from the Commissioners.

Commissioner Nakajima said originally she was in favor of calculating net density like other jurisdictions, but after thinking about it we are removing unbuildable areas which may be a good thing. She stated that she is still on the fence about this issue.

Mr. Riordan explained that we may be putting more houses in a smaller developable area due to slope, but based on the current definition of net density there would be a lower housing unit yield.

Chairman Beck said he could look at it two ways if the population is going to increase we need more housing, but increasing density means Forest Grove will become a much different city. Beck said he is uncomfortable with this. He said he is comfortable with concentrating housing in certain areas like downtown, but not further out.

Mr. Holan said there is an example of the net density calculation on Page 10 and 11 of the staff report.

Chairman Beck said he understands the rationale and maybe it is the way to go, but he said it is too soon for him.

Chairman Beck polled the Commissioners on whether or not to change the net acreage. The vote was 2-2, which changed nothing. Chairman Beck instructed staff to make sure the City Council is aware that this was an issue that was discussed.

Mr. Holan said he would make sure it was included in the staff report to the City Council.

Mr. Riordan said currently the multifamily projects are coming in closer to the minimum density.

Chairman Beck said the other issue is the square footage of commercial buildings in the NMU. Beck said in his mind he does not consider the Davidson property a neighborhood – its neighborhood is Hwy 47, so more density there makes sense. He said he would like to leave the commercial building size at 130,000 sq. ft. so a developer can do more.

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Commissioner Smith agreed that it should remain 130,000 sq. ft.

Commissioner Lawler said Mr. Riordan posed a good question about whether or not we can supply a good neighborhood with this much commercial – and he said he was not sure.

Mr. Holan said to consider the amount of square footage per building – you could not get two 130,000 sq. ft. buildings in there.

Commissioner Lawler said he would agree with staying at 130,000 sq. ft.

Commissioner Nakajima said she thought the minimum square footage for the Davidson site should be 50,000 sq. ft. – not 40,000 sq. ft. because grocery stores are looking for that amount of space.

Chairman Beck said he was agreeable with 50,000 sq. ft. Beck asked if there was a way to word it so there is one large business and several smaller ones.

Mr. Riordan said we could set it up with one anchor business with a minimum of 40,000 or 50,000 sq. ft. and others smaller. He said to keep in mind that we have no design standards for commercial, and this is something that could be done.

Commissioner Nakajima stated that the Davidson property fronts onto Hwy 47, so it makes no sense to block it off with residential. She said it should have commercial fronting Hwy 47, so people will see it.

Chairman Beck said it is a great piece of property if it can be set up with one big building and some smaller ones surrounding it.

Mr. Riordan stated that this is good direction – just what staff needs.

Commissioner Nakajima referred to Page 24 Exhibit A and asked what would be the most points a developer could achieve?

Mr. Holan said he counted 31.

Commissioner Nakajima said she thought it should be a lot closer to 30 than to 20 points.

Chairman Beck said out of 30 points 10 points are for covered parking, and covered parking should be a non-counter because so few could do it.

Mr. Riordan said covered parking is meant to be very broad such as “tuck under” parking below grade with the structure above.

Chairman Beck said he could agree with that.

Commissioner Lawler said he thought a minimum of 25 would be a good starting point.

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Mr. Holan asked if it should be 25 points to get 60 units per acre.

Commissioner Lawler said that would be a good starting point.

Still referring to Exhibit A on Page 25, Commissioner Nakajima said she would go higher on the points and change 8 to 11, 11 to 14, 14 to 19, 17 to 20, and 20 to 26 or 28.

Chairman Beck polled the Commissioners and it was agreed to change the minimum number of points to 11, 14, 19, 25 and 30.

PUBLIC TESTAMONY

Cindy Sturm, 8620 SW 168th, Beaverton, 97007. Ms. Sturm said she is a real estate broker representing the owner of property at Gales Creek and Thatcher Rd. She stated that the property owner supports the changes that affect that property.

Elizabeth Spero, 2026 “B” St., Forest Grove, OR. Ms. Spero said she is confused about the time line. She stated that her property is in the Walker/Naylor Historic District, and with the zone change she is looking at being in a commercial zone which changes the density. Spero said the Tokolo/Times-Litho project is right across the street from her property which is historic and the developer is proposing to build a very modern apartment building.

Mr. Holan explained that none of the zoning will affect her property. He said she received a notice because she is within 300 feet.

Chairman Beck explained that Ms. Spero owns her property, and can do with it as she chooses to do within that zone. He said the City cannot make a property owner do something unless the City goes through the eminent domain process, but the City Council has stated that they will never do that.

Ms. Spero thanked the Commission and said that is clear enough for her.

Chairman Beck closed the public hearing, and asked the Commissioners if there are any other issues to discuss.

Commissioner Nakajima said she agrees that changing the density will change who we are.

Commissioner Nakajima made a motion to recommend to the City Council approval of the proposed Development Code amendments, Comprehensive Plan Map amendments, and zoning map amendments described in this report and exhibits as modified by the Planning Commission. Commissioner Lawler seconded. Motion passed 4-0.

Mr. Holan asked for clarification on the modifications made by the Commission.

Chairman Beck stated that the amendment is to make the density numbers higher, and change the minimum square footage for commercial from 40,000 to 50,000 sq. ft with one major tenant.

2.3 **ACTION ITEMS:** None.

2.4 **WORK SESSION ITEMS:** None.

3.0 **BUSINESS MEETING:**

3.1 **APPROVAL OF MINUTES:** Commissioner Nakajima said there is a correction to Page 8 of the minutes from the last meeting when she stated we should be going along with state standards in calculating density. Commissioner Lawler made a motion to approve the minutes with this correction, and Commissioner Smith seconded. Motion passed 4-0.

3.2 **ELECTION OF CHAIR AND VICE CHAIR**

Commissioner Smith nominated Tom Beck for Chair and Commissioner Nakajima seconded. The vote was unanimous that Beck remain as chair. Commissioner Smith nominated Lisa Nakajima for Vice Chair. Commissioner Nakajima said she wanted to ask Commissioner Ruder if he would be willing to serve as Vice Chair, and asked that the vote be postponed. Commissioner Lawler said he would be willing to volunteer for the position as well. The Commission agreed to postpone the vote until the next meeting.

3.3 **REPORTS FROM COMMISSIONERS/SUBCOMMITTEES:** None.

3.4 **DIRECTOR'S REPORT:**

Mr. Holan said on January 19th there will be two public hearings one will address code related items on marijuana. He said we are in the process of doing work sessions with the City Council on this, but there are immediate things that need to be addressed now in terms of not allowing marijuana facilities in residential areas and some other things based on inquiries staff is getting. We want to make sure the City does not allow grow operations and retail facilities in residential areas. The second public hearing on January 19th will cover the zone text that will ultimately be applied to the Hayworth property as a business industrial park. He said the meeting will include a discussion of the bowling alley sign on 19th Avenue in terms of what type of sign it is.

Mr. Holan said Council Creek Trail has been postponed until the first meeting in February. In February we also have scheduled a work session on the Westside Planning project, but staff has not yet received the consultant's final report.

Mr. Holan said the Tokola project (Times-Litho) will have the first reading of the development agreement at the City Council meeting January 11th and the second reading on January 25th. which will include all three permits, because the site development review and design review will require only one reading.

3.5 **ANNOUNCEMENT OF NEXT MEETING:** The next meeting will be held on January 19, 2016, at 7pm in the public auditorium.

Chairman Beck thanked the City Council for the gift of an umbrella to each of the Commissioners. Beck said he will be gone for the February 15th meeting.

**PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM**

January 5, 2016–7:00 P.M.

PAGE 7 of 7

3.6 **ADJOURNMENT:** The meeting was adjourned at 8:11 p.m.

Respectfully submitted by:
Marcia Phillips, Assistant Recorder

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APPROVED

PUBLIC ARTS COMMISSION
Thursday, August 13, 2015
Rogers Room, Forest Grove Library
Page 1

MINUTES APPROVED BY THE PAC ON SEPTEMBER 10, 2015

PRESENT: Emily Lux, Linda Taylor, Pat Truax, Dana Zurcher, Youth Rep. Yasmine Weil-Pourfard, Dana Lommen, Laura Frye, Helvi Smith, Richard Kidd, Staff Liaison Colleen Winters

Guest(s): Jeanna VanDyke (Theatre in the Grove), Cindy Dauer (Westside Cultural Alliance)

Absent: Kathleen Leatham, Kathy Broom

1. **CALL TO ORDER:** Pat called the meeting to order at 5:02pm.

2. **CITIZEN COMMUNICATION:** Cindy Dauer, Westside Cultural Alliance-Applications to the Oregon Community Foundation are due September 1st for small arts and cultural grants. Up to \$5,000 is available for organization usage or "re-granting" (i.e. PAC mini-grants). The Public Arts Commission is not a 501(c)3 non-profit, but can be sponsored by another organization to receive a grant.

3. **APPROVAL OF PAC MEETING MINUTES:** Motion to approve last month's minutes with one minor revision made by Dana Z., seconded by Pat T. Motion accepted.

4. **ADDITIONS/DELETIONS:**

- Addition: The News-Times requested artwork to fill their walls. Helvi Smith installed artwork immediately after the request went out. Thanks Helvi!

5. **BUSINESS:**

A. **Mini-Grant Application:** Jeanna VanDyke, Theatre in the Grove-TITG CAST Playhouse, Teen Musical. This musical's cast and crew are made up of 12-18 year-olds. This mini-grant is to cover the royalty costs for their production of *Bye Bye Birdie*. 42 youths are involved; all who applied were accepted. It is free for them to participate. \$155 is for each remaining performance, with the remaining cost going towards script rental, totaling \$500. Motion to approve mini-grant made by Laura, seconded by Emily. Motion accepted. Tickets to the performance are \$5.

B. **Call For Artists:** Once the Call is completed, the intention is to distribute it to the Hillsboro Arts and Culture Council, RACC, etc., to spread the word and invite applicants. The Call still needs to be reviewed by the city for possible edits.

Fundraising: Thus far, fundraising events towards the public sculpture acquisition include:

- Global Dance and Song Event
- Plum Hill Vineyards
- Stecchino's (to feature the chosen artist)
- A possible event at Dave Johnson's studio
- A possible "Buy a Brick" campaign, with name engraved bricks being placed near the future sculpture.

Timeline: Submission deadline moved to November 1, 2015. A subcommittee, including non-PAC citizens, will form to make the final artist selection. Colleen Winters-City Council will need to review the final plan prior to the artist signing their contract.

C. Fire Station Mural: Emily-The fire station mural is underway. All start-up materials have been purchased and delivered, 5 out of the 6 images have been approved, and the panels have been sanded, primed, and painted with initial solid paint layers. 2 panels have final images in process.

D. Updates:

- **Meet the Artist Event**-September 13, 2015, in the Rogers Room, 1pm. Laura-Tickets have been selling. There was a performance at a local senior center, one home program and a possible presentation to come at Rotary Club. The menu includes mini-quiche, mini-sausages, pastries, fruit, coffee and tea. PAC members can contribute fruit trays if they wish, but nothing home-prepared. Dana and Pat will help serve. The goal is to have 100 people in attendance.
- **Finance Report**- Richard Kidd-Was there a reconciliation report provided to the City to verify the usage of last year's CEP grant? Pat/Dana Z.-It was likely submitted by Kathleen, will be followed up on.

6. COMMISSIONER COMMUNICATIONS:

- **First Wednesday:**
 - **Pat Truax**-The Walking Brochure was well-received on First Wednesday, the event was very successful.
 - **Linda Taylor**-This first Wednesday was much more diverse. There was more activity, not just painting.
 - **Yasmine**-A bilingual sign welcoming Spanish speaking families would be useful and inviting.
- **Helvi Smith**-Helvi's art will be shown at the main Hillsboro Public Library during the months of September and October. Her work is currently on display at the Forest Grove News Times. Green Cab artists will be showing at New Seasons Market in September, and at Beaverton City Hall on the ground floor and fourth floor in September and October.
- **Dana Lommen**-It is a very exciting time at the Theatre in the Grove. The building is being re-roofed by CM and Sons, who have been excellent to work with. The theatre is in a good place financially and is involving more people. Community support has continued to build. This weekend will be the final performances of *Bye Bye Birdie*.
- **Pat Truax**-The Mayor of Tigard has a recent art acquisition. Instead of flower baskets hanging on the main downtown street, they have hand-blown glass ball arrangements. A PAC field trip to see them would be nice.
- **Yasmine Weil-Pourfard**-Yasmine thanked the commission for welcoming her with open arms, and is sad to be leaving. She will be attending Hampshire College in Massachusetts. She has contacted a few possible future youth representatives to fill her spot on the commission. Thank you for your service, Yasmine!

7. STAFF COMMUNICATIONS:

- **Richard Kidd**-The Mayor received a piece of tin art from Japan and is inviting people to come to view and interact with it. It is currently located at Anna Ruggles's desk.

- **Colleen Winters**-The air conditioning in the Rogers Room has been running quite cold. The new library budget includes a new compressor to help improve temperature control. Tuesday, September 1st is the Library Foundation's Friends and Family night at the Grand Lodge. This year it will be held in Pat's Corner, with music from Kirk Larson and Don Patch. The event is from 5-close and 50% of the proceeds will go to the foundation.

8. **ADJOURNMENT:** Pat Truax adjourned the meeting at 6 pm.

- The next meeting will be September 10, 2015, in the Rogers Room of the Forest Grove Library.

Respectfully Submitted by Emily Lux

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APPROVED

PUBLIC ARTS COMMISSION
Thursday, September 10, 2015
Rogers Room, Forest Grove Library
Page 1

MINUTES APPROVED BY THE PAC ON NOVEMBER 12, 2015

Present: Emily Lux, Linda Taylor, Pat Truax, Dana Zurcher, Kathleen Leatham, Dana Lommen, Laura Frye, Helvi Smith, Richard Kidd, Staff Liaison Colleen Winters, Tom Gamble

Guest(s): John Youngberg, Travis Loose (Forest Grove News Times), Marcia Alajoki

Absent: Kathy Broom

1. CALL TO ORDER: Pat called the meeting to order at 5:07pm.

2. CITIZEN COMMUNICATION: N/A

3. APPROVAL OF PAC MEETING MINUTES: Motion to approve last month's minutes as presented made by Linda, seconded by Pat. Motion accepted.

4. ADDITIONS/DELETIONS:

- Addition: New Youth Representative for the PAC. Rep should be a high school or college student, there is no age specification. Philip Thias may be a good resource to ask, for art students who may be interested/good candidates. It will be important to thoroughly explain the position.

5. BUSINESS:

- A. Mini-Grant Application: VAA Annual Artist Event "49 Years of Perfection". Valley Art is requesting a mini-grant for \$500 to go towards advertising and poster printing for the Annual Artist Event. Motion to accept made by Helvi, seconded by Dana Z. Motion carried. Funding will come from the Arts for Community fund.
- B. Oregon Community Foundation grant application update-In order to apply for this grant for an amount greater than \$100, an organization must be a 501(c)3, or be sponsored by one. The application is due 10/12. Pat, Dana Z., Kathleen and Laura will write the grant. PAC should continue to explore becoming a 501(c)3 to increase grant opportunities.
- C. Call For Artists: The Call was submitted to RACC and Cindy Dauer with Westside Cultural Alliance. Cafe Management was explored, but an organization subscription is required. Emily will explore cost. Dana Z. proposed creating a postcard and poster to further advertise the call for art, spending no more than \$100 for the potential Cafe Management subscription, and printing of postcards/poster. Seconded by Pat. Motion carried. Money will come from discretionary funds. The PAC needs to decide on the wording and structure of the adjudication. This will be put on the October agenda. A Buy-a-Brick campaign is being explored as a fundraiser.

D. Fire Station Mural: Emily-The fire station mural is nearing completion and is set to be installed on Friday evening and Saturday morning, with an unveiling event scheduled to take place at 2pm.

E. Updates:

- Meet the Artist Event-September 13th, 1pm in the Rogers Room. A total of 90 tickets have been sold. Linda will collect tickets initially, Dana Z. will take over. Colleen confirmed that the event is in compliance with fire marshal's capacity (which is 190 people for the event space). Tickets will be sold at the door as well, and once all 100 chairs are taken, patrons will be alerted that there is standing room only.
- Finance report-An ad in the Forest Grove News Times was purchased for roughly \$250, the balance of which is still outstanding. Pat motioned to pay the amount in full using discretionary funds. Dana Z. seconded. Motion carried.

6. COMMISSIONER COMMUNICATIONS:

- Helvi-On 10/3 the Affordable Art for Everyone event will be held at the NW Events Hall from 11-6. All art is being sold for \$100 or less. The third week in October is the Washington County Open Studios tour. Helvi has 36 Farm to Table series paintings at the Hillsboro Public Library. There will be an artist's talk on 10/25 at 2pm.
- Kathleen-On 10/3 at Mountain View Cemetery there is a Graveyard Tour. Forest Grove founders will be featured. Actors will represent the historic local figures in three separate tours taking place between 3-5pm.

7. STAFF COMMUNICATIONS:

- Richard Kidd-We have welcomed our new city manager, who will eventually pay a visit to the various boards and commissions.
- Colleen-Friends and Family night at McMenamins went very well, generating \$2070. The library book sale is scheduled for the last week of October. Book donations and volunteers are welcomed. WCCLS levy renewal will be on the November ballot. Saturday, the library commission will be holding a strategic planning meeting at 2pm. Volunteers are needed to help set up the room for Sunday's Meet the Artist event.
- Tom-Friday, October 18th, City Council is holding a reception for the new city manager from 5-7pm at the Community Auditorium. Provided an informational article regarding national trends of public art acquisition, specifically for parks. Laura suggested that interested members have a study session to discuss the article and the commission's related goals.

8. ADJOURNMENT: Kathleen Leatham adjourned the meeting at 6:20pm.

- The next meeting will be October 8, 2015, in the Rogers Room of the Forest Grove Library.

Respectfully Submitted by Emily Lux

APPROVED

PUBLIC ARTS COMMISSION
Thursday, November 12, 2015
Rogers Room, Forest Grove Library

MINUTES APPROVED BY THE PAC ON DECEMBER 10, 2015

Present: Emily Lux, Linda Taylor, Pat Truax, Dana Zurcher, Kathleen Leatham, Dana Lommen, Laura Frye, Helvi Smith, Kathy Broom, Staff Liaison Colleen Winters, Tom Gamble

Guest(s): City Manager Jesse Vanderzanden

Absent: Richard Kidd

1. CALL TO ORDER: By Kathleen Leatham at 5:02pm. Welcome to City Manager Jesse Vanderzanden. Round table introductions. With 2 ½ months on the job, Jesse is very appreciative of city staff. The city has eleven commissions, and he is attempting to visit each group to discuss needs, ambitions, and primarily to listen. Public art can set the tone of a community or in some cases, turn a city around.

2. CITIZEN COMMUNICATION: N/A

3. APPROVAL OF PAC MEETING MINUTES: Motion to approve last month's minutes as presented made by Pat, seconded by Linda. Motion accepted.

4. ADDITIONS/DELETIONS:

● Additions:

- **Foundation formation, 501(c)3** (Pat): Many available grants are only (or more readily) available to non-profit organizations. It would really open up fundraising opportunities if the Public Arts Commission were to pursue 501(c)3 status. Discussion of potentially being sponsored by another organization-an "umbrella" non-profit such as the Library Commission or the Forest Grove Foundation. If a foundation is willing, it may be a viable idea to temporarily partner until PAC is able to form a foundation of its own. A partner foundation typically takes a small commission for their time and effort. Pat will get updated process paperwork.
- **Fundraising idea** (Linda): A central city, two hour walking tour of public art, with PAC commissioners acting as in-depth representatives, showcasing different aspects of Forest Grove art. This could possibly be paired with food and wine at different locations, and would be a ticketed event. Linda will spearhead, and a committee will form. It was agreed to add this to December's agenda. Possible title- "Arts in the Grove-A Closer Look".

5. BUSINESS:

- A. Oregon Community Foundation grant application update: There has been no word aside from the confirmation of application receipt. A \$1000 grant was submitted. The decision deadline is in the near future, possibly January.
- B. Meet the Artist Dinners: Tentative dinners include-
 - Amanda Houston at the Community Auditorium in March, 2016
 - Stecchino's in February with the chosen artist for the sculpture acquisition
 - Additional ideas are in discussion. All proceeds will go towards art in the park
- C. Finance Report: Discussion of the status of the previously approved \$99.06 to reinforce the display board. Do we still have access to this money? This was part of last year's CEP grant, and the fiscal year has closed. The general assumption is that this money is

no longer available, but the reinforcement still needs to happen.

6. DISCUSSION/DECISION ITEMS:

- A. Buy-a-Brick Fundraiser-The last campaign raised over \$8,000 for the acquisition of the benches. The hope this time is to place the bricks around, next to, or in a path leading up to the sculpture. Discussion of what to do if an excess of bricks were sold. Discussion tabled. Looking into the cost of bricks prior to setting the sale price, which was previously \$50. Many others, such as Pioneer Courthouse Square, sell for \$100 each. A kickoff date needs to be chosen. Prior to Christmas would be ideal. Tentative plan to kick off at the 12/5 holiday parade. Applications/informational flyers could be handed out at that time, as well as at all of the events scheduled on that day. Pricing needs to be decided before 12/5. Later, the campaign can be advertised in the utility bill, and Travis Loose from the News Times will be contacted to hopefully write an informational article about the fundraising efforts. A fillable form should be posted on the city website as well. Campaign name: "Name a Brick: Art in the Park 2016".
- B. Call for Artists: At this time, there are seven complete applications submitted, one pending, and six potential. The deadline was extended to 11/15. Should the adjudication process mirror that of the bench acquisition? A list of potential jurors was discussed to select the top five artists, and will meet on 12/8. The PAC will meet on 12/10 to narrow the list to the top two, which will be presented to city council for the final selection on 12/14. The artists will be notified on 12/20. Dana provided the selection process/evaluation guidelines and scoring guide. A binder including these items and each submission packet will be provided to jurors prior to their meeting date for review.

7. COMMISSIONER COMMUNICATIONS:

- Dana Z.-Valley Art is turning 50 next year. The first celebratory event is on 12/5, with several events scheduled throughout the year.
- Kathleen-January will include Public Arts Commission elections.

8. STAFF COMMUNICATIONS:

- Colleen-The library book sale raised \$5,600. The fire station mural and celebration have generated positive reviews, especially from Chief Kinkade. Emily-Thank you to the PAC for all of your support throughout the process. This was a wonderful project to be a part of.

9. ADJOURNMENT: Kathleen Leatham adjourned the meeting at 6:25pm.

- The next meeting will be December 10, 2015, in the Rogers Room of the Forest Grove Library.

Respectfully Submitted by Emily Lux

APPROVED

PUBLIC ARTS COMMISSION
Thursday, December 10, 2015
Rogers Room, Forest Grove Library
Page 1

MINUTES APPROVED BY THE PAC ON JANUARY 14, 2016

Present: Emily Lux, Linda Taylor, Pat Truax, Dana Zurcher, Kathleen Leatham, Laura Frye, Helvi Smith, Kathy Broom.

Staff Liaison Colleen Winters, Tom Gamble. Council Liaison Richard Kidd

Guest(s): N/A

Absent: Dana Lommen

1. **CALL TO ORDER:** By Kathleen Leatham at 5:00 pm.
2. **CITIZEN COMMUNICATION:** N/A
3. **APPROVAL OF PAC MEETING MINUTES:** Motion to approve last month's minutes as amended made by Pat, seconded by Linda. Motion accepted.
4. **ADDITIONS/DELETIONS:**
Additions: Pat received an email from Anne Reed, Pacific University Voice Area Coordinator, regarding concert provided by the Resident Artists at Portland Opera. The event will be held on Thursday 2/25, at 7 pm in the Taylor-Meade Auditorium. Anne is hoping that PAC can help promote/advertise the event. Pat will follow up. This could potentially be a mini-grant application in the future.
Deletions: Agenda Item 5C-Finance report
5. **INFORMATION ITEMS:**
 - A. Cultural Coalition of Washington County grant award: PAC was granted the full amount requested-\$1000.
 - B. Meet the Artist Dinner: Stecchino-Was scheduled for February. The Habitat for Humanity and potentially other fundraisers are scheduled for February. Discussion RE: rescheduling. The PAC determined that it is still good timing to hold the event in February. Linda: It is important to distinguish between a "Meet the Artist" event vs. a fundraiser. A commercial venue benefitting from an event may be problematic because, in the past, Meet the Artist events have been hosted in private homes/venues for free with donations. This discussion will be added to the January agenda, and nothing will be publicized until the policy is clarified.
6. **DISCUSSION/DECISION ITEMS:**
 - A. Art in the Park Acquisition Selection: Kathleen-So far, the process for art acquisition has been seamless. Kathy did an excellent job overseeing the process. Kathy: The committee went through the process, chose the top five, then filled out a respective scoring guide. Selection committee binders, comments and scores were shared and discussed. Extensive discussion of the pros and cons of each piece, including stylistic and safety

considerations. Concluding questions included: Have we found precisely what we want for the acquisition? Could we potentially extend the call, while exploring modifications possibilities with artists in the top five? The board agreed to extend the call, while asking artists 1, 3, 6 and 11 to resubmit. Kathleen: These conversations (regarding resubmittals) need to be held in person-via telephone/facetime, etc., if at all possible, to be followed with written correspondence. Updates will be on the January agenda.

- B. Buy a Brick Fundraiser: Bricks will be available for purchase at the Chamber of Commerce, the library, through the city website (downloadable PDF) and through Dana Z. A notification was also placed in the utility bill. Checks should be made out to the Forest Grove Foundation. The Forest Grove Foundation would like the PAC to know that a change implemented this year means that a 5-8% fee will be assessed from the collected funds to cover board insurance. Bricks will be sold at \$50 to remain affordable for a larger number of families. An ad and article will be promoting the fundraiser in the News Times.
- B. Art Walk: Linda sent out a proposal, which removed the food and wine portions until the end due to the walk being quite long with the multiple stops. After walking the route, it appears that the food/wine portion would be best as a culminating event. Pat: If the route is too long, should we consider eliminating stops? Tom: How long is the route? Linda: Time wasn't tracked, and the GPS was likely off so the route needs to be walked again for precise measurements. Information will be presented at our next meeting.

7. **COMMISSIONER COMMUNICATIONS:**

- Helvi-Saturday from 11-5 there will be a Green Cab pop-up show at Helvi's studio.
- Council Liaison Communications-Richard, RE: the reinforcement of the display. A material was presented that can be clamped to a table for security. It is available at multiple locations, including Restore. Measurements are needed, after which materials will be purchased to complete the reinforcement.

8. **STAFF COMMUNICATIONS-N/A**

9. **ADJOURNMENT:** Kathleen Leatham adjourned the meeting at 6:45pm. The next meeting will be January 14, 2016, in the Rogers room of the Forest Grove Library.

Respectfully Submitted by Emily Lux

MINUTES APPROVED BY THE PAC ON JANUARY 14, 2016

Present: Emily Lux, Linda Taylor, Pat Truax, Dana Zurcher, Kathleen Leatham, Laura Frye, Helvi Smith, Kathy Broom.

Staff Liaison Colleen Winters, Tom Gamble. Council Liaison Richard Kidd

Guest(s): N/A

Absent: Dana Lommen

1. **CALL TO ORDER:** By Kathleen Leatham at 5:00 pm.
2. **CITIZEN COMMUNICATION:** N/A
3. **APPROVAL OF PAC MEETING MINUTES:** Motion to approve last month's minutes as amended made by Pat, seconded by Linda. Motion accepted.
4. **ADDITIONS/DELETIONS:**
Additions: Pat received an email from Anne Reed, Pacific University Voice Area Coordinator, regarding concert provided by the Resident Artists at Portland Opera. The event will be held on Thursday 2/25, at 7 pm in the Taylor-Meade Auditorium. Anne is hoping that PAC can help promote/advertise the event. Pat will follow up. This could potentially be a mini-grant application in the future.
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- Council Liaison Communications-Richard, RE: the reinforcement of the display. A material was presented that can be clamped to a table for security. It is available at multiple locations, including Restore. Measurements are needed, after which materials will be purchased to complete the reinforcement.

8. **STAFF COMMUNICATIONS-N/A**

9. **ADJOURNMENT:** Kathleen Leatham adjourned the meeting at 6:45pm. The next meeting will be January 14, 2016, in the Rogers room of the Forest Grove Library.

Respectfully Submitted by Emily Lux



A place where businesses and families thrive.

CITY RECORDER USE ONLY:
 AGENDA ITEM #:
 FINAL ACTION: **3G**

LIQUOR LICENSE RECOMMENDATION

NAME OF APPLICANT/BUSINESS: Kama'aina LLC (Applicant: Kevin Yamada)
APPLICANT/BUSINESS ADDRESS: 1910 Main Street, Suite A – Forest Grove
LIQUOR LICENSE TYPE: Full On-Premises Sales
CITY BUSINESS LICENSE: BL- 001985

TYPE OF LICENSE REQUESTED:

Application is being made for

ACTION: <input type="checkbox"/> Change in Application <input checked="" type="checkbox"/> New Application <input type="checkbox"/> Renewal <input type="checkbox"/> Special Event <input type="checkbox"/> Temporary <input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> FULL ON-PREMISES SALES: F-COM licenses are required to have dining seating. Allows the sale and service of distilled spirits, malt beverages, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises. <input type="checkbox"/> BREWERY – PUBLIC HOUSE This license allows the holder to manufacture malt beverages and sell to patrons and wholesalers and allows the holder to sell malt beverages, wine and cider for consumption at the business and "to go".	<input type="checkbox"/> LIMITED ON-PREMISES SALES: Allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises. <input type="checkbox"/> OFF-PREMISES SALES: Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows approved licensees to offer sample tasting of malt beverages, wine and cider.
<input type="checkbox"/> Business <input type="checkbox"/> Change in Ownership <input type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input type="checkbox"/> Other _____	<input type="checkbox"/> F – CAT Caterer <input checked="" type="checkbox"/> F – COM Commercial Establishment <input type="checkbox"/> F – PC Passenger Carrier <input type="checkbox"/> F – CLU Private Club <input type="checkbox"/> F – SEW or SEG Special Event <input type="checkbox"/> F – PL Other Public Location	<input type="checkbox"/> Brewery Public House <input type="checkbox"/> Fuel Pumps <input type="checkbox"/> Grower <input type="checkbox"/> Warehouse <input type="checkbox"/> Winery/Grower <input type="checkbox"/> Other: _____

APPLICABLE CRIMINAL/DRIVING RECORD:

NONE SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)

J. F. Schutz
 J. F. Schutz, Chief of Police/Designee

1-15-2016
 Date



OREGON LIQUOR CONTROL COMMISSION LIMITED LIABILITY COMPANY QUESTIONNAIRE

Please Print or Type

LLC Name: KAMA'ALINA LLC Year Filed: 2015

Trade Name (dba): _____

Business Location Address: 1910 MAIN ST #A

City: FOREST GROVE ZIP Code: 97116

List Members of LLC:

Percentage of Membership Interest:

- | | |
|---|-------------|
| 1. <u>KEVIN YAMADA</u>
(managing member) | <u>100%</u> |
| 2. _____
(members) | _____ |
| 3. _____ | _____ |
| 4. _____ | _____ |
| 5. _____ | _____ |
| 6. _____ | _____ |

(Note: If any LLC member is another legal entity, that entity must also complete an LLC, Limited Partnership or Corporation Questionnaire. If the LLC has officers, please list them on a separate sheet of paper with their titles.)

Server Education Designee: KEVIN YAMADA DOB: 2/7/1976

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Signature: (name) OWNER (title) Date: 1/5/16



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Kama'aina LLC

Applicant Name: KEVIN YAMAZA

Phone: (808) 799-6211

Trade Name (dba): KAMA'AINA

Business Location Address: 1910 MAIN ST #A

City: FOREST GROVE OR

ZIP Code: 97116

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 11am to 8pm
 Monday CLOSED to _____
 Tuesday 11am to 8pm
 Wednesday 11am to 8pm
 Thursday 11am to 8pm
 Friday 11am to 1am
 Saturday 11am to 1am

Outdoor Area Hours:

Sunday 11am to 8pm
 Monday CLOSED to _____
 Tuesday 11am to 8pm
 Wednesday 11am to 8pm
 Thursday 11am to 8pm
 Friday 11am to 1am
 Saturday 11am to 1am

The outdoor area is used for:

- Food service Hours: 10 to CLOSE
- Alcohol service Hours: 11 to CLOSE
- Enclosed, how LOCKING GATE

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- Live Music
- Recorded Music
- DJ Music
- Dancing
- Nude Entertainers
- Karaoke
- Coin-operated Games
- Video Lottery Machines
- Social Gaming
- Pool Tables
- Other: _____

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday _____ to _____
 Monday _____ to _____
 Tuesday _____ to _____
 Wednesday _____ to _____
 Thursday 5 to 8
 Friday 5 to 8/10
 Saturday 5 to 10

SEATING COUNT

Restaurant: 79 Outdoor: 21
 Lounge: _____ Other (explain): _____
 Banquet: _____ Total Seating: 100

OLCC USE ONLY

Investigator Verified Seating: ____ (Y) ____ (N)

Investigator Initials: _____

Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature]

Date: 12/23/15

1-800-452-OLCC (6522)

www.oregon.gov/olcc

(rev. 12/07)



A place where businesses and families thrive.

CITY RECORDER USE ONLY:
 AGENDA ITEM #:
 FINAL ACTION: **3H**

LIQUOR LICENSE RECOMMENDATION

NAME OF APPLICANT/BUSINESS: Bites Restaurant (Applicant: Thomas Gilstrap)
APPLICANT/BUSINESS ADDRESS: 2014 Main Street – Forest Grove
LIQUOR LICENSE TYPE: Full On-Premises Sales
CITY BUSINESS LICENSE: BL- *Pending*

TYPE OF LICENSE REQUESTED:

Application is being made for

ACTION: <input type="checkbox"/> Change in Application <input checked="" type="checkbox"/> New Application <input type="checkbox"/> Renewal <input type="checkbox"/> Special Event <input type="checkbox"/> Temporary <input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> FULL ON-PREMISES SALES: F-COM licenses are required to have dining seating. Allows the sale and service of distilled spirits, malt beverages, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises. <input type="checkbox"/> BREWERY – PUBLIC HOUSE This license allows the holder to manufacture malt beverages and sell to patrons and wholesalers and allows the holder to sell malt beverages, wine and cider for consumption at the business and "to go".	<input type="checkbox"/> LIMITED ON-PREMISES SALES: Allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises. <input type="checkbox"/> OFF-PREMISES SALES: Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows approved licensees to offer sample tasting of malt beverages, wine and cider.
<input type="checkbox"/> Business <input type="checkbox"/> Change in Ownership <input type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input type="checkbox"/> Other _____	<input type="checkbox"/> F – CAT Caterer <input checked="" type="checkbox"/> F – COM Commercial Establishment <input type="checkbox"/> F – PC Passenger Carrier <input type="checkbox"/> F – CLU Private Club <input type="checkbox"/> F – SEW or SEG Special Event <input type="checkbox"/> F – PL Other Public Location	<input type="checkbox"/> Brewery Public House <input type="checkbox"/> Fuel Pumps <input type="checkbox"/> Grower <input type="checkbox"/> Warehouse <input type="checkbox"/> Winery/Grower <input type="checkbox"/> Other: _____

APPLICABLE CRIMINAL/DRIVING RECORD:

NONE SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)

J. F. Schutz
 J. F. Schutz, Chief of Police/Designee

1-15-2016
 Date



OREGON LIQUOR CONTROL COMMISSION
LIQUOR LICENSE APPLICATION



Application is being made for:

LICENSE TYPES <input checked="" type="checkbox"/> Full On-Premises Sales (\$402.60/yr) <input checked="" type="checkbox"/> Commercial Establishment <input type="checkbox"/> Caterer <input type="checkbox"/> Passenger Carrier <input type="checkbox"/> Other Public Location <input type="checkbox"/> Private Club <input type="checkbox"/> Limited On-Premises Sales (\$202.60/yr) <input type="checkbox"/> Off-Premises Sales (\$100/yr) <input type="checkbox"/> with Fuel Pumps <input type="checkbox"/> Brewery Public House (\$252.60) <input type="checkbox"/> Winery (\$250/yr) <input type="checkbox"/> Other: _____	ACTIONS <input checked="" type="checkbox"/> Change Ownership <input type="checkbox"/> New Outlet <input type="checkbox"/> Greater Privilege <input checked="" type="checkbox"/> Additional Privilege <input checked="" type="checkbox"/> Other <u>CTN</u>
--	---

90-DAY AUTHORITY
 Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:
 Limited Partnership
 Corporation
 Limited Liability Company
 Individuals

CITY AND COUNTY USE ONLY
 Date application received: _____
 The City Council or County Commission: _____
 (name of city or county)
 recommends that this license be:
 Granted Denied
 By: _____ (signature) _____ (date)
 Name: _____
 Title: _____

OLCC USE ONLY
 Application Rec'd by: _____
 Date: 1-7-16
 90-day authority: Yes No

P47166
L219203

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]
 ① Thomas Gilstrap ③ T and F LLC
 ② Jiraphorn Khunsamart ④ _____

2. Trade Name (dba): Bites Restaurant

3. Business Location: 2014 Main St Forest Grove Washington OR 97116
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: Same as above
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: (503) 516-9689 / 541 661-1336
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: Wine Education Consultants LLC Type of License: Full On-Premises Sale
~~stecchino bistro~~

8. Former Business Name: stecchino bistro

9. Will you have a manager? Yes No Name: Jiraphorn Khunsamart
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Forest Grove, Washington
(name of city or county)

11. Contact person for this application: Thomas Gilstrap 541 661 1336
(name) (phone number(s))
Same as above contact@bitesrestaurant.com
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:
 ① Thomas Gilstrap Date 11/1/15 ③ _____ Date _____
 ② [Signature] Date 11/1/15 ④ _____ Date _____

RECEIVED
JAN 07 2016
Liquor Control Commission

OREGON LIQUOR CONTROL COMMISSION
LIMITED LIABILITY COMPANY QUESTIONNAIRE



1134937-95 / 8-5-15

Please Print or Type

LLC Name: T and F LLC Year Filed: 2015

Trade Name (dba): Bites Restaurant

Business Location Address: 2014 Main st

City: Forest Grove OR ZIP Code: 97116

List Members of LLC:

Percentage of Membership Interest:

- | | |
|---|------------|
| 1. <u>Thomas Gilstrap</u>
<small>(managing member)</small> | <u>50%</u> |
| 2. <u>Jiraphom Khunsamart</u>
<small>(members)</small> | <u>50%</u> |
| 3. _____ | _____ |
| 4. _____ | _____ |
| 5. _____ | _____ |
| 6. _____ | _____ |

(Note: If any LLC member is another legal entity, that entity must also complete an LLC, Limited Partnership or Corporation Questionnaire. If the LLC has officers, please list them on a separate sheet of paper with their titles.)

Server Education Designee: Jiraphom Khunsamart DOB: 06/13/85

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Signature: [Signature] (name) [Signature] (manager) Date: 12/1/15

RECEIVED

JAN 07 2016

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www.olcc.state.or.us

Initials: _____ (rev. 8/11)
Oregon Liquor Control Commission



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: T and F LLC Phone: 503 516-9689

Trade Name (dba): Bites Restaurant

Business Location Address: 2014 Main st

City: Forest grove, OR ZIP Code: 97116

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 11:30 AM to 9: PM
Monday 11 AM to 9: PM
Tuesday 11 AM to 9: PM
Wednesday 11 AM to 9: PM
Thursday 11 AM to 9: PM
Friday 11 AM to 11: PM
Saturday 11:30 AM to 11: PM

Outdoor Area Hours:

Sunday to
Monday to
Tuesday to
Wednesday to
Thursday to
Friday to
Saturday to

The outdoor area is used for:

- Food service Hours: to
Alcohol service Hours: to
Enclosed, how

The exterior area is adequately viewed and/or supervised by Service Permittees. (Investigator's Initials)

Seasonal Variations: Yes No If yes, explain:

ENTERTAINMENT

Check all that apply:

- Live Music Karaoke
Recorded Music Coin-operated Games
DJ Music Video Lottery Machines
Dancing Social Gaming
Nude Entertainers Pool Tables
Other:

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday to
Monday to
Tuesday to
Wednesday to
Thursday to
Friday to
Saturday to

SEATING COUNT

Restaurant: 40 Outdoor:
Lounge: Other (explain):
Banquet: Total Seating: 40

OLCC USE ONLY
Investigator Verified Seating: (Y) (N)
Investigator Initials:
Date:

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature]

1-800-452-OLCC (6522)

www.oregon.gov/olccinitials:

Oregon Liquor Control Commission

(rev. 12/07)



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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>3I</u>
FINAL ACTION:	_____

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *January 25, 2016*

PROJECT TEAM: *Anna D. Ruggles, CMC, City Recorder*

SUBJECT TITLE: *Accept Resignation on CCI*

ACTION REQUESTED: Ordinance Order Resolution Motion Informational

X all that apply

Martha Ochoa, Term Expiring January 31, 2016, have informed staff of her desire to resign from the Committee for Citizen Involvement (CCI) as per attached e-mail resignation.

STAFF RECOMMENDATION:

Staff is recommending the City Council accept the above-noted resignation and deem the seat vacant, effective term expiring January 31, 2016.

Anna Ruggles

From: Martha Ochoa martha.ochoa@gmail.com
Sent: Wednesday, January 06, 2016 8:16 AM
To: Anna Ruggles
Subject: Re: RSVP by Jan 13: B&C Annual Dinner Reception

Good morning Anna Happy New Year. My apologies for not getting back to you sooner, but I will not be renewing my position on CCI for medical reasons, but I will attend on the 14th just me.

Thanks

On Thu, Dec 31, 2015 at 8:48 AM, Anna Ruggles <aruggles@forestgrove-or.gov> wrote:
RSVP by Jan 13: B&C Annual Dinner Reception
Please reserve your seat(s) by forwarding this e-mail with your name(s) to: aruggles@forestgrove-or.gov<<mailto:aruggles@forestgrove-or.gov>>

Name:

Name:

B&C Chair presentations are due no later than January 15th to aruggles@forestgrove-or.gov<<mailto:aruggles@forestgrove-or.gov>>.

RESOLUTION NO. 2016-07

**RESOLUTION MAKING REAPPOINTMENT
TO THE CITY OF FOREST GROVE
COMMITTEE FOR CITIZEN INVOLVEMENT**

WHEREAS, Resolution No. 1991-57 has provided for a Committee for Citizen Involvement; and

WHEREAS, Resolution Number 2006-10 provides that incumbents of a standing Citizen Advisory Boards, Committees, and Commissions may reapply for appointment; and

WHEREAS, the City Council has received notification from incumbents who desire to be reappointed to the Committee for Citizen Involvement, four-year term, and student advisory, one-year term, expire January 31st.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That the following person is hereby reappointed to the City of Forest Grove Committee for Citizen Involvement for the following term:

<u>Last Name:</u>	<u>First Name:</u>	<u>Term Expires:</u>
Larios	Briana	Student Advisory, January 31, 2017

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 25th day of January, 2016.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 25th day of January, 2016.

Peter B. Truax, Mayor

This page is intentionally blank.



A place where businesses and families thrive.

Memorandum

TO: Mayor Truax and City Councilors

FROM: Tom Gamble, Parks Director
Colleen Winters, Library Director
Jesse VanderZanden, City Manager

CC:

DATE: January 25, 2016

SUBJECT: Public Arts Commission Presentation re: Public Art Acquisition: Art in the Park

BACKGROUND: In 2010, the Public Arts Commission successfully designed and implemented a process for its first public art acquisition project. The result of that process was the procurement of the three “sculpture” benches in downtown Forest Grove.

In 2015, the Commission decided to embark on a second public art acquisition project. Using the same model as 2010, the goal is to purchase a three-dimensional original sculpture, 10-12 feet tall, for either Lincoln or Rogers Park. Funding for the project will come from fund-raising events and grants.

A Call for Art went out in October. Eleven proposals were received.

An adjudication committee was created who reviewed the submissions and made their recommendation to the Public Arts Commission. The Commission reviewed and discussed the recommendation at their December 10 meeting.

The Commission decided to contact four of the artists to ask them to resubmit their proposals based on questions or concerns from members of the Commission.

The resubmittals were received and reviewed at their January 14th meeting.

Dana Zurcher, Chair of the Public Arts Commission, will describe the process and present the selection of the Commission.

Staff recommends that the Council accept the selection of the Commission.

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ORDINANCE NO. 2016-01

**ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT BETWEEN TOKOLA PROPERTIES AND CITY OF FOREST GROVE FOR FOREST GROVE MIXED-USE PROJECT
FILE NO. 311-15-00022-PLNG**

WHEREAS, the Urban Renewal Agency of the City of Forest Grove owns approximately 1.5 acres of land as shown on Exhibit 1 (Property); and

WHEREAS, on November 5, 2015, Tokola Properties filed a land use application with the City of Forest Grove (City) for approval of a 78-unit apartment project including 5 live-work units, approximately 2,500 square feet of commercial space, a privately-constructed plaza adjacent to the Pacific Avenue right-of-way comprising approximately 2,900 square feet, and a 94-space parking lot (the Project) on the Property; and

WHEREAS, the Project requires City approval of the proposed Site Plan pursuant to Forest Grove Development Code (DC) Section 10.2.400 et. seq., Design Review approval pursuant to DC Section 10.2.300 et. seq., and approval of a Development Agreement pursuant to ORS 94.504 et. seq. and DC Section 10.2.800 et. seq.; and

WHEREAS, the Development Agreement will authorize the construction of 78 dwelling units on the Property at a maximum density of 55 units per acre; and

WHEREAS, the land use application was deemed complete by the City on November 20, 2015; and

WHEREAS, the Planning Commission held a duly-noticed Public Hearing on the land use application on December 7, 2015; and

WHEREAS, the Planning Commission's Decision No. 15-05 recommends the City Council approve the land use application, including the Development Agreement; and

WHEREAS, the City Council held a duly-noticed Public Hearing on January 11 and continued the hearing on January 25, 2016, to consider the Planning Commission's recommendation.

NOW, THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:

Section 1. The City Council adopts the Planning Commission findings dated December 11, 2015.

Section 2. The City Council makes the following additional findings:

- 1) The Development Agreement, attached as Exhibit 1 to this Ordinance, addresses all of the requirements of ORS 94.504 et. seq.

- 2) The Project includes 78 apartments including 5 live-work units, approximately 2,500 square feet of commercial space, a privately-constructed plaza area adjacent to the Pacific Avenue right-of-way comprising approximately 2,900 square feet, and a 94-space parking lot.
- 3) Pursuant to ORS 94.518, the Development Agreement modifies the maximum allowed density from 20.28 dwellings per net acre to 55 units per acre based on the land area of the development site. This modification is necessary to implement certain goals and policies of the Comprehensive Plan including: Sustainability Goal 7, Economic Development Goal 7, Economic Development Policy 7.10, Economic Development Policy 7.11, and Urbanization Policy 10.
- 4) Except for project density, the Project is consistent with applicable regulations governing development as modified through Track 2 Design Review approval pursuant to Forest Grove Development Code Section 10.2.300 et. seq.

Section 3. Based on the findings set forth in Section 1 and Section 2, the City Council adopts the Planning Commission's recommendation and approves the Development Agreement.

Section 4. The City Council authorizes the City Manager to execute the Development Agreement attached as Exhibit 1.

Section 5. As required by ORS 94.528, the City Recorder shall record this Ordinance with the Washington County Recorder's Office after the Development Agreement is fully executed by the City of Forest Grove and Tokola Properties.

Section 6. This Ordinance shall be effective the later of 30-days after its enactment or upon execution of a Disposition and Development Agreement for the Property between the Urban Renewal Agency of the City of Forest Grove and Tokola Properties.

PRESENTED AND PASSED the first reading the 11th day of January 2016.

Anna D. Ruggles, City Recorder

PASSED the second reading the 25th day of January 2016.

Peter B. Truax, Mayor

EXHIBIT 1

DEVELOPMENT AGREEMENT FOREST GROVE MIXED-USE PROJECT

THIS DEVELOPMENT AGREEMENT (Agreement) is effective this _____ day of _____, 2016, between the Urban Renewal Agency of the City of Forest Grove (Agency), a public body corporate and politic created under ORS 457.035 and 457.045, City of Forest Grove (City), an Oregon municipal corporation, and Tokola Properties, Inc, (Tokola) a domestic business corporation, collectively, the "Parties".

Recitals

- A. The Urban Renewal Agency of the City of Forest Grove is the owner of certain real property located in the City of Forest Grove and described in Exhibit A attached (Property). The Property is approximately 1.5 acres in total area. The property is zoned Town Center Support and Town Center Transition.
- B. Tokola filed applications for City land use approval on November 5, 2015 and November 20, 2015, for a mixed-use development project, generally comprised of 75 market-rate apartment units, 5 market-rate live-work units, approximately 2,500 square feet of commercial space, a plaza area adjacent to the Property's Pacific Avenue public right-of-way comprising approximately 2,900 square feet, and a surface parking area including approximately 94 parking spaces.
- C. The City deemed the land use applications complete on November 20, 2015 for purposes of public hearing.
- D. Tokola desires to privately develop the Property, after transferred by the Agency to Tokola, consistent with the Forest Grove Comprehensive Plan, any decision on the City land use application, the terms and conditions of this Agreement and any Disposition and Development Agreement (DDA) affecting the Property.
- E. This Agreement is entered into under authority of and in compliance with ORS 94.504 et. seq. to allow private development of the Property consistent with anticipated new provisions of the Forest Grove Development Code intended to implement the Forest Grove Comprehensive, including increasing maximum density.
- F. The City of Forest Grove Planning Commission held a public hearing and considered the land use applications on December 7, 2015 and adopted a motion recommending City Council approval of the land use applications with conditions.
- G. The Forest Grove City Council held public hearings and considered the land use applications and Planning Commission recommendations on January 11, 2016, and January 25, 2016, and approved the land use applications with conditions.

Agreement

The Parties agree as follows:

1. Tokola Obligations

- 1.1. Land Use Approval. Tokola agrees to comply with the City's approval of the site plan, design review decision and final project conditions as approved by the City Council.
- 1.2. Compliance with Laws, Codes and Regulations. Tokola agrees to make all improvements to the Property as generally described in the project proposal dated, November 20, 2015, in compliance with the City's land use approval, any DDA approved by the Agency pertaining to the transfer of real property from the Agency to Tokola, and applicable City Codes and regulations affecting the Property consistent with ORS 94.518. Tokola will construct all required improvements as required by the applicable laws and regulations of the City, Washington County, and the State of Oregon.
 - 1.2.1. Development Fees. Tokola agrees to pay any applicable systems development charges (SDCs) and other applicable development fees, including Washington County Transportation Development Tax, in effect at the time of issuance of any building permits as required under any DDA pertaining to the transfer of real property from Agency to Tokola.
 - 1.2.2. Construction. Tokola is required to file for all required building and development permit applications and pay required fees to the City as described in the DDA between the Agency and Tokola. Tokola will construct all required improvements to City Public Works standards and its applicable service providers commensurate with type of improvement. All plans will be reviewed and approved by the City Engineer and the appropriate service provider.
 - 1.2.3. Construction Schedule; Phasing. The construction schedule will be specified and agreed to in the DDA pertaining to the transfer of real property from the City to Tokola necessary to construct the project.
 - 1.2.4. Indemnification. Tokola agrees to indemnify, hold harmless and defend the Agency, City, it's officers, agents and employees, from and against any and all claims, actions, or suits, including damages and attorney fees, which may be incurred by the Agency or City or its officers, agents or employees as a result of entering into this Agreement and as a result of the execution and performance of this Agreement.
 - 1.2.5. Waiver of Claims pursuant to ORS 195.305. Tokola waives any claims it may have as of the date of execution of this Agreement, whether identified or not, pursuant to ORS 197.352 ("Measure 37"). This waiver further extends to any claims arising as a result of the City's decision on the land use applications and its amendments to the Forest Grove Development Code.

2. City Obligations

- 2.1. The City agrees to take all actions necessary to process and reach a final decision on the land use applications affecting the property.
- 2.2. The City agrees to take all actions necessary to adopt Forest Grove Development Code Amendments pertaining to increasing development densities affecting the property. The City does not commit to a particular decision or outcome from the land use process.

3. Agency Obligations

- 3.1. The Agency agrees to take all actions necessary to process and reach a final decision on a Disposition and Development Agreement pertaining to transfer Agency-owned property to Tokola for development consistent with this agreement, the City's land use approval and DDA.

4. Assignment

- 4.1. Tokola may not assign its responsibilities and obligations under this Agreement to any other person or entity without express written approval of the City which approval will not be unreasonably withheld.

5. Compliance with ORS 94.504

- 5.1. Compliance with Code Requirements. Under ORS 94.518, the effective Comprehensive Plan, zoning ordinances and other rules and policies of the City (land use and development regulations) governing permitted uses of land and density applicable to development of the Property, are the Comprehensive Plan and the ordinances, rules, and policies of the City of Forest Grove, and as applicable Washington County, in effect at the time of approval of this Agreement, subject to the terms and conditions of this Agreement with respect to amendments to the Forest Grove Development Code pertaining to maximum permissible densities.
- 5.2. Assumptions, Provisions of Services and Changes in Circumstances. For purposes of complying with ORS 94.504(6), the Parties acknowledge that the assumptions underlying this Agreement relating to the ability of the City to serve development of the Property are those set forth in the land use applications, the decision on those applications, and any conditions of approval.
- 5.3. Statutorily Required Provisions. For purposes of complying with ORS 94.504(2), the Parties further agree as follows:
 - 5.3.1. Duration of Agreement. The duration of this Agreement is three years, or until modified or mutually terminated upon adoption of City Development Code amendments referenced in Section 2.2.
 - 5.3.2. Permitted Uses. The property may be used for any use permitted under the land use regulations in effect at the time of the Agreement and consistent with the City's land use approval and further described in any Disposition and Development Agreement pertaining to the transfer of the Property by the City to Tokola.

- 5.3.3. Density and Intensity of Uses. Approved uses on the Property may be developed at the density, location, and intensity permitted by the City's decision on the land use applications not to exceed 55 dwelling units per net acre. Net acre shall be based on the site's acreage which does not include rights-of-way through or on the edge of the site, environmentally constrained areas, or land intended for public ownership such as park or open spaces uses.
- 5.3.4. Height and Size of Structures. No structure shall be of a greater height or size than permitted by the City's decision on the land use applications and City land use regulations in effect on the effective date of this Agreement.
- 5.3.5. Reservations/Dedications for Public Purposes. Reservations or dedications of portions of the Property for public purposes are not required.
- 5.3.6. Fees and Charges. Fees and charges, other than as set forth in this Agreement, imposed on the development of the Property, are those in effect at the time applications for building permits are filed.
- 5.3.7. Compliance Review. Review of development will be in accordance with the City's decision on the land use applications.
- 5.3.8. Infrastructure and Services. Responsibility for providing infrastructure and services not addressed in this Agreement, land use conditions of approval, or Disposition and Development Agreement will be established under ordinances and regulations in effect at the time of subsequent application for development.
- 5.3.9. Effect of Changes in Laws. If there is a change in federal, regional, or state laws and rules that compliance with this Agreement unlawful, then the Parties will negotiate in good faith, an appropriate amendment to this Agreement to (i) achieve to the maximum extent possible, adherence to the spirit and purpose of this Agreement and (ii) achieve compliance with such laws.
- 5.3.10. Remedies. The parties retain all remedies available at law or equity to enforce this Agreement, including claims for damages resulting from any breach of this Agreement.
- 5.3.11. Public Expenditures. If there is any obligation under this Agreement on the City to expend monies in the future, the obligation is expressly contingent upon the absolute discretionary ability of the City to appropriate (or not appropriate) monies for that obligation, subject to the City's budgetary processes.
6. Notice. As used in this Agreement, notice means a written document, explaining the reason for the notice, mailed by United States Postal Service, via certified mail, return requested, addressed as follows:

To City:

Jon Holan
Community Development Director
City of Forest Grove
PO Box 326
Forest Grove, OR 97116-0326

To Agency: Jesse VanderZanden
Executive Director
Urban Renewal Agency City of Forest Grove
PO Box 326
Forest Grove, OR 97116

To Tokola: Dwight Unti
President
Tokola Properties, Inc.
PO Box 1620
Gresham, OR 97030

Copies of all notices will be sent to the above addresses. Notice will be deemed given on the date placed in the U.S. Mail, and sent by facsimile to counsel, whether actually received by the addressee or not. The parties will send each other a courtesy copy of each notice by facsimile or electronic means, or by courier, Federal Express, or similar service, but such notice will not be deemed the required "notice". The Parties may from time to time amend the above addresses and names by written notice given to the other party in the same manner as the required "notice".

7. Authority and Enforceability The Agency, City and Tokola represent and warrant that each has the full right, power, legal capacity and authority to enter into and perform the Parties' respective obligations and that no approval or consents of any other persons are necessary except as identified in this Agreement. Each Party represents and warrants to the other that this Agreement is valid, binding, and enforceable in accordance with its terms. Each Party also represents and warrants that this Agreement and performance under it does not violate any contract, law, plan, ordinance rule, regulation or policy binding each Party.
8. Severability Nothing in this Agreement will be construed to require the commission of any act contrary to law, and wherever there is any conflict between any provision contained and any present or future statute, law, ordinance, or regulation contrary, then the latter prevails. Any affected provision of this Agreement will be curtailed and limited only to the extent necessary to bring it within the requirements of law.
9. Further Assurances and Additional Documents Each Party will execute and deliver any additional papers, documents, or other assurances, and do any action necessary to perform their obligations and carry out the intent of the Parties identified in this Agreement. The Parties will execute and deliver all supplemental agreements and other instruments and take any other action necessary to make this Agreement fully and legally effective, binding, and enforceable as between the Parties, and as against third parties. This Agreement requires the Parties to agree upon various items at different times in the future. The Parties will cooperate in good faith, and will deal fairly with one another, in an attempt to fulfill the obligations of the Parties as reflected in this Agreement and to facilitate full performance of this Agreement.
10. Attorney Fees If a suit, action, arbitration or other proceeding of any nature whatsoever, including without limitation any proceeding under the U.S. Bankruptcy Code, is instituted, or the services of any attorney are retained to interpret or enforce any provision of this Agreement or with respect to any dispute relating to this Agreement, the prevailing Party is entitled to recover from the losing Party its attorney fees, paralegal fees, accountant fees, and other expert fees, and all other fees, costs and expenses actually incurred and reasonably necessary. The amount of fees will be determined by the judge or arbitrator and include fees and expenses incurred on any appeal or review.

11. Survival The warranties, representations, covenants, and agreements made in this Agreement by each Party survive the delivery of any deed or bill of sale and shall be and remain in full force and effect for the term specified in this Agreement as may be amended in the future.
12. Waiver Failure of any Party at any time to require performance of any provision of this Agreement does not limit the Party's right to enforce the provision. No waiver of any breach of any provision is a waiver of any succeeding breach of the provision or a waiver of the provision itself or any other provisions.
13. Time Time is of the essence in the performance of the duties and obligations of this Agreement.
14. Counterparts This Agreement may be executed in several counterparts, each of which is an original, but all of which constitute the same Agreement.
15. Captions and Headings The captions and headings of this Agreement are for convenience only and will not be construed or referred to in resolving questions of interpretation or construction. The recitals at the beginning of this Agreement are contractual and are considered or referred to in resolving questions of interpretation or construction.
16. Modification or Amendments No amendment, change, or modification of this Agreement is valid, unless in writing and signed by the Parties.
17. Successor and Assigns All of the terms and provisions inure to the benefit of and are binding upon the Parties and their respective heirs, legal representatives, successors and assigns.
18. Standard of Review The City standard of review for any documents required to execute this Agreement is as provided in the City Code. In the absence of an applicable standard, the standard of review will be one of reasonableness.
19. Runs with Land. This Agreement runs with the Property. This Agreement will be recorded with the Washington County Records Division.

TOKOLA PROPERTIES

By: _____

Its: _____

Approved as to form:

CITY OF FOREST GROVE

By: _____

Its: _____

Approved as to form:

**URBAN RENEWAL AGENCY
OF THE CITY OF FOREST GROVE**

By: _____

Its: _____

Approved as to form:

STATE OF OREGON)

County of Washington) ss.

This instrument was acknowledged before me on _____, 2016 by _____ as _____ of Tokola Properties.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

STATE OF OREGON)

County of Washington) ss.

This instrument was acknowledged before me on _____, 2016 by _____ as _____ of the City of Forest Grove.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

STATE OF OREGON)

County of Washington) ss.

This instrument was acknowledged before me on _____, 2016 by _____ as _____ of the Urban Renewal Agency of the City of Forest Grove.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

EXHIBIT 2

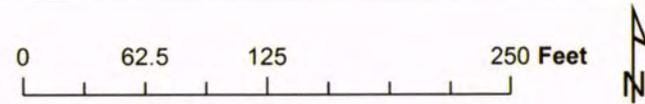
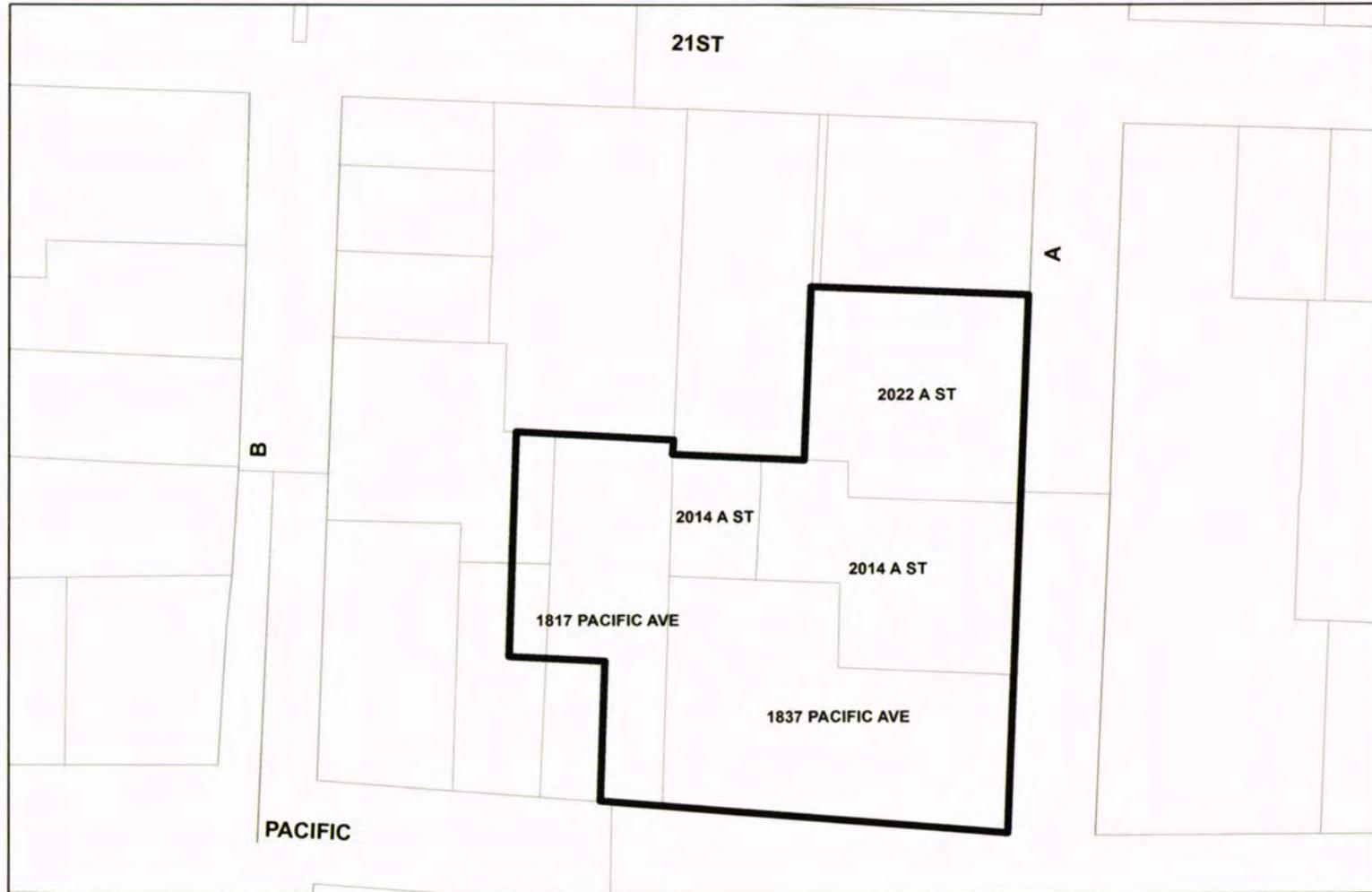


EXHIBIT 3

Narrative Legal Description

[To Be Added]

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Jan 25, 2016
Written Testimony

Anna Ruggles

From: Barry Wilson <[REDACTED]>
Sent: Tuesday, January 19, 2016 6:41 PM
To: Peter Truax; Tom Johnston; Richard Kidd; victoria lowe; Ron Thompson; Elena Uhing; Malynda Wenzl; Anna Ruggles
Subject: Statement to be read before the City Council Meeting of 1/25/2016:

From Barry C Wilson

3238 Watercrest Rd, Forest Grove

I am unable to attend the next City Council Meeting, but would like the following statement to be read before the City Council Meeting of 1/25/2016:

"At this second reading of Ordinance No 2016-01 I would like to make some comments in response to some of the sentiments expressed at the first reading.

I am well aware of the need for housing to serve low and moderate income and homeless individuals and families. I am also aware of the need for housing to serve middle income individuals and older couples.

Forest Grove has become a magnet for retired people. That group is well served with retirement homes and assisted living facilities in our town. However, there is a large population of retired individuals who own their own homes, are ready to move into less demanding living accommodations, but are not ready for the retirement or assisted living possibilities available. I personally know a number of couples who are ready to sell their homes and move into a pleasant unit on a rental basis or purchase a condominium. They will typically be looking for somewhat larger units on one level.

I realize that there are a number of rental projects and condos currently available in Forest Grove. However, nearly all of them are targeted toward students or low or moderate income tenants. There are also a number of condo units in the community, but most of them are two story units or older one level units that do not appeal to retired individuals.

Another important point to remember about a housing development that will basically be in the heart of downtown, the tenants or owners need to have some discretionary income that they will be drawn to spend in downtown Forest Grove, supporting local merchants. Such discretionary income will be common in the retirement age group of the community that I am referring to. I am concerned that without an influx of discretionary income flowing into downtown, Forest Grove will have city center problems in the future.

Additional housing for low and moderate individuals is definitely necessary and there are any number of sites that could work with some financial help from some level of government. And most certainly there needs to be a better solution to the homeless situation. But a downtown site is not the answer."

Sincerely,
Barry Wilson
1/19/2016



A place where businesses and families thrive

<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>6.</u>
FINAL ACTION:	<u>Y 1/11/16</u> <i>for reading Ord 2016-01</i>

CITY COUNCIL STAFF REPORT

TO: City Council

FROM: Jesse VanderZanden, City Manager

MEETING DATE: January 11, 2016

PROJECT TEAM: Jon Holan, Community Development Director, Paul Downey, Administrative Services Director
Jeff King, Economic Development Manager, Daniel Riordan, Senior Planner

SUBJECT TITLE: Public Hearing and First Reading of an Ordinance Authorizing the City Manager to enter into a Development Agreement with Tokola Properties to allow for development of land located north of Pacific Avenue and west of A Street in downtown Forest Grove; File No. 311-000022-PLNG

ACTION REQUESTED:	<input checked="" type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Order	<input type="checkbox"/> Resolution	<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Informational
--------------------------	---	---	-------------------------------------	--	--

X all that apply

ISSUE STATEMENT:

Shall the City Council approve an ordinance authorizing the City Manager to enter into a Development Agreement with Tokola Properties to allow for development of a mixed-use development project comprised of 78-apartment units, approximately 2,500 square feet of commercial space and 94 parking spaces on 1.53 acres located north of Pacific Avenue and west of A Street in downtown Forest Grove?

BACKGROUND:

In 2012, the City purchased approximately 2.5 acres of land in downtown Forest Grove commonly known as the "Times-Litho" site. The Times-Litho Corporation operated a printing company at the site. The printing company ceased operations several years earlier. As a result, the buildings sat vacant and began to deteriorate. The City Council appreciated the opportunity the site provided for a visible catalytic redevelopment project anchoring the west end of downtown Forest Grove and authorized the City to acquire the property.

To achieve the City's objectives for the property the City issued an RFP to solicit development proposals. The RFP was released in 2014. The City received one response from Sycan B Corporation which expressed interest in pursuing a hotel project at the Times-Litho site but later withdrew from further consideration. While the City was working with Sycan B Corporation, Tokola Properties approached the City and expressed interest in pursuing a mixed-use (residential and commercial) development possibly including a hotel at the site. Over the course of several months Tokola refined their development concept based on a market analysis and City objectives for the property. The project concept prepared by Tokola Properties is described in detail in this memo. The project concept is for an initial phase possibly followed by development along the property's B Street frontage.

The City entered into an exclusive negotiating agreement with Tokola Properties in 2015 in order to refine the project concept based on the City's objectives for the property. The negotiating agreement outlined key aspects of the project important to the City including that the project be undertaken by a private developer. Important project elements for the City include a landmark transit-oriented development consisting of a mix of

diverse uses, incorporation of a privately constructed plaza area complementing the City's streetscape, private parking with limited visibility from the public right-of-way, and an overall project design that complements and enhances the historic Town Center environment. Other important project elements include incorporation of low-impact design features and site improvements that enhance the building exterior and improve ecological performance. Desirable sustainable elements include construction waste recycling, energy and water efficiency, materials selection and ecologically sound design features. Another important aspect of site design is the desire for public pedestrian connectivity to the site, particularly from 21st Avenue and Pacific Avenues.

Tokola Properties is seeking public assistance to address project funding gaps and to make the project feasible. Any public assistance provided to the project will be addressed by the City through a separate disposition and development agreement (DDA). The DDA will be considered by the City Council acting as the Urban Renewal Agency Board of Directors.

The City entered into negotiations with Tokola Properties in large part due to the firm's demonstrated track record of developing transit-oriented, catalytic projects in town centers. Project examples include the recently completed Fourth and Main Project in downtown Hillsboro and 3rd and Central in downtown Gresham. Also entering into the City's decision to work with Tokola is their business model which includes long term project ownership demonstrating a commitment to project success.

On November 20, 2015, Tokola Properties (through their representative Studio C Architecture) filed for land use approval of a development agreement, site plan review and design review for a mixed-use development project on land acquired by the City of Forest Grove (Attachments A and B). The project proposal includes 78-apartment units (including 5 live-work units), approximately 2,500 square feet of commercial space, 94 off-street parking spaces, and a privately constructed/publicly accessible plaza area comprised of approximately 2,900 square feet.

The land use approval for this project involves three elements: 1. Approval of a development agreement, 2. Approval the site development plan and 3. Design review approval. Each aspect of land use approval is discussed below. Development Code Section 10.1.205 allows for consolidated review when more than one land use approval is required. As such under the provisions of 10.1.205 (Consolidated Review), all the applications can be reviewed at one time. In such cases, the process for the highest numbered procedure will apply to all applications. In this instance, the Development Agreement is a Type IV process requiring approval by the City Council. Thus, all three applications are subject to Council approval.

A development agreement is necessary due to the timing of preparing amendments to the Development Code to implement certain policies of the Forest Grove Comprehensive Plan. The 2014 update to the Comprehensive Plan included adoption of new policies to encourage more intensive residential development in downtown Forest Grove:

- Sustainability Goal 7: Promote interconnected land uses that encourage diverse, accessible, and proximate land uses that promote active living and access to vital services including employment, education and healthy food.
- Economic Development Goal 7: Promote the Forest Grove Town Center as the Focal Point of the Community.
- Economic Development Policy 7.10: Amend development standards to increase minimum development densities in the Town Center to improve the economic investment climate for residential construction and encourage a variety of housing types.

- Economic Development Policy 7.11: Promote investment in urban living infrastructure amenities to enhance livability in the Town Center.
- Urbanization Policy 10: The City of Forest Grove will continue to promote the efficient use of land within the Forest Grove Town Center and any areas designated as transit station communities on the Forest Grove Comprehensive Plan land use map.

To implement Comprehensive Plan policies including those identified above, the City applied for a received a code assistance grant from the Oregon Department of Land Conservation and Development. Grant proceeds were used to retain a consultant with experience preparing development codes for town centers and mixed use areas. Work began in December 2014 and is expected to be completed in April 2016. The proposed code amendments subject to this project include increasing the target density in the Town Center from 20.28 dwellings per net acre to 40 dwellings per net acre and establishing a maximum density of 100 units per net acre provided the project includes certain amenities. Proposed project amenities eligible for the density bonus include bicycle amenities, energy efficiency improvements, use of “green” building materials, incorporating low impact design features for stormwater, space for ground floor retail, residential gardening space, rooftop garden or eco-roof, outdoor plaza, structured parking, LEED certification or other amenity approved by the Planning Commission. The Tokola Project incorporates many of these features as described in this memo.

Another proposed code amendment applicable to this project is establishing minimum off-street parking spaces for residential projects in the Town Center. Currently, no off-street parking is required in the Town Center for any use. A parking analysis for the proposed project is provided below in Section III.

Since the updated Development Code will not be in place until April 2016 a development agreement is necessary to accommodate project density and other design features necessary to achieve the City's redevelopment objectives for the property. Specifically, a development agreement is necessary since residential density will exceed what is currently allowed under the City's zoning rules.

Planning Commission Review and Decision

The Planning Commission conducted a public hearing on December 7, 2015. The staff report submitted to the Planning Commission is attached as additional background and analysis (Attachment C). In general, the Planning Commission staff reports addresses whether or not the project proposal meets the applicable review criteria. If a particular criterion is not met as proposed the staff report describes how the criterion could be met. In addition, The Planning Commission staff report provides:

- Additional background;
- Overview of Existing Conditions;
- Project Overview;
- Traffic Analysis;
- Development Agreement Review Criteria;
- Site Development Review Criteria; and
- Design Review Criteria

Attachment C demonstrates that the project will meet all applicable review criteria with conditions of project approval recommended by the Planning Commission. The conditions of approval adopted by the Planning Commission are listed in Attachment E (Planning Commission Decision 2015-05).

The Planning Commission minutes are also attached describing the public testimony received and the Commission's deliberations (Attachment D). One person provided testimony in support of the project application. No persons provided testimony in opposition to the project. Three persons provided testimony as being neither in support or opposition.

As mentioned above, the Planning Commission decision, adopted findings and conditions of approval are attached for reference (Attachment E).

Required Approvals

Land use approval for this project requires three actions:

1. Approval of a Development Agreement;
2. Site Plan Approval; and
3. Design Review Approval

Under ORS Chapter 94.504 et. seq. (Development Agreements) a Development Agreement is considered a land use action subject to ORS Chapter 197 (Comprehensive Land Use Planning Coordination). As such, City Council must adopt an Ordinance with specific findings demonstrating compliance with the requirements of ORS Chapter 94. Under the City Charter, adoption of an ordinance requires two readings. The Ordinance (Attachment F) is provided for first reading on January 11, 2016 and second reading on January 25, 2016. If approved, the ordinance becomes effective 30-days after adoption.

In addition to the Development Agreement, project approval also requires site plan approval, and design review approval. As stated above, Development Code Section 10.1.205 allows for consolidated review when more than one land use approval is required. As such under the provisions of 10.1.205 (Consolidated Review), all of the land use actions can be reviewed at one time. In such cases, the process for the highest numbered procedure will apply to all applications. In this instance, the Development Agreement is a Type IV process requiring approval by the City Council. Thus, all three land use actions are subject to Council approval.

Unlike a Development Agreement, site plan approval and design review approval do not require adoption by ordinance. Typically, site plan review is approved administratively. Design review is either approved administratively or by the Planning Commission depending on whether the review is based on clear and objective approval standards or discretionary design guidelines. These actions do not require approval by ordinance. As such, the appropriate method for granting project approval is through adoption of an Order. Unlike ordinances, orders do not require two readings at subsequent meetings. As such, the orders granting site plan and design review approval will be provided for City Council action on January 25th.

Supplemental Traffic Analysis

A supplemental parking analysis prepared by Kittelson and Associates is attached for additional information (Attachment G). The purpose of this analysis is to document estimated parking demand for the proposed development project. The analysis is based on information provided in *Parking Generation, 4th Edition*, published by the Institute of Transportation Engineers (ITE). Based on this information, average peak period parking demand at a low- to mid-rise apartment complex is approximately 1.23 parking stalls per dwelling unit within a suburban area and 1.20 parking stalls per dwelling in an urban area). Based on the proposed development plan, the 78 apartment units could generate demand for approximately 94 to 96 parking spaces during the peak period. The project site plan shows 94 off-site parking spaces. Additional parking is

available on-street along the east-side of A Street and at the City-owned parking lot at 21st Avenue and A Street formerly part of the Times-Litho property. This lot could accommodate up to 20 vehicles.

FISCAL IMPACT:

Approval of the ordinance and required orders granting land use approval does not obligate the City to expend funds for this project. Any expenditure of funds related to this project will be addressed through a separate Disposition and Development Agreement (DDA) between the City, the City's Urban Renewal Agency and Tokola Properties. The DDA will address specific business terms related to the development including transference of real property and possible public financial assistance necessary to address project financing gaps. Approval of the DDA requires separate City action including approval of a resolution by the Urban Renewal Agency.

STAFF RECOMMENDATION:

Staff recommends:

1. City Council adopt an ordinance on January 25, 2016, authorizing the City Manager to enter into a Development Agreement with Tokola Properties to allow for the development of a proposed 78-unit mixed-use development project on land owned by the Urban Renewal Agency of the City of Forest Grove located north of Pacific Avenue and west of A Street, File Number 311-00022-PLNG; and
2. City Council adopt Orders on January 25, 2016, approving the project site plan and design review as reflected in the Planning Commission Decision Number 2015-05 dated December 11, 2015.

ATTACHMENT(s):

- A. Application for Development Agreement, Site Plan Review, and Design Review for Forest Grove Mixed-Use Building (Narrative Text), November 20, 2015
- B. Design Review and Development Agreement (Plan Sheets and Diagrams), November 20, 2015
- C. Staff Report to Planning Commission, December 7, 2015
- D. Planning Commission Minutes, December 7, 2015
- E. Planning Commission Decision 2015-05, December 11, 2015
- F. Supplemental Traffic Analysis, December 15, 2015 (Kittleson and Associates)
- G. Ordinance Authorizing City Manager to enter into Development Agreement (Exhibit 1) with Tokola Properties

**APPLICATION FOR:
DESIGN REVIEW and DEVELOPMENT AGREEMENT
for
FOREST GROVE MIXED USE BUILDING**

Applicant: TOKOLA PROPERTIES



1700 NW Civic Drive, Suite 220
Gresham, Oregon 97030

Property Location: NWC of Pacific Avenue and A Street
Forest Grove, OR

Submittal Date: November 5th, 2015

[Revised November 20th, 2015](#)

Prepared By:



815 SW Second Avenue
Suite 600
Portland OR 97204

o: 503.525.2679
www.studiocpdx.com

Communicate | Collaborate | Create

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------------------	-----------

LIGHTING STANDARDS

Section 10.8.755	GENERAL PROVISIONS
------------------	--------------------

SIGNS – Not applicable

OTHER DEVELOPMENT REVIEW STANDARDS – Not Applicable

COVENANTS, CONDITIONS AND REQUIREMENTS – Not applicable

FOCUS AREA 1 – TOWN CENTER GUIDELINES SITE – Track 2- Design Guidelines

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LIGHTING – SIGNS – not applicable

SIGN GUIDELINES – not applicable

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SECTION 10.3.430 TOWN CENTER ZONE DEVELOPMENT STANDARDS

SUMMARY

EXHIBITS

Drawings

**Cover Sheet
Site Survey
Architectural Site Plan
Building Elevations
Perspective View
Landscape Site Plan
Utility and Grading Plan
Materials Palette**

Application

TEAM INFORMATION

Applicant / Developer:

Tokola Properties
1700 NW Civic Drive, Suite 220
Gresham, Oregon 97030
Contact: **Dwight Unti**
Ph: 503.489.0685
dunti@tokolaproperties.com

Representative:

Studio C Architecture LLC
3105 NE Weidler Street
Portland, Oregon 97232
Contact: **Jim Walker**
Ph: 503.525.2679
jim.walker@studiocpdx.com

Civil Engineer:

Sisul Engineering
375 Portland Avenue
Gladstone, Oregon 97027
Contact: **Tom Sisul**
tomsisul@sisulengineering.com

Landscape Architect:

Cameron McCarthy
160 East Broadway
Eugene, Oregon 97401
Contact: **Matt Scheibe**
Ph: 541.485.7385
matt@cameronmccarthy.com

WRITTEN NARRATIVE – INTRODUCTION

Tokola Properties, along with their Architect, Studio C Architecture, proposes a catalytic mixed-use development in downtown Forest Grove, Oregon. Tokola Properties, an award winning real estate developer, is excited to propose 73 luxury apartments, 5 live-work units, and ground floor commercial space all choreographed in a well-crafted urban mixed-use building that honors historic downtown Forest Grove. Included in the design is an urban plaza facing Pacific Avenue, a large rain garden that will embrace the project's most public side, an innovative green roof structure that will function to shelter parking while providing a unique visual opportunity, and a 4th floor community terrace for residents. It is a truly dynamic opportunity that this team presents to the City!!

Tokola and Studio C are very proud of this proposed project because of the enormous catalytic energy that it represents. This is the right project at the best place at the perfect time.

Applicant has provided the following narrative which outlines all specific applicable approval criteria and a response to each stating how the proposed project meets the standard.

- *In some cases, Applicant does not meet the word of the Code but meets its intent as described.*
- *In other cases, Applicant suggests that the Code language is specifically deficient in some way and that complying with it would result in a lesser project. In these cases, Applicant provides an alternate solution for your review and approval.*

Respectfully, please consider the following narrative that we've provided for your consideration.

Architect's Design Statement

Studio C Architecture LLC is very proud to be working with Tokola Properties on the Visioning, Design, and Construction Administration for this project in downtown Forest Grove. The proposed project includes 73 luxury apartments, 5 live-work studios, common residential amenities, 78 living units and approximately 2,400 s.f. of commercial storefront located on the northwest corner of Pacific Avenue and A Street in the core of the City of Forest Grove.

This project recognizes and confronts a convergence of some of the most fundamentally important challenges facing society at this time:

- *The monumental current and growing need for safe, elegant housing for everyone,*
- *The need to respect our history and historic places,*
- *The need for greater density in our cities in order to make the best use of land and city infrastructure resources, and,*
- *The need to conserve quality open space in spite of population growth.*

The project as envisioned will serve as a catalyst for new development. As the first project of its kind in Forest Grove, this project will set the bar for the next phase in the resurgence of the City. By bringing urban form housing and commercial space to this site, Tokola Properties believes that they can fill a strong need in the region – urban living in the midst of a vibrant commercial setting.

Executing this project in a "Re-emerging Main Street" setting comes with its challenges. We know that this project should respect and relate with the historic architecture of the neighborhood without mimicking it while simultaneously speaking to the future of the community. As we began to design in this setting, we were tasked with exploring the scale, materiality, and articulation of existing buildings. We have combined that with a strong understanding of how windows and doors are shaped and designed, as well as how datum lines and building heights interact within a building and also between adjacent structures. We used this information to craft our proposed new building in a way that honors the historic design principals at play while not creating a false sense of history with our own new construction.

We take our responsibility to Tokola's mission and the citizens of Forest Grove very seriously. We understand that this project represents a lot to many people. We've taken our client's lead on approaching the challenge. Because Tokola Properties is in the business of creating and maintaining healthy, safe, and inspiring communities, they have been strong advocates of engaging the City to fine tune their perspective of what is needed and to direct us accordingly. With that input, we propose the following information that we feel precisely meets the need of the site while also meeting the spirit of the Code.

ARTICLE 2

SITE DEVELOPMENT REVIEW

10.2.450 REVIEW CRITERIA

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

Response: Unless specifically called out in our response to Design Review criteria included in this document, Applicant will comply with the standards of Article 8.

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

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

Response: Proposed project complies. While the building mass and scale are proposed to be greater than existing nearby residential structures, the project is in line with the vision of the neighborhood as described in the Town Center Guidelines. Additionally, the project as proposed does not directly abut any existing residential structures. Finally, careful consideration has been made in the design of the proposed structure to use building orientation and articulation to provide a design that has a human scale quality while simultaneously achieving the desired density on the site.

2. Proposed structures, parking lots, outdoor use areas or other site improvements that could cause substantial off-site impacts such as noise, glare, and odors are oriented away from nearby residential uses and/or adequately mitigated through other design techniques.

Response: Proposed project complies. As primarily a residential property, no significant offensive off-site impacts are anticipated. Commercial portions of the project are focused on Pacific Avenue, an existing predominantly commercial street.

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

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

Response: Proposed project complies. No vegetation, wetlands, creek corridors, or riparian areas exist on the site. Additionally, limited topographical variations will be easy to manage in the sloping of the site.

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

Response: Proposed project complies. No historic resources are adjacent to the site. Further, great care has been made to relate the proposed building to the scale, texture and articulation of historic architecture in the broader neighborhood. For more information on this, please see Applicant's response to Design Review criteria included herein.

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

Response: Proposed project complies. No dedication is needed. Project will provide new sidewalks between existing street curb and building along A Street, as well as plant new street trees. No R.O.W. improvements are anticipated along Pacific Avenue.

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

Response: Proposed project complies. For more information on this, please see Applicant's response to Design Review criteria included herein.

DEVELOPMENT AGREEMENT

10.2.840 REVIEW CRITERIA

A. The agreement complies with the requirements of ORS 94.504 to 94.528.

1. ORS 94.504(2) – A development agreement shall specify:

a. The duration of the agreement:

Response: The duration of this Agreement is three years, or until modified, mutually terminated or this agreement is no longer necessary due to amendment to the Forest Grove Development Code.

b. The permitted uses of the property:

Response: The Property is zoned Town Center Support and Town Center Transition. The Property may be used for all uses permitted under the land use regulations in effect as of the date of this Agreement as shown in Article 3 (Section 10.3.420, Table 3-12).

c. The density of intensity of use:

Response: Residential uses on the Property may be developed at a maximum density of 80 dwelling units per net acre. For purposes of this agreement net acre is defined to mean the number of dwelling units per 43,560 square feet of land based on the net site area, which does not include rights-of-way through or on the edge of the site, environmentally constrained areas or land intended for public ownership such as park and open space uses.

d The maximum height of the proposed structures:

Response: No structure shall be greater than 4 stories as permitted in the Town Center Transition and Town Center Support zones as shown in Article 3 of the Forest Grove Development Code.

e Provisions for reservation and dedication of land for public purposes:

Response: No land is proposed to be dedicated for public purposes as part of this Agreement.

f A schedule of fees and charges:

Response: Unless waived by the City Council, fees and charges, other than set forth in this Agreement, imposed on development of the Property will be in accordance with those in effect at the time that applications for building permits are filed.

g A schedule and procedure for compliance review:

Response: Development review will be in accordance with established City procedures and City ordinances in effect on the date of this Agreement as modified by the terms and conditions of this Agreement.

h Responsibility for providing infrastructure and services:

Response: Responsibility for providing infrastructure and services not addressed in this Agreement and the Conditions of Approval will be established under ordinances and regulations in effect at the time of subsequent application for development.

i The effect on the agreement when changes in regional policy or federal or state law or rules render compliance with the agreement impossible, unlawful, or inconsistent with such laws, rules or policy:

Response: If there is a change in federal, regional, or state laws or rules that make compliance with this Agreement unlawful, then the Parties will negotiate in good faith an appropriate amendment to this Agreement that will make the Agreement meet such laws and rules while still meeting the spirit and purpose of the initial agreement.

j Remedies available to the parties upon a breach of the agreement:

Response: The Parties will retain all remedies available at law or equity to enforce this Agreement, including claims for damages resulting from any breach of this Agreement.

k The extent to which the agreement is assignable:

A. Response: All of the terms and provisions insure to the benefit of and are binding upon the Parties and their respective heirs, legal representatives, successors, and assigns.

~~Response: Proposed arrangement will comply.~~

- B. The agreement meets the intent of the purpose statement.

Response: *Proposed arrangement will comply.*

- C. The agreement furthers the public interest.

Response: *This proposal was conceived as a direct response to the City's Request for Qualifications process for the property. As stated in the Architect's statement above, this project recognizes and confronts a convergence of some of the most fundamentally important challenges facing society at this time:*

- *The monumental current and growing need for safe, elegant housing for everyone,*
- *The need to respect our history and historic places,*
- *The need for greater density in our cities in order to make the best use of land and city infrastructure resources, and,*
- *The need to conserve quality open space in spite of population growth.*

This proposed project will help the City of Forest Grove realize the potential of the site in the way desired when it issued the RFQ many months ago.

- D. The agreement results in development or improvements that would not have a substantial adverse impact on adjacent properties.

Response: *Proposed arrangement will comply. This agreement will not only exclude adverse impact on adjacent properties, it will actually be of great benefit to the neighborhood. As discussed above in the Architect's statement, the project as envisioned will serve as a catalyst for new development in the urban center of Forest Grove. As the first project of its kind in Forest Grove, this project will set the bar for the next phase in the resurgence of the City. By bringing urban form housing and commercial space to this site, Tokola Properties believes that they can fill a strong need in the region – urban living in the midst of a vibrant commercial setting.*

- E. The agreement complies with all relevant City codes and requirements.

Response: *Proposed arrangement will comply.*

- G-F.** The agreement would result in development or improvements that can be accommodated by adequate transportation, police, fire, stormwater, sewer and water facilities and services.

Response: *Proposed arrangement will comply.*

ARTICLE 7

MISCELLANEOUS PROVISIONS

10.7.200 SOLID WASTE AND RECYCLING STORAGE

10.7.205 SIZE, LOCATION, DESIGN, AND ACCESS STANDARDS FOR STORAGE AREAS

- A. Storage Area Size. The following guidelines shall be used to determine the appropriate size for the storage area:
2. (Multi-family residential building with) more than ten (10) units: Fifty (50) square feet plus five (5) square feet for each unit above ten (10).

Response: *For a project of this scale, it would be prohibitive to meet this standard. Project proposes to incorporate a compactor for solid waste and will schedule removal at*

times adequate for handling the need. Additionally, recycling bins will be included in the enclosure with the compactor and container. Therefore, Applicant proposes a refuse and recycling area smaller than required by this code. The enclosure is proposed to be 22'-10" deep by 19'-4" wide with 6'-0" walls and no roof.

B. Location Standards.

1. To encourage its use, the storage area for recycling shall be co-located with the storage area for solid waste.
2. Indoor and outdoor storage areas shall comply with the Building and Fire Code requirements.
3. Storage area space requirements can be satisfied with a single location or multiple locations, and combine both interior and exterior locations.
4. Exterior storage areas can be located within interior 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.
5. Exterior storage areas shall be located in central and visible locations on a site to enhance security for users.
6. Exterior storage areas can be located in a parking area, if the proposes use provides at least the minimum number of parking spaces required by this Code.
7. The storage area shall be accessible for collections vehicles and located so that the storage area will not obstruct pedestrian or vehicular traffic movement on the site or on public streets adjacent to the site.

Response: *Proposed project complies. Refuse and recycling are proposed to be co-located in the open enclosure that meets applicable code standards. The enclosure will have a small opaque steel gate for residents to use as well as a large opaque steel gate for the vendor to access and drive directly in. The enclosure is proposed to be located along the back property line but with easy access for the vendor, not requiring them to impede street traffic for maneuvering. While not central to the site, the enclosure will be readily visible to residents accessing it from multiple points.*

C. Design Standards

1. The dimensions of the storage area shall accommodate containers consistent with the current methods of local collection.
2. Storage containers shall meet Fire Code standards and be made and covered with waterproof materials or situated in a covered area.
3. A sight-obscuring fence, wall, or hedge at least six (6) feet in height shall enclose exterior storage areas. Gate openings, which allow access to users and haulers, shall be provided. Gate openings for haulers shall be a minimum of ten (10) feet wide and shall be capable of being secured in a closed and open position.
4. Storage area(s) and containers shall be clearly labeled to indicate the type of material accepted.

Response: *Applicant proposes a masonry enclosure with opaque steel gates complying with this standard. All materials will comply with the Fire Code. All containers will be labeled.*

D. Access Standards

1. 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.
2. Storage areas shall be designed to be easily accessible to collection trucks and equipment, considering paving, grade, and vehicle access. A minimum of ten (10) feet

horizontal clearance and eight (8) feet of vertical clearance is required if the storage area is covered.

3. Storage areas shall be accessible to the 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.

Response: *Proposed project complies. [Residents will have 24-hour access to refuse enclosure. The open enclosure is proposed to be located along the back property line but with easy access for the vendor, not requiring them to impede street traffic for maneuvering.](#)*

ARTICLE 8

ACCESS AND CIRCULATION

10.8.115 ON-SITE PEDESTRIAN WALKWAYS

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

1. Walkways shall extend from the ground floor entrances or from the ground floor landing of stairs, ramps, or elevators of all commercial, institutional, and industrial uses, to the public sidewalk or curb of the public street or streets which provide the required access and egress. Walkways shall provide convenient connections between buildings in multi-building commercial, institutional, and industrial complexes. Walkways shall be constructed between a new development and neighboring developments. If connections aren't currently available, then planned connections shall be designed to provide an opportunity to connect adjoining developments.

Response: *Proposed project complies. [Proposed on-site circulation will connect to primary points of access for residents and is aligned to potentially continue for additional future phase.](#)*

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

Response: *Proposed project complies. [All parking stalls are proposed to be within 45 feet of a walkway. All walkways shall be concrete.](#)*

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

Response: *Proposed project complies. [All walkways shall be concrete and will meet the code requirements for lighting.](#)*

4. Whenever required walkways cross vehicle access driveways or parking lots, such crossings shall be designed and located for pedestrian safety. Required walkways shall be physically separated from motor vehicle traffic and parking by either a minimum six (6)-inch vertical separation (curbed) or a minimum three (3)-foot horizontal separation,

except that pedestrian crossings of traffic aisles are permitted for distances no greater than thirty-six (36) feet if appropriate landscaping, pavement markings, or contrasting pavement materials are used. Walkways shall be a minimum of four (4) feet in width, exclusive of vehicle overhangs and obstructions such as mailboxes, benches, bicycle racks, and sign-posts, and shall be in compliance with ADA standards.

Response: *Proposed project complies. All walkways are propose to be at least four (4) feet wide with no obstructions and will be concrete, as opposed to the asphalt parking and drive aisle surface. They will be separated from vehicular traffic through the use of concrete curbs or wheel stops, except at crossings which are proposed to be twenty-four (24) feet.*

5. Where required for pedestrian access, interior landscape areas in combination with pedestrian walkways between rows of parking shall be at least ten (10) feet in width to accommodate walkways, shrubbery, and trees 20 to 30 feet on-center. This ten (10) foot width may be reduced between tree areas depending on the characteristics of the vegetation. Angled or perpendicular parking spaces shall provide bumper stops or widened curbs to prevent bumper overhang into interior landscaped areas or walkways.

Response: *For a project attempting to achieve the proposed level of density, this standard is prohibitively restrictive. Such measures would cut into the desired parking count and would effectively reduce project density. In order to soften the parking area and make it more friendly and interesting for the pedestrian, Applicant proposes a large carport with an extensive green roof which will also cover a significant portion of the parking lot pedestrian circulation. This structure will visually break up the parking lot and since it will be a significant green roof, it will reduce the effective impervious surfacing for the project.*

10.8.120 MINIMUM ACCESS REQUIREMENTS FOR RESIDENTIAL USES

- A. Direct Access to Arterial Streets from a residential dwelling established after the effective date of this Code is prohibited. The City may permit direct access to an arterial for lots of subdivisions approved prior to the effective date of this Code, and for multi-family residential complexes if the access is designed to local residential street standards.

Response: *Proposed project complies. No direct access to Pacific Avenue is proposed, which is the only street adjacent to the property that is designated as an arterial.*

- C. Service Drives for Multi-Family Dwellings shall be fully improved with hard surface pavement with a minimum width of:
1. 12 feet when accommodating one-way traffic, or
 2. 20 feet when accommodating two-way traffic.

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

Response: *Proposed project complies. All access drives are proposed to be 24' wide and are two-way.*

- D. Private Residential Access Drives shall be provided and maintained in accordance with the provisions of the Uniform Fire Code.

Response: *Proposed project complies. All access drives are proposed to be 24' wide and are two-way. Additionally, UFC does not require fire truck access to the back of the property, which has been confirmed by the Fire Marshal at the Pre-Application Conference.*

E. Dead End Access Drives In Excess Of 150 Feet shall be provided with approved provisions for the turning around of fire apparatus by one of the following:

1. A circular, paved surface having a minimum turn radius measured from center point to outside edge of thirty-five (35) feet; or
2. A hammerhead, paved surface with each leg of the hammerhead having a minimum depth of forty (40) feet and a minimum width of twenty (20) feet.
3. The maximum cross slope of a required turnaround is 5%.

Response: *Proposed project complies. [No dead end access drives are proposed.](#)*

F. Driveway Grades shall not exceed a maximum of 20%.

Response: *Proposed project complies. [No proposes driveway grades are anticipated to exceed 5%.](#)*

10.8.125 MINIMUM ACCESS REQUIREMENTS FOR NON-RESIDENTIAL USES

A. Service Drives for Non-Residential Uses shall be fully improved with hard surface pavement with a minimum width of:

1. 15 feet when accommodating one-way traffic, or
2. 24 feet when accommodating two-way traffic.

Response: *Not applicable. Provided parking will be for residents only.*

B. All non-residential uses shall be served by one (1) or more service drives as determined necessary to provide convenient and safe access to the property. In no case shall the design of said service drive or drives require or facilitate the backward movement or other maneuvering of a vehicle within a street, other than an alley.

Response: *Not applicable. [No non-residential use is proposed for the parking, other than access](#)*

10.8.130 WIDTHS AND LOCATIONS OF DRIVEWAYS AND CURB CUTS

A. Minimum Driveway Widths at the street right-of-way line shall be fifteen (15) feet for institutional, commercial, industrial, and multi-family residential uses, and ten (10) feet for single-family and two-family residential uses.

Response: *Proposed project complies. [Driveway width is proposed to be twenty-four \(24\) feet wide.](#)*

B. Maximum Driveway Widths at the street right-of-way line shall be as follows:

2. 36 feet in institutional, town center or commercial zones

Response: *Proposed project complies. [Driveway width is proposed to be twenty-four \(24\) feet wide.](#)*

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

1. 100 feet on an arterial street with four or more travel lanes
2. 50 feet on an arterial street with two or three travel lanes
3. 50 feet on a collector street

4. 20 feet on a local street

Response: *Proposed project complies. The centerline of the driveway accessing A Street is proposed to be located 300'-4" from the nearest point of Pacific Avenue and 134'-1" from the nearest point of 21st Avenue.*

- D. **Minimum Distance between Curb Cuts.** On arterial and collector streets, minimum distances shall be maintained as follows between adjacent curb cuts on the same side of any such street:

1. 85 feet where the speed limit is 20 mph or less
2. 105 feet where the speed limit is 25 mph
3. 125 feet where the speed limit is 30 mph
4. 150 feet where the speed limit is 35 mph
5. 185 feet where the speed limit is 40 mph
6. 230 feet where the speed limit is 45 mph
7. 275 feet where the speed limit is 50 mph or greater

Response: *Not applicable. No curb cuts are proposed on either an arterial or collector street.*

- E. In measuring the distance between curb cuts on arterial and collector streets, existing curb cuts or accesses serving single-family and two-family dwellings shall not be considered.

10.8.140 SPECIFIC SITE ACCESS AND CIRCULATION STANDARDS

- A. Multi-Unit Development. A functional and safe environment for vehicles and pedestrians is important within residential areas. Multi-unit development should be visually appealing from the adjacent street right-of-way and be functionally and aesthetically tied to adjacent residential neighborhoods.

1. Circulation

- a. A continuous pedestrian connection shall be provided from the front door of all residential buildings to the public sidewalk.
- b. Separate pathways from dwellings a minimum distance of ten (10) feet. The separation is measured from the pathway edge closest to any dwelling unit.
- c. On-site pedestrian walkways are required to be a minimum width of five (5) feet connecting dwelling units to parking/open space/recreation areas.

Response: *Proposed project complies. Not applicable. This standard appears to apply to sites with multiple residential entries for multiple buildings. For this proposed structure, all building entries and individual ground floor unit entries open directly onto a private sidewalk connecting between adjacent units or directly onto the public sidewalk.*

2. Parking Areas

- a. Separate physically and visually parking areas greater than 10,000 square feet in area with landscape planter bays at least eighteen feet in width. Individual parking areas may be connected by a driveway.
- b. The sidewalk system shall connect the front door of all residential buildings to parking area(s).

Response: *For a project of this type and scale, it would be prohibitive to meet this standard and still achieve the desired density of the site. As a replacement strategy,*

Applicant proposes providing a large carport 42'-0" by 145'-9" (approximately 6,122 s.f.) that would include a continuous green roof. This structure would function as a visual divider of the parking lot and will also serve to reduce impervious surfaces and enhance the view from upper housing units into the parking lot.

3. Pedestrian Environment

- a. Residential doors which face a public right-of-way shall be setback a minimum of 2 feet from a public sidewalk.
- b. The following types of doors shall not provide the primary entrance into a dwelling unit: sliding glass or solid metal doors without glazing.
- c. Residential stoops, porches or terraces shall be raised a maximum of 3 feet above grade at the adjacent right-of-way.
- d. Residences with entry porches or terraces shall have a minimum area of 60 square feet.
- e. Residential entries shall be lowered a maximum of 4 feet below grade measured at adjacent right-of-way.

Response: *In lieu of raised stoops, Applicant proposes at-grade residential entries along A Street set back a minimum of four (4) feet in order to encourage and promote better accessibility for the physically impaired. Applicant proposes enhanced fenestration to promote use of daylight in interior spaces. These spaces will be marketed for their strong connection with the sidewalk and entire streetscape activity. Applicant proposes to provide an at-grade outdoor seating area and planter for each unit to buffer between units and to define individual space.*

Note: Portions of this Code provision directly conflict with the spirit of the Town Center Guidelines.

4. Screening/Service Areas

- a. All mechanical equipment shall be screened from view by an opaque fence or solid landscape screen 8 feet high.
- b. Service/refuse collection areas shall not be located within 20 feet of public rights-of-way.
- c. All development of two or more stories in height shall be required to provide screening of garbage collection and storage areas from above.
- d. All roof mounted mechanical equipment other than vents shall be screened from ground level view. The screening shall be as high as the height of the equipment and shall be integrated with the exterior building façade

Response: *Proposed project complies. All proposed exterior mechanical equipment is to be mounted on the roof of the building and will be properly screened to meet the requirements of this code. The proposed refuse and recycling enclosure is proposed to be open to above but screened by a 6'-0" tall concrete masonry wall.*

5. Landscaping

- a. At least 75% of required landscaped area shall be planted with any suitable combination of trees, shrubs, or evergreen ground cover.
- b. A maximum of 25% of required landscaped area may include architectural features or artificial ground covers such as sculptures, benches, masonry or stone walls, rock groupings, bark dust, decorative hard paving and gravel areas interspersed with planting areas.

Response: *Proposed project complies. [See page 2 for project calculations.](#)*

6. Crime Prevention Through Environmental Design (CPTED)
 - a. No landscaping, fences, walls or plant materials greater than 5 feet in height shall be installed which obstruct the visibility of a dwelling entry from a public street.
 - b. A minimum of 25 square feet of window area shall be provided within each dwelling unit facing a common open space, pedestrian path or car park to allow visual surveillance.
 - c. A clear line of site between all front building entries and the public sidewalk or car park shall be maintained.
 - d. Lighting shall be provided at all exterior dwelling unit entrances.
 - e. Guard or a keyed variation of gated residential development is prohibited.
 - f. Motion activated security lighting is prohibited along public rights-of-way.

Response: *Proposed project complies. [No opaque screens are proposed between public street and any dwelling units. Extensive fenestration is provided throughout the facility. All building and ground floor unit entries have strong visual connection to the public street. Building design will have exterior lighting at all building and ground floor unit entries. No motion activated security lighting is proposed. An automatic security gate for vehicular entry will be provided at the main entry drive access.](#)*

- C. Town Center Districts. The intent of the following standards is to provide a functional and safe environment for vehicles and pedestrians, where the needs of pedestrian are emphasized. The Town Center should have a clear separation between pedestrian and vehicular areas and should be comfortable and safe in all seasons and hours of the day.

1. Building Orientation
 - a. TCC: Building facades shall be built along at least 80% of the primary building frontage line.
 - b. TCT: Building facades shall be built along at least 75% of the primary building frontage line.
 - c. TCS: Building facades shall be built along at least 50% of the primary building frontage line.
 - d. One (1) entrance shall be provided for each building façade. When building is located on a corner, one entrance at the corner is permitted.
 - e. If a building is setback from right-of-way, it shall be a minimum of four feet (4') in depth and include plazas, forecourts or other paved areas for public seating, artwork and landscaped planting beds.
 - f. If a building is setback from the right-of-way, mechanical units, meters or other above grade or wall mounted utilities shall not be located in the front setback area.

Response: *Proposed project complies. [See response to these items in Town Center Guidelines below.](#)*

2. Pedestrian Connections
 - a. When provided on-site, parking shall not be located between the front façade and the front property line.
 - b. Where walkways are parallel and adjacent to a driveway or street (public or

- private), they shall be raised 6 inches and curbed or separated from the driveway/street with bollards and/or a 3-foot minimum landscape barrier.
- c. Where pathways cross a parking area, driveway or street ("crosswalk"), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. If painted striping is used, it shall consist of thermo-plastic striping or similar type of durable application.
 - d. All mechanical equipment, outdoor storage, and manufacturing and service and delivery areas shall be screened from view from pedestrian sidewalks. Screening shall be provided by one or more of the following: decorative wall (masonry or similar quality material, evergreen hedge, wood fence - non-see through).

Response: *Proposed project complies. Pedestrian connections are proposed to be raised 6" from adjacent vehicular access where occurs and will be made of concrete rather than asphalt. The refuse and recycling enclosure is proposed to be screened using a 6'-0" high concrete masonry enclosure with opaque steel gates.*

- 3. Site Amenities. Every development shall provide at least one of the "pedestrian amenities" listed below:
 - a. A plaza, courtyard next to the building entrance a minimum of 4 feet in depth for residential food, beverage or entertainment establishments only or, for other uses, an area with public art which incorporates seating (e.g. a fountain).
 - b. Public seating areas (chairs, tables, benches)
 - c. Building canopy, awning or similar weather protection across 75% of façade projecting a minimum of four feet over the sidewalk.

Response: *Proposed project includes a 53' x 56' (approximately 2,968 s.f.) public plaza facing and engaging Pacific Avenue, as well as multiple areas of covered outdoor area.*

OPEN SPACE, RECREATIONAL FACILITIES AND COMMON AREAS

10.8.205 STANDARDS

- A. Open space areas may be required to avoid placing structures or other improvements either in identified hazard or resource areas as required by Section 10.5.005 et. seq. and Section 10.8.300 et. seq.

Response: *Not applicable, however, Applicant proposes to provide an active public plaza space facing Pacific Avenue, embracing the commercial nature of the street while creating a gathering space adjacent to the retail included in the proposed project.*

- B. Areas retained to comply with Clean Water Services (CWS) water quality sensitive area and vegetative corridor requirements of the Design and Construction Standards or surface water quality or quantity facilities requiring over 100 square feet of area shall be considered open space but not be considered a recreational area unless so designed as to be integrated with a development's site design and available for access for residents in the development.

Response: *Applicant proposes to include a rain garden along Pacific Avenue to provide stormwater mitigation. Garden will additionally provide visual interest to the R.O.W. as well as to the users of the site. Residents and visitors will be discouraged from physically interacting with the rain garden.*

- D. For development not involved in a division of land, open space and recreation areas shall be held in common for residential condominiums or by the primary land owner for apartment complexes or non-

residential development. The area shall be placed within an easement unless waived by the Director for minor recreation facilities or recreation facilities that are integrated with the developed portion of the project.

1. Residential projects in the Residential Multifamily Low (RML) and Residential Multifamily High (RMH) districts shall provide the following: All condominium, two-family dwellings, multi-family dwellings, residential care facilities, residential care institutions, and nursing or convalescent homes shall provide 20% of the lot area in open space, excluding that area designated in the site plan and improved for off-street parking and driveways. All dwelling units shall be immediately accessible to a minimum of 600 square feet of open space.

Response: *Not applicable. Proposed project complies. The open space for plaza, green space, community garden, children's play space, and sidewalks is 17,380 sf, or 26% of the total site area.*

2. All condominium, two-family dwellings and multi-family dwellings of 20 units or more, residential care facilities, residential care institutions, and nursing or convalescent homes shall improve 1/2 of the required open space as recreation space. Recreation space shall be planted in grass and/or improved for recreational use, and have a minimum area of 870 square feet and a minimum dimension of 20 feet. For two-family and multi-family dwellings, the recreational area shall include a children's play area. A fence shall be installed that is a minimum of thirty (30) inches in height to separate a parking lot, street, or driveway from any children's play area.

Response: *Applicant proposes to include a fully fenced-in community garden and children's play area that measure roughly 90' x 24', totaling 2,140 SF in total. The fence in this area will be a 6'-0" tall open steel fence with pickets approximately 4" on center so that good visibility is provided. Residents will share the community garden plots which can be used for food or ornamental gardens. Additionally, children will have a place to play on the site that is physically separated from the parking area.*

3. For the development of condominiums, two-family and multi-family dwellings of 20 units or more, residential care facilities and residential care institutions, individual private open space (patio or balcony) shall be provided for each dwelling unit. All private open space shall be directly accessible from the dwelling unit through a doorway. Patios and balconies shall be at least 48 square feet in size with a minimum width dimension of four (4) feet.

Response: *Proposed project complies. An urban project of this nature and density is typically more communal in nature and encourages interaction and involvement between residents, thusly more emphasis is typically placed on providing a variety of shared community gathering spaces. While this standard is somewhat prohibitive for projects typically seen in urban housing environments, the proposed project meets the spirit of this standard. All upper floor units will be provided a 5'x8' (40 sf) balcony. All ground floor units will be provided at least 48 sf of private outdoor space. Additionally, the project proposes the following shared outdoor space:*

Plaza	53' x 56'	2,968 sf
Rain Garden	19' x 110'	2,090 sf
Children's Play Area	24' x 30'	720 sf
Community Garden	24' x 59'	1,416 sf
Community Roof Deck	30' x 50'	1,500 sf
	Total	8,694 sf

When the total area of shared outdoor common space and the number of residential units provided (78) is considered, effectively 112 sf of additional outdoor area per unit is provided.

4. Floor area of ground floor patios and all balconies for individual units can be used to meet no more than 1/2 of the recreational land area requirement. Private open space shall be separated from common open space through the use of perimeter landscaping, fencing or a change in vertical grade (e.g. second floor balconies).

Response: Proposed project complies. For an urban project of this nature and density, this standard is prohibitive. See the above statement regarding this issue.

5. Where a proposed condominium, multi-family development, residential care facility, residential care institution, or nursing or convalescent home will abut an existing or proposed public park or open space, the development shall integrate into its design the adjoining park or open space to maximize its benefits to development residents.

Response: *Not applicable.*

6. No less than 75% of all open space areas excluding recreational space shall be landscaped with living ground cover, shrubs or trees.

Response: *Applicant proposes to provide 11,330 SF of open space, excluding the community garden (an additional 2,140 SF) and children's play area. Applicant proposes to vegetate 55% of this space and proposes an additional 6,120 SF of vegetated roof to achieve compliance of required vegetation.*

7. State law and administrative codes pertaining to residential care facilities, assisted care and nursing facilities shall supersede the provisions of this section where there is a conflict.

Response: *Not applicable.*

E. Areas and tracts of land to be held in common, shall meet the following requirements:

1. Common areas shall be held in ownership by either a homeowners association or operator of a multi-family development, residential care facility, residential care institution, or nursing or convalescent home.

Response: *Not applicable.*

2. To ensure adequate maintenance of common areas within the land division, the applicant shall provide maintenance provisions in Covenants, Conditions and Requirements (CC&Rs) when to be maintained by a homeowners association or another method an operator of a multi-family development, residential care facility, residential care institution, or nursing or convalescent home.

Response: *Not applicable.*

F. A development shall include proposed dedication of open space or recreational facilities to the City or reserve such areas for acquisition by the City based on the following requirements:

1. The dedication or reservation shall be approved by the Parks and Recreation Commission prior to any acceptance of the reservation or dedication by the City. The

Parks and Recreation Commission shall only consider any dedication or reservation if found:

- a. Consistent with the Parks, Recreation and Open Space Master Plan in terms of location, size, shape and purpose of the facility or area;
- b. Adequate recreational elements for active and/or passive recreational needs (e.g. trails, benches, play equipment, ball fields, etc.) are provided;
- c. Open space areas provide connectivity with other open space or recreational areas as shown on the Parks, Recreation and Open Space Master Plan;
- d. Adequate services and facilities are available to maintain the dedication or reservation; and
- e. For reservations, that acquisition of the property has been programmed in the most recently adopted capital improvement program or otherwise authorized by the City Council.

Response: *Proposed project will include a plaza space, however, Tokola Properties will keep ownership and control over it and will be responsible for maintenance and upkeep. Applicant believes that this is the best approach to providing a vibrant, well-managed space in this setting.*

2. Where the City will accept a dedication pursuant to paragraph (1) above, no more than 50% of the System Development Charges (SDC) for a project can be waived by the Community Development Director upon consultation with the Parks and Recreation Director. The amount of the waiver shall be based on the completeness of the recreational elements and maintenance facilities provided, and the importance of the property to the completion of the Park, Recreation and Open Space Master Plan. There shall be no waiver of park SDC for any reservation of an open space area or recreational facility.

Response: *Not applicable at this time. Currently, Tokola Properties and the City of Forest Grove are negotiating the financial arrangement for purchase of the property.*

3. If the developer is required to reserve land area for a park, playground, or other public use, such land shall be acquired by the appropriate public agency within eighteen (18) months following final land use approval including but not limited to final plat, site plan, conditional use or design review approvals. The price shall be agreed upon prior to final approval or such reservation shall be released to the subdivider.

Response: *Not applicable.*

LANDSCAPING, SCREENING & BUFFERING

10.8.415 GENERAL STANDARDS

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

Response: *Proposed project complies. Native and non-native vegetation adapted to the local conditions are proposed to be used. A full plant list is provided on the landscape plan.*

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

Response: *Not applicable. However, Applicant proposes a large rain garden to be placed adjacent to the sidewalk along Pacific Avenue which will be visible to users, visitors, and passersby.*

- C. Required Landscaping Adjacent to Public Rights-Of-Way -- A strip of land at least 5 feet in width located between the abutting right-of-way and the off-street parking area or vehicle use area which is exposed to an abutting right-of-way, except in required vision clearance areas.

Response: *Not applicable. All parking is provided on the opposite side of the building from the R.O.W.*

- D. Perimeter Landscaping Relating to Abutting Properties -- On the site of a building or structure or open lot use providing an off-street parking area or other vehicular use area, where such areas will not be entirely screened visually by an intervening building or structure from abutting property, a 5-foot landscaped strip shall be between the common lot line and the off-street parking area or other vehicular use area exposed to abutting property. Landscaped areas should include where possible water quality features such as bio-swales or wetlands, trees, grass, shrubs, and other plant material so as to cover the landscape area.

Response: *Proposed project complies. [A five \(5\) foot landscape buffer is proposed at interior lot lines. The building shields parking from the street sides.](#)*

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

1. Percentage Approach. For the purpose of this section, Interior Parking Lot Area is defined as the hard surface parking area (parking stalls and aisles). Such area does not include loading and unloading zones or perimeter landscaping around the lot. Where perimeter landscaping intrudes into the parking lot four or more feet, that area is included in both the interior parking lot area and interior parking lot landscaping.
2. A required landscaped area shall have a minimum interior dimension of 6 feet and be no less than 48 square feet in area.
3. At least 8% of the Interior Parking Lot Area shall be landscaped. Landscaped areas may include water quality features such as bio-swales or wetlands, trees, grass, shrubs, and other plant material so as to cover the landscape area.
4. One tree shall be required for every 1,600 square feet of Interior Parking Lot Area as defined in (1) above. Trees shall have a minimum 2-inch caliper and 6-foot branch height at time of planting.
5. Interior parking area landscaping and trees must be dispersed throughout the parking area. Some trees may be grouped, but the groups must be dispersed. Required trees may be planted within 5 feet of the edges of the parking area.
6. Perimeter landscaping area may not substitute for interior landscaping. However, interior landscaping may join perimeter landscaping as long as it extends 4 feet or more into the parking area from the perimeter landscape line.

Response: *Meeting the 8% landscaping and tree requirements is prohibitive for an urban project of this density. To help break up the parking, Applicant proposes a large green roof structure that*

will function as a carport over the center parking stalls. This structure will add 6,120 sf of landscaping to the site, bringing the percentage of landscaping up to 20%. It should be noted that the plant choices for the roof of the carport will be varieties of sedum or other low-growing, drought-tolerant herbaceous plants. Final decisions on species will be based on a study of typical sun access of the plantbed.

Calculations:

Interior Lot Size: 30,770 SF

Interior Plant Bed Areas: 140 SF

<1% Vegetated

With Vegetated Roof Above Parking: 6,120 SF

20% Vegetated

Required trees (1 tree per 1,600 SF interior Lot): 19.2

Trees provided: 10

10.8.420 LANDSCAPING REQUIREMENTS BY ZONE

- C. Landscaping Required in the Town Center Zones. All new commercial and residential developments in the Town Center Zones shall landscape no less than 5% of the lot area using appropriate native plant materials and/or architectural features such as benches, planters, and water fountains which are suitable and supportive of the downtown commercial environment. Jointly improved landscaped areas are encouraged to facilitate continuity of landscape design within the Town Center.

Response: Applicant proposes to use at least 5% native vegetation throughout the development site within the Rain Garden and Parking Lot Perimeter Landscapes. Native plant species proposed are identified on the Plant List.

Phase 1 Development: 66,485 SF

80% Rain Garden: (0.80 x 2,873 SF): 2,300 SF

40% Parking Lot Perimeter Landscape: (0.40 x 2,680 SF) 1075 SF

Native Plantings: 3,375 SF / 66,485 SF = 5%

- E. 75% Coverage. At least 75% of the required landscaped area shall be planted with any suitable combination of trees, shrubs, or evergreen ground cover. The required 75% coverage shall be based on the size of the plant material within a specified time as follows:
1. Trees – within five (5) years from the date of final inspection by the Building Official.
 2. Shrubs – within two (2) years from the date of final inspection by the building Official.
 3. Ground covers – at the time of final inspection by the Building Official.

Response: Applicant proposes to provide plant material that will be at least 75% coalesced with the time frame outlined above. Plant size and spacing will be appropriate for the coverage requirements outlined above.

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

Response: Applicant proposes to provide benches and potted plants within the plaza space. These features will not exceed 25% of the overall landscape areas.

10.8.425 BUFFERING AND SCREENING STANDARDS – Not Applicable**OFF-STREET PARKING AND LOADING****10.8.505 APPLICABILITY**

- C. Parking Exemption for the Town Center Zones. All development in the Town Center zones shall be exempt from off-street parking requirements for new construction, expansion of existing use and change of use.

Response: *While this Code does not require parking, Applicant proposes providing a parking area to improve the marketability of the housing.*

10.8.510 GENERAL PROVISIONS

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

1. Delineation of individual parking and loading spaces and their dimensions;
2. Circulation area necessary to serve parking spaces;
3. Access to streets, alleys and properties to be served;
4. Curb cuts;
5. Location and dimensions of all parking area landscaping (does not apply to single family dwellings and duplexes);
6. Grading and drainage (does not apply to single family dwellings and duplexes); and
7. Specifications as to signs and bumper guards (does not apply to single family dwellings and duplexes).

Response: *Parking is shown on the site plans, which show delineation of stalls, circulation, street approach, drainage, and parking lot landscaping. Design of parking lot signage will be a part of the construction documents and permitted at that time.*

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

Response: *Not applicable.*

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

Response: *Proposed project complies. [The bike storage room is proposed to have a door directly to the public sidewalk.](#)*

- G. Standards of Measurement. Except as otherwise defined in this code, "one standard parking space" means a parking stall of nine (9) feet in width and eighteen (18) feet in length. To accommodate compact cars more efficiently, up to 50% of the available parking spaces may have a minimum dimension of eight (8) feet in width and sixteen (16) feet in length so long as they are identified as compact car stalls and are not readily accessible to large cars.

Response: *Proposed project complies. [See page 2 of the design drawings for clarification.](#)*

10.8.515 OFF-STREET PARKING REQUIREMENTS – Not Applicable

10.8.525 DESIGN AND MAINTENANCE STANDARDS FOR OFF-STREET PARKING AND LOADING – Not Applicable

Note: *While parking for this proposed project is not required by this Code, our project will meet the requirements of this provision, items A through J. Item K does not apply.*

10.8.530 RESERVOIR REQUIREMENTS – Not applicable

10.8.535 OFF-STREET LOADING SPACE

- A. Required. Buildings or structures to be built or substantially altered which receive and distribute material or merchandise by truck shall provide and maintain off-street loading and maneuvering space in accordance with the requirements of Table 8-7.

Response: *Applicant proposes no on-site truck access for loading and unloading, other than for refuse and recycling. As is common in similar urban areas, the modest amount of proposed commercial space will be served by temporary street parking for box vans and similar vehicles. Applicant suggests providing one on-street truck loading area, along A Street, located between the commercial end of the building and the residential entry.*

- B. Separation from Off-Street Parking Area. Any area to be used for the maneuvering of delivery vehicles and the unloading or loading of materials shall be separated from designated off-street parking areas and appropriately designed to prevent the encroachment of delivery vehicles into off-street parking areas or into public streets.

Response: *Not applicable.*

- D. Reduction of Loading Space. Minimum loading berths may be decreased based on the following criteria:

1. Will not result in undue site congestion;
2. Will not result in traffic hazards on the site or adjoining streets; and
3. Will not result in undue reduction in the availability of on-site or on-street parking.

Response: *Not applicable.*

10.8.540 BICYCLE PARKING

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

1. Multi-family housing

2. Retail and office development

Response: *Proposed project complies. Applicant proposes to include a bike parking, bike washing area, and bike repair station on the ground floor of the building, very near the common elevators, located so that it has direct access to the sidewalk at the R.O.W.*

B. Required Number Of Spaces. The number of bicycle parking spaces required shall be at least 20% of the required automobile parking for the use, but not less than two (2) spaces.

Response: *Based on this requirement, only two (2) bicycle spaces would be required. Applicant proposes a room with at least twenty (20) spaces available. [See sheet 2 for outline of preliminary location of bike room with entrance directly onto the public sidewalk.](#) Additionally, exterior bicycle parking will be provided for the commercial space as shown on the Landscape Site Plan.*

C. Location and Design Standards. Bicycle parking facilities shall be:

1. Located within seventy-five (75) feet of a primary building entrance and dispersed for multiple entrances;
2. Designed to provide direct access to a public right-of-way, but not to obstruct sidewalks or walkways. Public sidewalks may be utilized for bicycle parking when parking can't be reasonably accommodated on-site and the location is convenient to the building's primary entrance. If a public sidewalk is used for bicycle parking, a minimum of six (6) feet of clear and unobstructed sidewalk must be maintained;
3. In a location visible to building occupants or from the main parking lot; and
4. Thoroughly illuminated during working hours. Bicycle parking areas shall be at least as well lit as automobile parking areas.
5. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary rack to which the bicycle can be locked. All bicycle racks, lockers, or other facilities shall be securely anchored to the ground or to a structure. Bicycle racks shall be designed so that bicycles may be securely locked to them without undue inconvenience. Such racks shall be designed to hold bicycles securely by means of the frame, with the frame supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels.
6. Bicycle parking spaces shall be at least six (6) feet long and two feet wide with an overhead clearance of at least seven (7) feet. An access aisle of at least five (5) feet shall be provided and maintained beside or between each row of bicycle parking. Each required bicycle parking space shall be accessible without moving another bicycle.

Response: *Proposed project complies. [See sheet 6 for location of 6 bicycle parking stalls located and notated in plaza less than seventy-five \(75\) feet from the commercial entry.](#) [Bicycle parking stalls will comply with the standard for access, size and clearance.](#) Additional bike parking provided in the bike storage room for residents shall use racks specifically designed for such purpose in urban housing projects which may be constructed differently than what is required for parking under this Code.*

10.8.545 LANDSCAPING AND SCREENING OF PARKING AND LOADING AREASC. Required Landscaping for Parking Lots Adjacent to Public Rights-of-Way. A minimum five (5)-foot landscaped strip is required between the abutting right-of-way and the off-street parking area or

vehicle use area.

Response: *Proposed project complies. Not applicable since no parking lots are adjacent to public rights-of-way.*

- D. **Perimeter Parking Lot Landscaping.** When the off-street parking area or other vehicular use area is not visually screened from an abutting property by an intervening building or structure, a minimum five (5)-foot landscaped strip shall be installed between the common property line and the off-street parking area or other vehicular use area that is visually exposed.

Response: *Proposed project complies. A five (5) foot perimeter landscape strip is proposed.*

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

1. At least 8% of the interior parking lot area shall be landscaped. Landscaped areas should include water quality features such as bio-swales or wetlands, trees, grass, shrubs, and other material when possible so as to cover the landscape area.
2. A required landscaped area shall have a minimum interior dimension of six (6) feet and be no less than forty-eight (48) square feet in area. Landscaping shall be protected from vehicular damage by some form of wheel guard or curb.
3. One (1) tree shall be required for every 1,600 square feet of interior parking lot area. Trees shall have a minimum two (2)-inch caliper and six (6)-foot branch height at the time of planting.
4. Interior parking area landscaping and trees must be dispersed throughout the parking area. Some trees may be grouped, but the groups must be dispersed.
5. Perimeter landscaping may not substitute for interior landscaping. However, interior landscaping may join perimeter landscaping as long as it extends four (4) feet or more into the parking area from the perimeter landscape line.

Response: *Meeting the 8% landscaping and tree requirements is prohibitive for an urban project of this density. To help break up the parking, Applicant proposes a large green roof structure that will function as a carport over the center parking stalls. This structure will add 6,120 sf of landscaping to the site, bringing the percentage of landscaping up to 20%.*

Calculations:

Interior Lot Size: 30,770 SF

Interior Plant Bed Areas: 140 SF

<1% Vegetated

With Vegetated Roof Above Parking: 6,120 SF

20% Vegetated

- F. **Landscaping Within Clear Vision Areas.** All landscaping of parking lots within clear vision areas shall provide unobstructed cross-visibility at a level between three-to-ten (3-10) feet above the curb line. With the exception of grass or groundcover, no landscaping shall be located closer than three (3) feet from the edge of any accessway pavement.

Response: *Proposed project does not comply with this standard. Applicant believes this standard in an urban downtown setting is unnecessary and, in this case, inappropriate. Additionally, this standard is in conflict with the Town Center Design Guidelines. Applicant proposes instead to provide building massing to mark the corner of the property with a strong Architectural statement which will promote activity on the corner.*

PUBLIC IMPROVEMENTS

10.8.610 STREETS

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

1. Streets within a development and streets adjacent shall be improved in accordance with this article;
2. Any new street or additional street width planned as a portion of an existing street shall be dedicated and improved in accordance with this code;
3. New development shall be connected to a collector or arterial by a paved street;

Response: *Project complies.*

B. Creation of Rights-Of-Way for Streets and Related Purposes. Rights-of-way shall be created through the approval of a final subdivision plat or major partition; however, the Council may approve the creation of a street by acceptance of a deed, provided that such street is deemed essential by the Council for the purpose of general traffic circulation:

1. The Council may approve the creation of a street by deed of dedication without full compliance with the regulations applicable to subdivisions or major partitions if any one or more of the following conditions are found by the Council to be present:
 - a. Establishment of a street is initiated by the Council and is found to be essential for the purpose of general traffic circulation, and partitioning or subdivision of land has an incidental effect rather than being the primary objective in establishing the road or street for public use; or
 - b. The tract in which the road or street is to be dedicated is an isolated ownership of one (1) acre or less and such dedication is recommended by the Commission to the Council based on a finding that the proposal is not an attempt to evade the provisions of this title governing the control of subdivisions or major partitions.
2. With each application for approval of a road or street right-of-way not in full compliance with the regulations applicable to the standards, the proposed dedication shall be made a condition of subdivision and major partition approval:
 - a. The applicant shall submit such additional information and justification as may be necessary to enable the Commission in its review to determine whether or not a recommendation for approval by the Council shall be made;
 - b. The recommendation, if any, shall be based upon a finding that the proposal is not in conflict with the purpose of this title;
 - c. The Commission in submitting the proposal with a recommendation to the Council may attach conditions which are necessary to preserve the standards of this title; and
 - d. All deeds of dedication shall be in a form prescribed by the City and shall name "the public" as grantee.

Response: *Not applicable.*

- C. Creation of Access Easements. The approval authority may approve an access easement established by deed without full compliance with this title provided such an easement is the only reasonable method by which a lot large enough to develop can be created:

1. Access easements shall be provided and maintained in accordance with the Uniform Fire Code;
2. Access shall be in accordance with Sections 10.8.100 et. seq.

Response: *Not applicable.*

- D. Street Location, Width and Grade. Except as noted below, the location, width and grade of all streets shall conform to an approved street plan and shall be considered in their relation to existing and planned streets, to topographic conditions, to public convenience and safety, and in their appropriate relation to the proposed use of the land to be served by such streets:

1. Street grades shall be approved by the City Engineer in accordance with subsection (M) below; and
2. Where the location of a street is not shown in an approved street plan, the arrangement of streets in a development shall either:
 - a. Provide for the continuation or appropriate projection of existing streets in the surrounding areas, or
 - b. Conform to a plan adopted by the Commission, if it is impractical to conform to existing street patterns because of particular topographical or other existing conditions of the land. Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets and the need for public convenience and safety.
3. The City Engineer may require slope easements due to topography, the size and shape of the tract, or other conditions.

Response: *Not applicable.*

- E. Minimum Rights-Of-Way and Street Widths. Unless otherwise indicated on an approved street plan, or as needed to continue an existing improved street, street right-of-way and roadway widths shall not be less than the minimum width described below. Where a range is indicated, the width shall be determined by the appropriate decision-making authority based upon anticipated average daily traffic (ADT) on the new street segment. These are presented in Table 8-8.

1. The decision-making body shall make its decision about desired right-of-way width and pavement width of the various street types within the subdivision or development after consideration of the following:
 - a. The type, design and location of the road as set forth in the Transportation System Plan. Standards for specific streets identified in the Transportation System Plan shall apply;
 - b. Anticipated traffic generation;
 - c. On-street parking needs;
 - d. Sidewalk and bikeway requirements;
 - e. Requirements for placement of utilities;
 - f. Street lighting;
 - g. Drainage and slope impacts;

- h. Street tree location;
- i. Planting and landscape areas;
- j. Safety and comfort for motorists, bicyclists, and pedestrians;
- k. Access needs for emergency vehicles.

Response: *Not applicable.*

F. Future Street Plan and Extension of Streets

1. A future street plan shall:
 - a. Be filed by the applicant in conjunction with an application for a subdivision or partition. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other parcels within 500 feet surrounding and adjacent to the proposed land division. At the applicant's request, the City shall prepare a future streets proposal. A street proposal may be modified when subsequent subdivision proposals are submitted.
 - b. Identify existing or proposed bus routes, pullouts or other transit facilities, bicycle routes and pedestrian facilities on or within 530 feet of the site.
2. For new residential and mixed-use development, possible local street connections to contiguous vacant or primary undeveloped land must be identified in conformance with street projections outlined on the Local Street Connectivity Plan, as shown on the Comprehensive Plan Map.
3. Where necessary to give access or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary lines of the tract to be developed, and
 - a. These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets at such time as the adjoining property is developed.
 - b. A barricade shall be constructed at the end of the street by the property owners which shall not be removed until authorized by the City Engineer, the cost of which shall be included in the street construction cost.
 - c. Temporary hammerhead turnouts or temporary cul-de-sac bulbs shall be constructed for stub streets in excess of 150 feet in length.

Response: *Not applicable.*

G. Street Alignment and Connections

1. Staggering of streets making "T" intersections at collectors and arterials shall not be designed so that jogs of less than 300 feet on such streets are created, as measured from the centerline of such street.
2. Spacing between local street intersections shall have a minimum separation of 125 feet.
3. All local and minor collector streets that abut a development site shall be extended within the site to provide through circulation when not precluded by environmental or topographical constraints, existing development patterns or strict adherence to other standards in this code. A street connection or extension is considered precluded when it is not possible to redesign or reconfigure the street pattern to provide required extensions. Land is considered topographically constrained if the slope is greater than 15% for a distance of 250 feet or more. In the case of environmental or topographical constraints, the mere presence of a

constraint is not sufficient to show that a street connection is not possible. The applicant must show why the constraint precludes some reasonable street connection.

4. Proposed street or street extensions shall be located to provide direct access to existing or planned transit stops, commercial services, and other neighborhood facilities, such as schools, shopping areas and parks.
5. All developments should provide an internal network of connecting streets that provide short, direct travel routes and minimize travel distances within the development.

Response: *Not applicable.*

H. Intersection Angles. Streets shall be laid out so as to intersect at an angle as near to a right angle as practicable, except where topography requires a lesser angle, but in no case shall the angle be less than 75° unless there is special intersection design, and:

1. Streets shall have at least twenty-five (25) feet of tangent adjacent to the right-of-way intersection unless topography requires a lesser distance;
2. Intersections which are not at right angles shall have a minimum corner radius of twenty (20) feet along the right-of-way lines of the acute angle; and
3. Right-of-way lines at intersection with arterial streets shall have a corner radius of not less than twenty (20) feet.

Response: *Not applicable.*

I. Existing Rights-Of-Way. Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be provided at the time of subdivision or development.

Response: *Not applicable.*

J. Partial Street Improvements. Partial street improvements resulting in a pavement width of less than twenty (20) feet; while generally not acceptable may be approved where essential to reasonable development when in conformity with the other requirements of these regulations, and when it will be practical to require the improvement of the other half when the adjoining property developed.

Response: *Not applicable.*

K. Cul-de-sacs. A cul-de-sac shall be no more than 200 feet long, shall not provide access to greater than twenty (20) dwelling units, and shall only be used when environmental or topographical constraints, existing development pattern, or strict adherence to other standards in this code preclude street extension and through circulation:

1. All cul-de-sacs shall terminate with a turnaround. Use of turnaround configurations other than circular shall be approved by the City Engineer; and
2. The length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac.
3. If a cul-de-sac is more than 300 feet long, a lighted direct pathway to an adjacent street may be required to be provided and dedicated to the City.

Response: *Not applicable.*

- L. Street Names. No street name shall be used which will duplicate or be confused with the names of existing streets in Washington County, except for extensions of existing streets. Street names and numbers shall conform to the established pattern in the surrounding area.

Response: *Not applicable.*

- M. Grades and Curves. Grades shall not exceed 10% on arterials, 12% on collector streets, or 12% on any other street (except that local or residential access streets may have segments with grades of up to 15% for distances of no greater than 250 feet), and:

1. Centerline radii of curves shall not be less than 700 feet on arterials, 500 feet on major collectors, 350 feet on minor collectors, or 100 feet on other streets; and
2. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization shall provide a landing averaging 5% or less. Landings are that portion of the street within twenty (20) feet of the edge of the intersecting street at full improvement.

Response: *Not applicable.*

- N. Curbs, Curb Cuts, Ramps, and Driveway Approaches. Concrete curbs, curb cuts, wheelchair, bicycle ramps and driveway approaches shall be constructed in accordance with standards specified in this chapter; and:

1. Concrete curbs and driveway approaches are required; except
2. Where no sidewalk is planned, an asphalt approach may be constructed with City Engineer approval; and
3. Asphalt and concrete driveway approaches to the property line shall be built to City configuration standards.

Response: *Proposed project complies.*

- O. Streets Adjacent To Railroad Right-Of-Way. Wherever the proposed development contains or is adjacent to a railroad right-of-way, provision shall be made for a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the land. The distance shall be determined with due consideration at cross streets or the minimum distance required for approach grades and to provide sufficient depth to allow screen planting along the railroad right-of-way in nonindustrial areas.

Response: *Not applicable.*

- P. Access Control. Access control as described for each classification of street within the transportation element (Transportation System Plan (TSP)), shall be implemented when a new street or street extension is built.

Response: *Not applicable.*

- Q. Access to Arterials and Major Collectors. Where a development abuts or is traversed by an existing or proposed arterial or major collector street, the development design shall provide adequate protection for residential properties and shall separate residential access and through

traffic, or if separation is not feasible, the design shall minimize the traffic conflicts. The design shall include any of the following:

1. A parallel access street along the arterial or major collector;
2. Lots of suitable depth abutting the arterial or major collector to provide adequate buffering with frontage along another street;
3. Screen planting at the rear or side property line to be contained in a non-access reservation along the arterial or major collector; or
4. Other treatment suitable to meet the objectives of this subsection;
5. If a lot has access to two streets with different classifications, primary access should be from the lower classification street.

Response: *Proposed project complies. This standard is not applicable to units along A Street since it does not have either relevant street designation. Ground floor residential units facing Pacific Avenue have a deep setback which supports a robust rain garden to be located, effectively buffering these units from the busier street.*

R. Alleys, Public or Private

1. Alleys shall be no less than fifteen (15) feet in width. In commercial and industrial districts, alleys shall be provided unless other permanent provisions for access to off-street parking and loading facilities are made.
2. While alley intersections and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have a radius of not less than twelve (12) feet.

Response: *Not applicable.*

- S. Survey Monuments. Upon completion of a street improvement and prior to acceptance by the City, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments shall be reestablished and protected.

Response: *Proposed project will comply.*

T. Private Streets

1. Design standards for private streets shall be established by the City Engineer; and
2. The City shall require legal assurances for the continued maintenance of private streets, such as a recorded maintenance agreement.
3. Private streets serving more than six (6) dwelling units are permitted only within planned developments, mobile home parks, and multi-family residential developments.

Response: *Not applicable.*

- U. Railroad Crossings. Where an adjacent development results in a need to install or improve a railroad crossing, the cost for such improvements may be a condition of development approval, or another equitable means of cost distribution shall be determined by the Public Works Director and

approved by the Commission.

Response: *Not applicable.*

- V. Street Signs. The City shall install all street signs, relative to traffic control and street names, as specified by the City Engineer for any development. The cost of signs shall be the responsibility of the developer.

Response: *Not applicable.*

- W. Traffic Signals. The location of traffic signals shall be noted on approved street plans. Where a proposed street intersection will result in an immediate need for a traffic signal, a signal meeting approved specifications shall be installed. The cost shall be included as a condition of development.

Response: *Not applicable.*

- X. Street Light Standards. Street lights shall be installed in accordance with regulations adopted by the City's direction.

Response: *Not applicable.*

- Y. Street Name Signs. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.

Response: *Not applicable.*

- Z. Street Cross-Sections. The final lift of asphalt concrete pavement shall be placed on all new constructed public roadways prior to final City acceptance of the roadway and within one (1) year of the conditional acceptance of the roadway unless otherwise approved by the City Engineer. The final lift shall also be placed no later than when 90% of the structures in the new development are completed or three (3) years from the commencement of initial construction of the development, whichever is less.

Response: *Not applicable.*

10.8.615 EASEMENTS

- A. Easements. Easements for sewers, drainage, water mains, electric lines or other public utilities shall be either dedicated or provided for in the deed restrictions, and where a development traversed by a watercourse, or drainageway, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the watercourse.
- B. Utility Easements. A property owner proposing a development shall make arrangements with the City, the applicable district and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. The City's standard width for public main line utility easements shall be fifteen (15) feet unless otherwise specified by the utility company, applicable district, or City Engineer.
- C. Where the alignment of a utility easement (other than those required perimeter easements) is such that it would also serve as a suitable easement for originating or continuing a pedestrian/bicycle path, the Community Development Director may require that such easement

be designated as serving both functions. The walkway shall be designed and improved consistent with the requirements of Section 10.8.100, Access and Circulation.

Response: *Not applicable.*

10.8.620 SIDEWALKS

A. Sidewalks Required. Sidewalks shall be constructed, replaced or repaired to City design standards as set forth in the standard specifications manual and located as follows:

1. On both sides of arterial and collector streets to be built at the time of street construction;
2. On both sides of all other streets and in pedestrian easements and rights-of-way, except as provided further in this section, to be constructed along all portions of the property designated for pedestrian ways in conjunction with development of the property; and
3. On one side of any industrial street to be constructed at the time of street construction or after determination of curb cut locations.

Response: *Not applicable.*

B. Parkway Requirements. A parkway at least five (5) feet between the curb and the sidewalk shall be required in the design of any arterial or collector street where parking is prohibited adjacent to the curb, except where the following conditions exist: there is inadequate right-of-way; the curbside sidewalks already exist on predominant segments of the street; or it would conflict with the utilities.

Response: *Not applicable.*

C. Sidewalks in Town Center District. In the Town Center District, sidewalks shall be ten (10) feet in width, and:

1. All sidewalks shall provide a continuous unobstructed path; and
2. The width of curbside sidewalks shall be measured from the back of the curb.

Response: *Existing sidewalks along most of the street frontage has been improved and widen as part of a City street improvement in recent years. Where necessary the sidewalk will be widen and improvement to meet the appropriate standard.*

10.8.625 SANITARY SEWERS

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

Response: *Sanitary sewers exist within Pacific Avenue and will be used to connect to the proposed development to the sanitary sewer.*

10.8.630 WATER FACILITIES

A. Water Facilities Required. Water facilities shall be installed to serve each new development and

to connect developments to existing mains in accordance with the provisions set forth in the adopted policies of the Comprehensive Plan and the City's Master Water Plan.

Response: *Public Water facilities exist within the Pacific Avenue and "A" Street. Connection to those facilities will be used to provide water to the proposed development.*

10.8.635 STORM DRAINAGE

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

1. The storm water drainage system shall be separate and independent of any sanitary sewerage system;
2. Where possible, inlets shall be provided so surface water is not carried across any intersection or allowed to flood any street; and
3. Surface water drainage patterns shall be shown on every development proposal plan.

Response: *On-site collection system will be constructed as part of the development. The water quality and detention requirements will be met, most likely with the use of a rain garden. Connection from the point of outlet on-site will be made to the City's public storm drain conveyance system.*

B. Easements. Where a watercourse, drainageway, channel or stream traverses a development, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse and such further width as will be adequate for conveyance and maintenance.

Response: *Not applicable.*

C. Accommodation of Upstream Drainage.

1. A culvert or other drainage facility shall be large enough to accommodate runoff from its entire upstream drainage area, whether inside or outside the development, and;
2. The City Engineer shall approve the necessary size of the facility, based on the provisions of Design and Construction Standards for Sanitary and Surface Water Management (as adopted and amended by Clean Water Services) and the City's Master Storm Water Sewer Plan.

Response: *Not applicable.*

10.8.640 BIKEWAYS

A. Bikeway Extension. Developments adjoining proposed bikeways identified on the City's adopted pedestrian/bikeway plan shall include provisions for the future extension of such bikeways through the dedication of easements or rights-of-way.

Response: *Not applicable.*

B. Cost of Construction. Development permits issued for planned unit developments, conditional use permits, subdivisions, and other developments which will principally benefit from such bikeways shall be conditioned to include the cost or construction of bikeway improvements.

Response: *Not applicable.*

- C. Minimum Width. Minimum width for bikeways within the roadway is five (5) feet per bicycle travel lane. Minimum width for two-way bikeways separated from the road is eight (8) feet.

Response: *Not applicable.*

10.8.645 UTILITIES

- A. Underground Utilities. All utility lines in new developments shall be placed underground, and:
1. The developer shall make all necessary arrangements with the serving utility to provide the underground services;
 2. The City reserves the right to approve location of all surface mounted facilities;
 3. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and
 4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

Response: *All on-site utilities will be placed underground. There are existing overhead franchise utilities adjacent to the site within "A" Street. It is desire of the developers that those lines be installed underground by the City of Forest Grove as part of the Development Agreement.*

- B. Information on Development Plans. The applicant for a development shall show on the development plan or in the explanatory information, easements for all underground utility facilities, and:
1. Plans showing the location of all underground facilities as described herein shall be submitted to the City Engineer for review and approval; and
 2. Care shall be taken in all cases to ensure that above ground equipment does not obstruct vision clearance areas for vehicular traffic.

Response: *All known underground facilities are noted.*

- D. Exception to Under-Grounding Requirement for Infill Development. An applicant for infill development, which is served by above ground utilities, may be exempt from the requirement for undergrounding utilities. This exception shall apply only to existing utility lines.

Response: *It is the desire of the developers that the existing overhead lines in "A" Street be placed underground by the City of Forest Grove. The extension of franchise utilities to the development itself, (for electrical and broadband services) will be underground.*

10.8.650 AGREEMENT – Not applicable for subject land use action

10.8.655 MONUMENTS – Not applicable for subject land use action

BUILDING DESIGN AND DEVELOPMENT STANDARDS

10.8.710 STANDARDS

- A. Building Design Standards for Multi-Unit Development
1. Massing and Form
 - a. On lots with an average cross slope of 15% or more, no more than 60% of the site shall be re-graded.

- b. No building shall have a dimension greater than one-hundred and fifty (150) feet without a minimum three (3) feet off-set of the exterior wall.
- c. At a minimum, every two dwelling units shall be offset from the next dwelling unit by at least four (4) feet in depth.
- d. All habitable rooms shall incorporate at least one window when facing parking lots and common areas.

Response: *Proposed project complies. For clarity, please note that compliance with item c is met by providing extensive articulation using bay projections of four (4) feet in depth.*

2. Compatibility

- a. All buildings shall incorporate a porch or architecturally defined entry space for each ground level dwelling unit with a minimum area of 16 square feet per dwelling unit, with no dimension less than 4 feet.
- b. Shared porches or entry spaces are permitted. All grade level porches shall include hand-railing, half-walls, or shrubs to define their outside perimeter.
- c. Common entrances shall not serve more than four (4) dwelling units.

Response: *Not applicable. These standards are overridden by the Town Center Guidelines.*

3. Privacy

- a. Front entryways into dwelling units shall be separated vertically or horizontally a minimum of three feet from sidewalks used by more than one dwelling unit.
- b. Bedroom and bathroom windows shall be offset a minimum of four (4) feet from windows on adjacent buildings (unless window glazing is frosted, diffused or glass block)

Response: *Not applicable. These standards are overridden by the Town Center Guidelines.*

4. Building Relationship with Adjacent Arterials

- a. Buildings shall be setback at least 10 feet from arterials.
- b. Buildings shall be oriented away from arterials and no front or main entries shall be facing the arterials.
- c. The setback area shall be landscaped consistent with the buffering requirements of Section 10.8.425 except that chain link fence shall not be allowed.

Response: *Not applicable. These standards are overridden by the Town Center Guidelines.*

B. Building Design Standards for Commercial Development

Response: *Not applicable*

C. Building Design Standards within Town Center Districts

1. Building Form

- a. All new structures shall be a minimum of two-stories in height or a minimum height of 24 feet measured at the front elevation to top of parapet or eave line of lowest point of facade.
- b. All flat-roofed buildings shall have a decorative cornice at top of building (parapet)
- c. Exterior pilasters and columns shall project a minimum of 6 inches beyond building face.
- d. All rooftop mechanical equipment shall be screened by a solid wall from view of the public right-of-way and pedestrian routes.

Response: *Not applicable. These standards are overridden by the Town Center Guidelines.*

2. Retail Storefronts

- a. Ground floor storefront glazing along the primary public façade shall comprise a minimum percentage of the main floor's exterior wall area, as follows: TCC - 80%; TCT & TCS - 50%.
- b. First floor vertical elements such as columns or pilasters shall be provided and spaced center-to-center at a maximum of 25 feet apart.
- c. Doors on the main floor façade facing a street shall contain windows equivalent in size to 50% of door surface area.
- d. Storefront glazing must be transparent. Reflective, tinted, glazed or techniques that obscure more than 20% of glazed surfaces shall be prohibited.
- e. Glazing dimensions shall have a greater height than width.
- f. Storefront glazing with divided lights shall be limited to transom windows only.
- g. All window frames shall be painted.
- h. Awnings shall be constructed of metal, glass or natural canvas fabrics. Vinyl, synthetic fabric, plastic or backlit awnings are prohibited. Signage or lettering on awnings is prohibited.

Response: *Proposed project complies. Ground floor fenestration shall be at least 50% of the wall area. While columns or pilasters are not specifically included, repetition of strong vertical elements exists on the ground floor at a reasonable rhythm. Doors shall be extensively glazed to meet this standard. Glazing will be continuous with minimal opaque interruptions. In general, fenestration is vertically oriented to relate with historic neighborhood architecture.*

3. Commercial Entries

- a. The entry enclosure shall be offset a minimum of 2 feet from the building façade.
- b. Windows and door in exterior wall shall be surrounded with trim of 2-1/2 inches minimum width.
- c. At least 25% of all primary entry doors shall contain transparent glazing.
- d. Unpainted metal frames are prohibited.
- e. Reflective, opaque or tinted glazing is prohibited.

Response: *Proposed project complies.*

4. Residential Entries

- a. Residential doors which face a public right-of-way shall be setback a minimum of 2 feet from a public sidewalk.
- b. The following types of doors shall not provide the primary entrance into a

- dwelling unit: sliding glass or solid metal doors without glazing.
- c. Residential stoops, porches or terraces shall be raised no higher than 3 feet above grade at the adjacent right of way.
 - d. Residences with entry porches or terraces shall have a minimum area of 60 square feet.
 - e. Residential entries shall be no lower than 4 feet below grade measured at adjacent right-of-way.

Response: *Proposed project complies.*

5. Windows

- a. Window openings shall comprise the following minimum portions of the front building facades at the main floor: TCC - 80%; TCS - 30%; TCT - 60%.
- b. Window openings shall comprise the following minimum portions of the front building façade above the main floor: TCC - 30%; TCS - 20%, TCT - 30%.
- c. Clear or transparent glazing is required for windows fronting the public rights-of-way.
- d. Glass shall be recessed a minimum of 1-1/2 inches from the surrounding exterior wall surface.
- e. Spandrel, glass curtain-wall or any window wall glazing that creates an opaque, flat or featureless, or reflective surface shall not be used at ground floor.

Response: *Proposed project complies.*

6. Exterior Walls

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

Response: *Proposed project complies.*

7. Walls and Fences

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

Response: *Proposed project complies.*

D. Building Design Standards for Institutional Development not within the Institutional Zone.

1. Building Orientation: Shall comply with standards for commercial development contained in subsection B.1. above.
2. Massing and Form. Shall comply with the standards for commercial development contained in subsection B.2. above.
3. Design Elements: Shall comply with the standards for commercial development contained in subsection B.3. above with the exception of subsection B.3.b.

4. Town Center Districts: Building design for institutional uses within the Town Center districts are subject to the applicable requirements of subsection C. above. Standards pertaining to retail storefronts and commercial and residential entries shall not apply unless the institutional use is similar to commercial or residential use.
5. Exceptions: The building design standards do not apply to buildings less than 500 square feet.
6. Building design within an Institutional Zone shall comply with the requirements of Section 10.8.885.

Response: *Not applicable.*

LIGHTING STANDARDS

10.8.755 GENERAL PROVISIONS

C. Luminous Standards. Light intensity standards shall be as follows:

1. Outdoor lighting shall be provided in a manner that enhances security, is appropriate for the use, and avoids adverse impacts on surrounding properties. Glare shall not cause illumination on other properties in excess of a measurement of 0.5 foot-candles of light.

Response: *Proposed project will comply.*

2. Street lights shall meet the lighting requirements of the Public Works Director upon consultation with the Light and Power Director.

Response: *Proposed project will comply.*

3. Pedestrian lighting standards:

- a. Lighting for on-site pedestrian circulation system shall be lighted to a minimum level of 0.5 foot-candles, a 1.5 foot-candle average, and a maximum to minimum ratio of seven-to-one to enhance pedestrian safety and allow employees, residents, customers or the public to use the walkways at night.
- b. Pedestrian walkway lighting through parking lots shall be lighted to a 0.5 foot-candle average and a maximum to minimum ratio of ten-to-one to light the walkway and enhance pedestrian safety. Artificial lighting which may be provided shall enhance security, be appropriate for the use, and avoid adverse impacts on surrounding properties and the night sky through appropriate shielding. The lighting shall not cause a measurement in excess of 0.5 foot-candles of light on other properties.

Response: *Proposed project will comply.*

D. Lighting Standards for Multi-Unit Development

1. All exterior dwelling unit entrances and pedestrian walkways shall be lighted.

Response: *Proposed project will comply.*

2. Poles outside of the public right-of-way shall be a maximum of 14 feet in height if the lot is less than 20,000 square feet and 18 feet for lots larger than 20,000 square feet.

Response: *Proposed project will comply.*

3. Concrete light fixture bases taller than 8 inches are prohibited.

Response: *Proposed project will comply.*

4. Area lighting shall be directed downward with no splay of light off the site. Any light source over ten (10) feet high shall incorporate cut-off shield.

Response: *Proposed project will comply.*

5. Plastic signs with internal light source are prohibited.

Response: *Proposed project will comply.*

E. Lighting Standards for Commercial Development

1. Exterior Building Lighting. Building lighting shall be directed downward with no splay of light off the site. Any light source over ten (10) feet high shall incorporate cut-off shield.

Response: *Proposed project will comply, with the exception that building sconces may project light onto R.O.W. sidewalk.*

2. Parking Lot Lighting

- a. Lights shall not obstruct vehicular or pedestrian traffic.
- b. Poles outside of the public right-of-way shall be a maximum of 14 feet in height if the lot is less than 20,000 square feet and 18 feet for lots larger than 20,000 square feet.
- c. Concrete light fixture bases taller than 8" are prohibited.
- d. Lights shall be equipped with cut-off fixture to ensure that light does not spill onto adjacent residential property.

Response: *Proposed project will comply.*

3. Sidewalk and Landscape Lighting

- a. All bollard, wall or stairway lighting shall be directed exclusively downward.
- b. All up-lighting fixtures shall be screened by landscaping or concealed within structures or located below or flush with grade.
- c. No walkway lighting shall exceed 14 feet in height.

Response: *Proposed project will comply.*

4. Sign Lighting

- a. Interior lighted plastic signs are prohibited
- b. Moving or flashing signs are prohibited.

Response: *Proposed project will comply.*

F. Lighting Standards within Town Center Districts

1. Site and Parking Lot Lighting

- a. Poles outside of the public right-of-way shall be a maximum of 14 feet in height in all Town Center zones.
- b. Concrete light fixture bases taller than 8 inches are prohibited.
- c. Area lighting shall be directed downward with no splay of light off the site. Any light source over ten (10) feet high shall incorporate cut-off shield.
- d. Lights shall not blink, flash or change intensity.

Response: *Proposed project will comply.*

2. Sidewalk and Landscape Lighting

- a. Night lighting shall be provided for all sidewalks and front entrances.
- b. Flashing lights, exposed cords, outlets or other electrical devices are prohibited.

Response: *Proposed project will comply.*

3. Sign Lighting

- a. Lighting for signs shall be limited to internal lighting, where the lighting source is inside the sign, or to indirect lighting screened from view, where the light source is located below the sign, and is part of an ornamental feature of the sign structure.
- b. Braces and struts that support indirect lighting from the top of sides of the sign are prohibited.
- c. A lighted sign visible to and located within 100 feet of a residential zone shall be turned off from 10:00 P.M. to sunrise.
- d. Backlighting of vinyl awning signs, interior plastic sign lighting, metal halide, neon or fluorescent tube sign lighting are prohibited.
- e. Signs containing exposed electrical conduit, junction boxes or other electrical components are prohibited.

Response: *Proposed project will comply.*

SIGNS – Not applicable

OTHER DEVELOPMENT REVIEW STANDARDS – Not Applicable

COVENANTS, CONDITIONS AND REQUIREMENTS – Not applicable

FOCUS AREA 1 – TOWN CENTER GUIDELINES SITE – Track 2- Design Guidelines

BUILDING ORIENTATION

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

[Description – Development in the town center area should create a well defined, safe, attractive and active pedestrian environment. Zero lot line development should be encouraged in all town center zones, particularly in the Town Center Core. Parking should be behind or to the side of buildings so as to not obstruct pedestrian pathways to the front door of buildings. If buildings are setback from the sidewalk, the area in front of the building should be well landscaped and used as an expanded sidewalk area or a pedestrian plaza.](#)

Guideline-Track 2 / Item 1: Minimize building setbacks from any public street right-of-way. Zero lot line buildings along the public street right-of-way are encouraged to maintain an inviting and continuous storefront presentation.

Response: *Building setback along A Street is limited to approximately between 5'-6" and 6'-8" in order to provide some outdoor private space for ground floor tenants. Other smaller setbacks have been included along A Street to meet Applicant's desired articulation expression.*

Along Pacific Avenue, the commercial space is predominantly set at the property line with exceptions on the corners to allow for doors to open out and not project over the property line. Applicant desires to use this method to express commercial entries. Additionally, Applicant has set back the balance of the Pacific Avenue side of the building in order to provide two distinct urban amenities in the form of a public plaza shouldered by the building on 3 sides and a large rain garden. Applicant feels that these amenities will create a distinct sense of place and enhance the diversity along the street frontage which is of great benefit to residents, visitors, and passersby.

Guideline-Track 2 / Item 2: Design and construct a primary building entrance for each building façade. If a building has frontage on more than one public street, a single building entrance on the corner is acceptable.

Response: *Proposed project complies. Multiple unit entries are proposed along A Street, including a main residential entry and lobby space. Commercial entries are proposed to face Pacific Avenue while multiple unit entries are also proposed beyond.*

Guideline-Track 2 / Item 3: Use the area between the right-of-way and building to create a plaza court, planter area, bicycle parking or another amenity.

Response: *Proposed project complies. Building articulation and setbacks have been utilized to provide individual patios and planters for ground floor units facing A Street. Additionally, the building setback on Pacific Avenue facilitates the inclusion of a plaza space as well as a large rain garden.*

Guideline-Track 2 / Item 4: Main entrance should be oriented to the street.

Response: *Proposed project complies. All main entrances to the building serving either commercial space or the residential lobby face the street. Additionally, many ground floor unit entries also face the street.*

SITE – PEDESTRIAN CONNECTIONS

Guideline – Develop continuous pedestrian connections that are attractive and convenient.

Description – The Town Center area must maintain a clear and comfortable separation between vehicles and pedestrians. Where vehicles and pedestrians must share the same space, pedestrian safety and comfort must not be compromised. Sidewalks should be continuous and free of barriers.

Guideline-Track 2 / Item 1: Design and locate buildings and off-street parking within the Town Center to reinforce the district's traditional pedestrian orientation.

Response: *With setbacks described above, buildings are proposed along both streets, articulated in order to reduce the scale of the building to a more human proportion. Parking is proposed on the opposite side of the building, effectively shielded from the R.O.W. by the building itself.*

Guideline-Track 2 / Item 2: Separate walkways from vehicle areas by landscaping, bollards or changes in elevation.

Response: *Proposed project complies. Applicant proposes separating vehicles and pedestrians using wheel stops and, in some cases, curbs.*

Guideline-Track 2 / Item 3: Provide landscaped pedestrian walkways for direct, convenient mid-block connections.

Response: *Not applicable.*

Guideline-Track 2 / Item 4: Separate or screen pedestrians from nuisances, such as mechanical equipment, dumpsters, and loading areas.

Response: *Proposed project will comply.*

Guideline-Track 2 / Item 5: Enclose trash and recycling areas.

Response: *Proposed project complies. A concrete masonry refuse and recycling enclosure is proposed.*

SITE – AMENITIES

Guideline – Protect pedestrians from wind, sun, and rain and provide courtyards or other outdoor spaces to create a comfortable environment for meeting and sitting.

Description – Pedestrians should be protected from the elements, to encourage use of the Town Center during inclement weather. The design of awnings and canopies should be integral and well proportioned to the facades of buildings. Street furniture, such as benches, lamps and landscape planters should be provided.

Guideline-Track 2 / Item 1: Provide weather protection above sidewalks in the form of awnings or other building elements appropriate to the design of the structure.

Response: *Proposed project complies. Steel canopies are proposed adjacent to commercial areas and the main residential entry. Applicant has chosen not to provide covering for public sidewalks adjacent to ground floor residential entries so that loitering is not encouraged in these areas.*

Guideline-Track 2 / Item 2: Canvas fixed or retractable awnings or horizontal metal canopies.

Response: *Proposed project complies.*

Guideline-Track 2 / Item 3: Seating areas near retail establishments.

Response: *Proposed project complies. The commercial space on the southeast corner of the property is designed adjacent to the plaza for this specific purpose.*

Guideline-Track 2 / Item 4: Courtyards, squares, forecourts, and plazas with active adjacent ground-floor uses.

Response: *Proposed project complies. A plaza is provided adjacent to the commercial space and is located specifically to activate the corner of the property.*

BUILDING GUIDELINES

BUILDING – FACADES

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

Description – Facades should define a continuous street edge, while adding visual interest and variety for the pedestrian. Building frontages should provide a sense of continuity and enclosure to the street, creating a human-scale "street wall."

Guideline-Track 2 / Item 1: Walls that have a comfortable rhythm of bays, columns, pilasters or other articulations.

Response: *Proposed project complies. Proposed building design includes a repetitive window rhythm and bays which cantilever over the ground floor. The building façade has been varied in order to reduce the length of any plane so that the proportions of the façade relate directly with the historic architecture in the neighborhood.*

Guideline-Track 2 / Item 2: Facades should be taller than one-story to create a sense of enclosure along the sidewalk.

Response: *Proposed project complies. Proposed building varies between three (3) and four (4) stories tall.*

Guideline-Track 2 / Item 3: Architectural elements such as towers, roof parapets.

Response: *Proposed project complies. Project proposes parapet roofs throughout. Additionally, Applicant has chosen to reduce the building height on the corner of the property and add interest such as a large roof deck facing the intersection in order to mark the ground floor commercial.*

Guideline-Track 2 / Item 4: Well-detailed cornices of significant proportions to create visual interest and shadow lines.

Response: *Proposed project complies. Project proposes many features, including cornices on some roofs, which provide extensive relief to the building façade and add shadow and visual interest.*

Guideline-Track 2 / Item 5: Vertical elements which break up long, monolithic building facades along the street.

Response: *Proposed project complies. Project proposes many features to articulate the building, including varied setbacks, projecting bays, and discontinuous canopies marking specific uses.*

Guideline-Track 2 / Item 6: Regularly spaced and similar-shaped windows with window trim on all building stories.

Response: Proposed project complies. Extensive repetition of window types, sizes, and proportions are proposed by Applicant.

Guideline Track 2 / Item 7: Bay windows on second story or higher floor levels.

Response: Proposed project complies. Many projecting bays are provided.

Guideline Track 2 / Item 8: Screen mechanical equipment.

Response: Proposed project will comply. All applicable mechanical equipment will be located on the roof of the four (4) story building.

BUILDING – RETAIL STOREFRONTS

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

Description – Retail and other commercial establishments should provide windows and doors offering views in and out of the building so passersby may see activity within buildings.

Guideline Track 2 / Item 1: Storefront should be designed to encourage a lively streetscape with clear windows, window displays.

Response: Proposed project complies. In order to provide an inviting architectural experience, Applicant proposes stepping down of the building above the commercial space in order to add interest to the building and mark the corner of the property. Additionally, commercial entries are set back and marked with canopies projecting out to the R.O.W. while extensive fenestration is proposed throughout. All of these features serve to provide an enjoyable experience for the pedestrian while providing a unique visual expression to the visitor and passerby.

Guideline Track 2 / Item 2: Clerestory or transom windows above storefronts are recommended.

Response: Proposed project complies. Windows will be above entry doors up to a level of 12'-0" above finish floor. Additionally, in glazed areas between commercial entries, fenestration and support framing is continuous from the floor to 12'-0" above finish floor elevation.

Guideline Track 2 / Item 3: Entry ways with multiple doors, windows, architecture details and ornate hardware.

Response: Proposed project complies.

Guideline Track 2 / Item 4: Sliding, overhead or other operable windows for restaurants or other active uses.

Response: Proposed project does not currently include glass garage doors opening onto the plaza but allows simple inclusion should tenants desire to include them in the future.

BUILDING – ENTRIES

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

Description – The primary entry into buildings should be clearly recognized from the street. Additional architectural details, such as sidelights or transoms surrounding doorways are encouraged. Transparency between retail storefronts and the sidewalk is encouraged to create visibility from the street.

Guideline Track 2 / Item 1: Entryways that project or are recessed from their surrounding building façades.

Response: *Proposed project complies. All building entries recess from the adjacent building wall surface. Additionally, the project includes a plaza adjacent to the commercial space which will serve to provide a unique, easily identifiable entry image for the project.*

Guideline Track 2 / Item 2: Visible frame or trim detail surrounding the entry.

Response: *Proposed project complies.*

Guideline Track 2 / Item 3: Transom, sidelights and other detailed window surrounds at the front entry.

Response: *Proposed project complies.*

BUILDING - RESIDENTIAL ENTRIES

Guideline – Residential entries should create an inviting transition between public and private areas.

Description – Residential doors in the town center should provide a well defined transition between the public and private realm. They should convey a sense of privacy while expressing a welcome entryway for those who approach. The design of the door should respond to the level of activity along the street.

Guideline Track 2 / Item 2: Transom windows and sidelights.

Response: *Proposed project complies.*

Guideline Track 2 / Item 3: Durable, high quality metal door hardware.

Response: *Proposed project will comply.*

Guideline Track 2 / Item 5: Entries separated from the street by semi-private transition areas such as porches, terraces, stoops or canopy-covered doorways.

Response: *Proposed project complies. Ground floor units are proposed to include a private patio for each unit.*

BUILDING –WINDOWS

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

Description – Retail uses should provide windows that create visual interest and encourage people to visit restaurants and shops. Blank walls should be avoided.

Guideline Track 2 / Item 1: The majority of the ground floor building façade should contain windows.

Response: *Proposed project complies on the portions facing A Street and Pacific Avenue. At least 50% of the first floor of the building will be fenestration, adding interest to the pedestrian while creating an open and inviting experience for visitors and passersby.*

Guideline Track 2 / Item 2: Multiple windows should be provided on the front façade above the main floor in a uniform pattern.

Response: *Proposed project complies. Every bedroom and living room for residential units above the main level will have at least one window, further activating the façade and viewer experience.*

Guideline Track 2 / Item 3: Window should be oriented vertically with rectangular shapes.

Response: *Proposed project complies. Windows will be vertically oriented rectangular shapes.*

BUILDING – EXTERIOR WALLS

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

Description – Materials used should be consistent with the existing buildings in the Town Center. Quality wall materials provide a sense of permanence and should be applied to create a sense of substance and mass.

Guideline Track 2 / Item 1: Quality materials such as brick, stone and natural wood.

Response: *Proposed project complies. Applicant proposes brick and lap siding, with aluminum glazing systems on the ground floor.*

Guideline Track 2 / Item 2: Applications which create depth, such as recessed windows and doors.

Response: *Proposed project complies. Extensive articulation is proposed, including projecting bays, recessed entries, canopies, and roof overhangs.*

Guideline Track 2 / Item 7: TCT & TCS: Brick or stone masonry; cement-based stucco; lap siding; board and batten siding; shingles and shakes.

Response: *Proposed project complies. Brick is proposed on the project.*

BUILDING LANDSCAPE -WALLS AND FENCES

Guideline – Site walls and fences should be compatible with the building architecture and reflect the commercial character of the developments.

Description – Walls and fences should be considered integral parts of the building and site, compatible with the overall design.

Guideline Track 2 / Item 1: Site wall and landscaped planter box materials and character should generally match or provide compatibility with the adjoining building materials and historic character.

Response: *Applicant proposes to use metal raised planter boxes with a color to compliment building. Metal Railings with a historic character could be used along the edges of the rain gardens if grades require. Perimeter fence will be 6'-0" tall, with 4"x4" steel posts approximately 6'-0" on center, steel horizontal structure top and bottom, and 1/2" x 1/2" steel pickets at about 4" on center. With landscaping buffer on the inside of this perimeter fence, this highly transparent fence will present a soft, friendly transition to neighboring properties. The refuse and recycling enclosure will be standard painted concrete masonry with fully opaque steel gates for people and equipment access.*

LIGHTING GUIDELINES
LIGHTING – EXTERIOR BUILDING

Guideline – Lighting should be an integral component of the building architecture.

Description – Lighting should be used to highlight the design of buildings while improving visibility of entryways and enhance safety. Lighting should not spill onto neighboring properties or cast glare which will decrease the safety of pedestrians or vehicles.

Guideline-Track 2 / Item 1: Lighting which adds visual interest and highlights aspects of the building.

Response: *Proposed project will comply. Exterior building lighting will be chosen for its compatibility with the building and site design, energy performance, durability, and ease of maintenance.*

Guideline-Track 2 / Item 2: Decorative wall sconce and similar architectural lighting features.

Response: *Proposed project will comply.*

Guideline-Track 2 / Item 3: Lighting fixtures which are integrated with and highlight landscaping.

Response: *Proposed project will comply.*

LIGHTING – PARKING LOT

Guideline – Light should be compatible with downtown streetlights identified in the Public Area Requirements.

Description – Parking lot lighting should be provided for vehicular and pedestrian safety. Lighting should be integrated and compatible with the site and building design.

Guideline-Track 2 / Item 1: Light poles should be dark green or black

Response: *Proposed project will comply.*

Guideline-Track 2 / Item 2: Standards should accommodate banners and hanging flower pots (with drip irrigation systems)

Response: *Applicant will replace streetscape lights in this nature but not in the private realm of the parking lot. With the proposed design, parking lot poles will only be necessary along the interior lot lines, located in landscape islands. The balance of the parking area is covered, either by the building or the carport. Applicant proposes to mount lighting to the underside of structure in these areas, fully integrated with the building design. All fixtures will be chosen for their compatibility with the building and site design, energy performance, durability, and ease of maintenance.*

Guideline-Track 2 / Item 3: Light standards should be located in landscaped areas when possible to protect fixtures from automobile damage.

Response: *Proposed project will comply.*

Guideline-Track 2 / Item 4: Lights should be shorter than two-stories in height.

Response: *Proposed project will comply.*

LIGHTING – SIDEWALK AND LANDSCAPE

Guideline – Lighting should be used to highlight sidewalks, street trees and other landscape features. Landscape lighting is appropriate as a way to provide pedestrian safety.

Description – Lights may be used highlight features within public and private plazas, courtyards, walkways, and other outdoor areas at night to create an active and safe environment.

Guideline-Track 2 / Item 1: Seasonal lights on buildings and trees.

Response: *Proposed project will comply. Project will include electrical receptacles that allow for seasonal lighting to be installed on trees.*

Guideline-Track 2 / Item 2: Foot lighting that illuminate walkways and stairs.

Response: *Proposed project will comply. All fixtures will be chosen for their compatibility with the building and site design, energy performance, durability, and ease of maintenance.*

Guideline-Track 2 / Item 4: Bollard lighting that is directed downwards toward walkways.

Response: *Proposed project will comply.*

LIGHTING – SIGNS – not applicable

SIGN GUIDELINES – not applicable

SIGNS – HANGING OR PROJECTING – not applicable

SIGNS –WINDOW – not applicable

SIGNS – INFORMATION AND DIRECTIONAL – not applicable

10.3.430 TOWN CENTER ZONE DEVELOPMENT STANDARDS

Town Center Zones: Dimensional Requirements STANDARD	TCT	TCS
Floor Area Ratio [1] - Minimum - Maximum	0.75:1 3:1	0.5:1 3:1
Building Height (all parts) - Minimum - Maximum	16 feet 4 stories	16 feet 4 stories
Residential Density[2] - Minimum - Maximum	16.22 units / acre 20.28 units / acre	16.22 units / acre 20.28 units / acre
Front Setback [3] - Minimum - Maximum	0 15 feet	0 15 feet
Side and Rear Setback [4]	0	0
Parking [5]	Exempt	Exempt
Landscaping [6]	5 % of lot	5 % of lot

1. **Building Height:** The building height is 55'.
2. **Density:** The development density is 51 units per acre.
3. **Setbacks – Front:** The setbacks for the development are as follows:
 - a. Minimum: 0 feet
 - b. Maximum: 53 feet
4. **Setbacks – Side and Rear:** The setbacks for the development are as follows:
 - a. Minimum: 0.5 feet
 - b. Maximum: 150 feet
5. **Landscaping:** The proposed landscaping is 8% of lot, excluding the community garden and vegetated roof.

SUMMARY

There is a need for urban form housing in Forest Grove. The approval of this application would contribute significantly to the next phase in the growth of the City. As a catalyst project, this proposed project will deeply respect the history and context of the site while bringing a fresh new example of urban living to a neighborhood greatly needing it.

Tokola Properties and Studio C Architecture respectfully request that this Design Review and Development Agreement application be approved.

DESIGN REVIEW & DEVELOPMENT AGREEMENT
CITY OF FOREST GROVE, OREGON

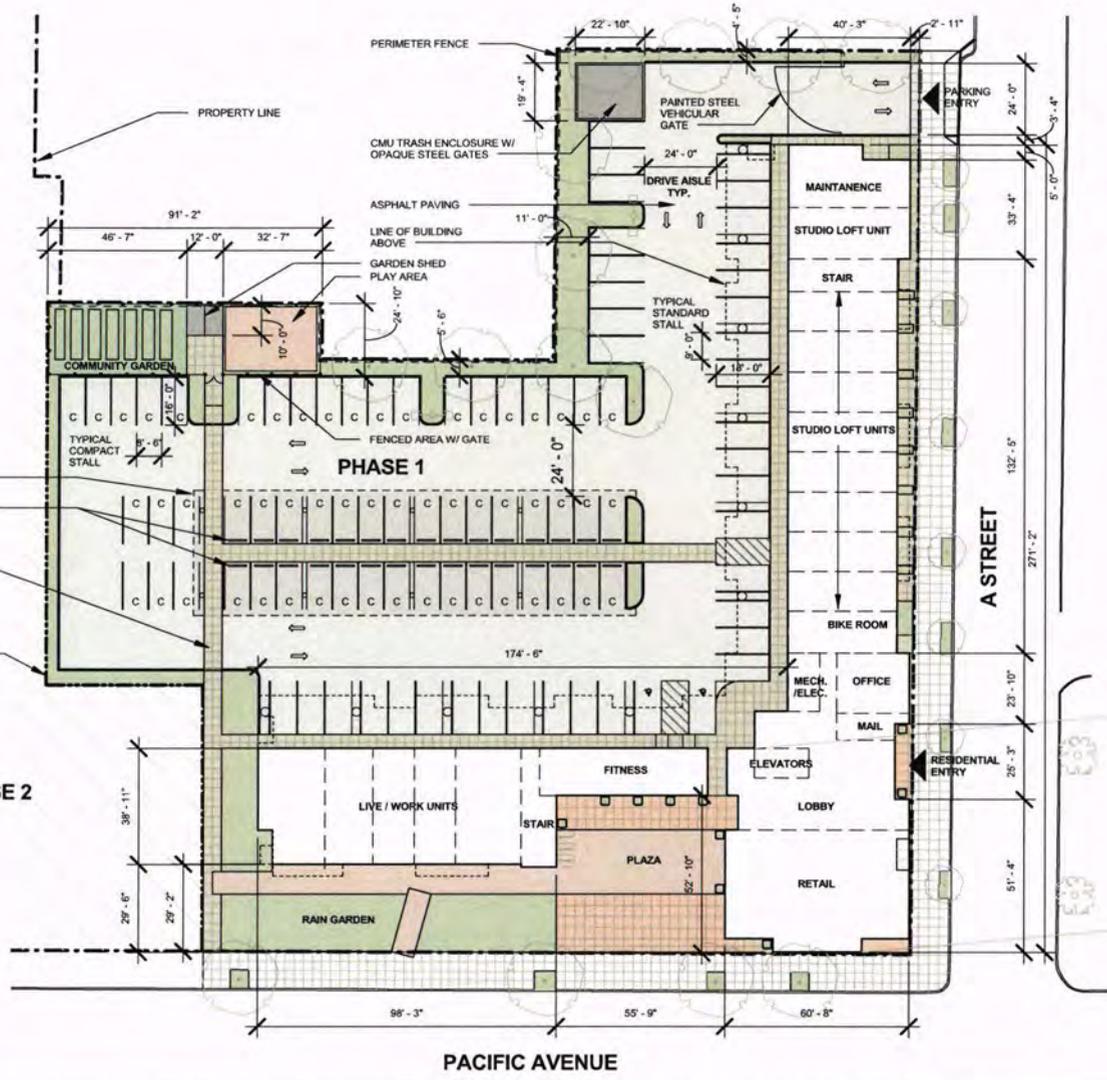
NOVEMBER 20, 2015



FOREST GROVE APARTMENTS
NW CORNER OF PACIFIC AVENUE & A STREET



ATTACHMENT B



PROJECT SUMMARY

TOTAL SITE AREA: 109,361 SF
 -PHASE 1: 66,485 SF
 -PHASE 2: 42,876 SF

PHASE 1

SITE AREA: 66,590 SF
 -BUILDING FOOTPRINT: 16,230 SF
 -ASHPALT: 32,020 SF
 -PAVERS: 3,010 SF
 -SIDEWALK: 5,870 SF
 -LANDSCAPE: 8,500 SF

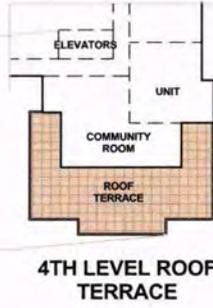
LOT COVERAGE: 27.7% (INCLUDING COVERED PARKING)

BUILDING AREA

-TOTAL BUILDING AREA: 86,550 SF
 -LEVEL 1: 16,230 SF
 -LEVEL 2: 22,600 SF
 -LEVEL 3: 22,600 SF
 -LEVEL 4: 20,650 SF
 -BALCONIES: 2,520 SF
 -4TH LEVEL TERRACE: 1,500 SF

PARKING MIX

-94 TOTAL PARKING STALLS
 -STANDARD: 37
 -COMPACT: 55
 -ACCESSIBLE: 2
 -94 STALLS/78 UNITS = 1.2 STALLS/UNIT PROVIDED



ARCHITECTURAL SITE PLAN
 1" = 20'-0"



FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
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SE PERSPECTIVE



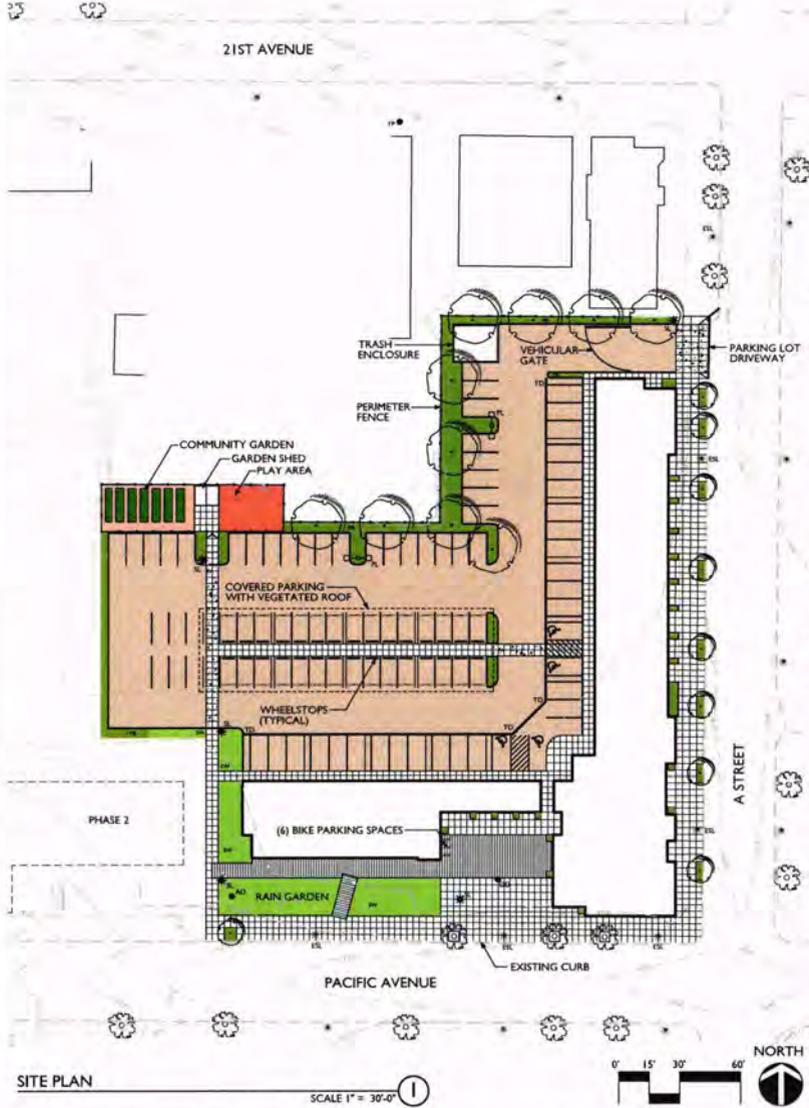
FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON



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PLANT LIST		Site	Spacing	Planting							
Botanical Name	Common Name										
TREES-LARGE CANOPY											
<i>Acer rubrum</i> cultivars	Red Maple	2" ca.	30'-40' o.c.	T							
<i>Betula papyrifera</i>	Himalayan White Birch		30'-40' o.c.								
<i>Cedrus lasiocarpa</i>	American Yellowwood	2" ca.	30'-40' o.c.								
<i>Fraxinus americana</i>	White Ash	2" ca.	30'-40' o.c.	T							
<i>Fraxinus excelsior</i> 'Aurea'	European Golden Ash	2" ca.	30'-40' o.c.	T							
<i>Ginkgo biloba</i>	Ginkgo	2" ca.	30'-40' o.c.								
<i>Nyssa sylvatica</i>	Black Tupelo	2" ca.	30'-40' o.c.								
<i>Prunus californica</i>	Flowering Pear	2" ca.	30'-40' o.c.								
<i>Quercus frainetii</i> 'Schmidt'	Forest Green Oak	2" ca.	30'-40' o.c.	T							
<i>Ulmus americana</i> cultivars	American Elm	2" ca.	30'-40' o.c.								
<i>Zelkova serrata</i> 'Valley Green'	Valley Green Zelkova	2" ca.	30'-40' o.c.	T							
TREES-SMALL DECIDUOUS											
<i>Acer glabrum</i>	Yucca Maple	1 1/2" ca.	as shown								
<i>Cornus canadensis</i>	Redbud	1 1/2" ca.	as shown								
<i>Cornus kousa</i>	Kousa Dogwood	1 1/2" ca.	as shown								
<i>Hepacodendron micranthum</i>	Seven Sons Tree	1 1/2" ca.	as shown								
<i>Magnolia stellata</i> 'Royal Star'	Royal Star Magnolia	1 1/2" ca.	as shown								
<i>Sorbaria paniculata</i>	Japanese Sorbaria	1 1/2" ca.	as shown								
SHRUBS: Tall, over 3.5'											
<i>Camellia sasanqua</i> 'Yuletide'	Savanna Camellia	#5	3' o.c.								
<i>Euonymus alatus</i> 'Compact'	Downy Winged Euonymus	#5	5' o.c.								
<i>Hemodorum</i> spp.	White Head	#5	5' o.c.								
<i>Hydrangea quercifolia</i>	Oakleaf Hydrangea	#5	5' o.c.								
<i>Ilex crenata</i> 'Compact'	Compact Japanese Holly	#5	48" o.c.								
<i>Ilex verticillata</i> 'Henry's Garnet'	Virginia Sweetgum	#5	48" o.c.								
<i>Osmanthus delavayi</i>	Delavay Osmanthus	#5	5' o.c.								
<i>Prunus laurocerasus</i> 'Zabotani'	Zabot Laurel	#5	48" o.c.								
<i>Rhododendron cultivars</i>	Rhododendrons	#5	48" o.c.								
<i>Sarcococca nishidaei</i>	Sarcococca	#5	48" o.c.								
SHRUBS and FERNS: Low, under 3.5'											
<i>Cornus sericea</i> 'Kalmii'	Kalmii Dogwood	#2	36" o.c.								
<i>Dryopteris erythrosperma</i>	Autumn Fern	#2	36" o.c.								
<i>Euonymus japonica</i> 'Microphyllus'	Boottel Euonymus	#2	24" o.c.								
<i>Fothergilla gardenii</i>	Dwarf Fothergilla	#2	36" o.c.								
<i>Hydrangea 'In'</i>	Pink DR Hydrangea	#2	36" o.c.								
<i>Ilex crenata</i>	Japanese Holly	#2	36" o.c.								
<i>Lonicera sibirica</i>	Honeyuckle Privet	#2	36" o.c.								
<i>Mahonia acutifolia</i> 'Compact'	Compact Oregon Grape	#2	36" o.c.								
<i>Polystichum emarginatum</i>	Saururus	#2	24" o.c.								
<i>Prunus laurocerasus</i> 'Ys Vernon'	Ys Vernon Laurel	#2	36" o.c.								
<i>Rhododendron cultivars</i>	Rhododendrons	#2	48" o.c.								
<i>Viburnum davidii</i>	David Viburnum	#2	48" o.c.								
GROUNDCOVERS and Vines											
<i>Liriodendron tulipifera</i>	Liriodendron	#1 cont.	30" o.c.								
<i>Box carolina</i> 'Yellow'	Yellow Japanese Holly	#1 cont.	30" o.c.								
<i>Gonolobus</i> spp.	Broomrape	#1 cont.	30" o.c.								
<i>Mahonia repens</i>	Creeeping Mahonia	#1 cont.	30" o.c.								
<i>Ophiopogon planifolius</i> 'Negundo'	Black Mondo Grass	#1 cont.	30" o.c.								
<i>Prunus laurocerasus</i> 'Ys Vernon'	Ys Vernon Laurel	#1 cont.	30" o.c.								
<i>Rubus californicus</i>	Bramble	#1 cont.	30" o.c.								
<i>Vaccinium vitis-idaea</i> 'Mimus	Lingonberry	#1 cont.	30" o.c.								
ORNAMENTAL GRASSES											
<i>Calamagrostis canadensis</i> 'Nimrod'	Feather Reed Grass	#1 cont.	30" o.c.								
<i>Holcus chrysanthus</i>	Holcus Grass	#1 cont.	30" o.c.								
<i>Muhlenbergia floridana</i> 'Windgold'	Tall Purple Flower Grass	#1 cont.	30" o.c.								
<i>Panicum virgatum</i> 'Mansu Hearn'	Red Switch Grass	#1 cont.	30" o.c.								
<i>Pennisetum glaucum</i>	Fountain Grass	#1 cont.	30" o.c.								
PERENNIALS and BULBS											
<i>Acanthus sp.</i>	Spiry Bear's Branch	#1 cont.	48" o.c.								
<i>Adiantum x 'Pinnatifidum'</i>	Spinnaker Fern	#1 cont.	30" o.c.								
<i>Astragalus</i> spp.	Wax Crape	#1 cont.	24" o.c.								
<i>Bergenia cordifolia</i>	Heartleaf Bergenia	#1 cont.	24" o.c.								
<i>Camassia sp.</i>	Camassia Lily	#1 cont.	18" o.c.								
<i>Echinacea purpurea</i>	Purple Coneflower	#1 cont.	30" o.c.								
<i>Hemerocallis hybrid</i>	Daylily	#1 cont.	30" o.c.								
<i>Iris sibirica</i>	Siberian Iris	#1 cont.	36" o.c.								
<i>Lamella sp.</i>	Lamella	#1 cont.	30" o.c.								
<i>Liriodendron tulipifera</i>	Big Blue Liriodendron	#1 cont.	30" o.c.								
<i>Perovskia atrorubra</i>	Russian Sage	#1 cont.	48" o.c.								
<i>Rudbeckia hirta</i> 'Goldsum'	Black-eyed Susan	#1 cont.	36" o.c.								
<i>Sedum 'Autumn Joy'</i>	Autumn Joy Sedum	#1 cont.	36" o.c.								



LEGEND

- PROPERTY LINE
- PERIMETER FENCING
- PARKING LOT LIGHT
- PEDESTRIAN SITE LIGHT
- EXISTING TO REMAIN
- PEDESTRIAN SITE LIGHT
- CONCRETE PAVING - VEHICULAR
- CONCRETE PAVING - PEDESTRIAN
- CONCRETE PAVING - SPECIAL FINISH
- PLANT BED
- AC PAVING
- STORMWATER FACILITY
- EXISTING TREE TO REMAIN
- NEW TREES
- AREA DRAIN
- DECK DRAIN
- TRENCH DRAIN
- BICYCLE RACKS
- CONCRETE POTS

PLANTING CONCEPT AND OUTLINE SPECIFICATIONS

Design Concept:
The site is located on the corner of A Street and Pacific Avenue. The planting design will include courtyard, parking lot plantings, and stormwater facility plantings.

Street Trees:
Street tree plantings are required per the Mixed-Use zoning requirements along A Street and Pacific Avenue.

Tree Plantings:
All trees required by Forest Grove Development Code will be minimum 2" caliper at the time of planting.

Stormwater Treatment Facility Plantings:
Stormwater facility landscapes will comply with City of Forest Grove stormwater requirements for the facility types that are selected by design team.

Material Qualities and Specifications:
Plants and trees will be selected from the Plant List to comply with City of Forest Grove requirements and will include deciduous street trees, deciduous accent trees, deciduous and evergreen shrubs, grasses, and perennials. Native species as well as nonnative species which are adapted to site growing conditions will be used.

Planting Plan:
A complete Planting Plan, related details, and technical specifications will be prepared by Cameron McCarthy Landscape Architecture & Planning and submitted to the City of Forest Grove Public Works for review prior to installation.

IRRIGATION CONCEPT AND OUTLINE SPECIFICATIONS

Design Concept:
The irrigation system is to be designed and constructed to be as efficient in terms of water usage as possible. It will use water-conserving low gallon pop-up spray or rotary heads. All plants and planted areas are to receive irrigation.

General Description:
The irrigation system is to be a fully automatic underground system. A permanent system with 100% head to head coverage will be installed at all tree, shrub and groundcover plantings.

Products:
Main and Lateral Lines:
Class 200 PVC pipe is to be used throughout the project at sizes appropriate to minimize pressure loss due to friction and to maintain velocities of water flows at recommended levels.
Heads:
All sprinkler heads are to be plastic "pop-up" heads. Spray or rotary nozzles are to be used at all new planted areas.
Valves:
All control valves are to be plastic, heavy-duty automatic globe style valves equipped with manual open and close controls. Isolation valves and thrust blocks are to be installed as deemed appropriate in the mainline supply system. Manual drain valves will be installed at all mainline low points.

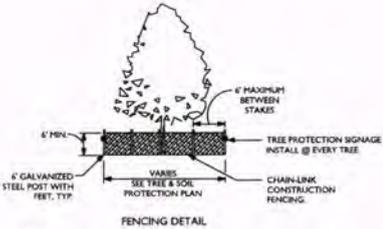
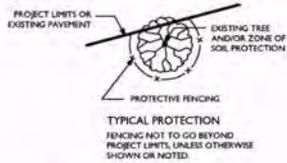


FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON



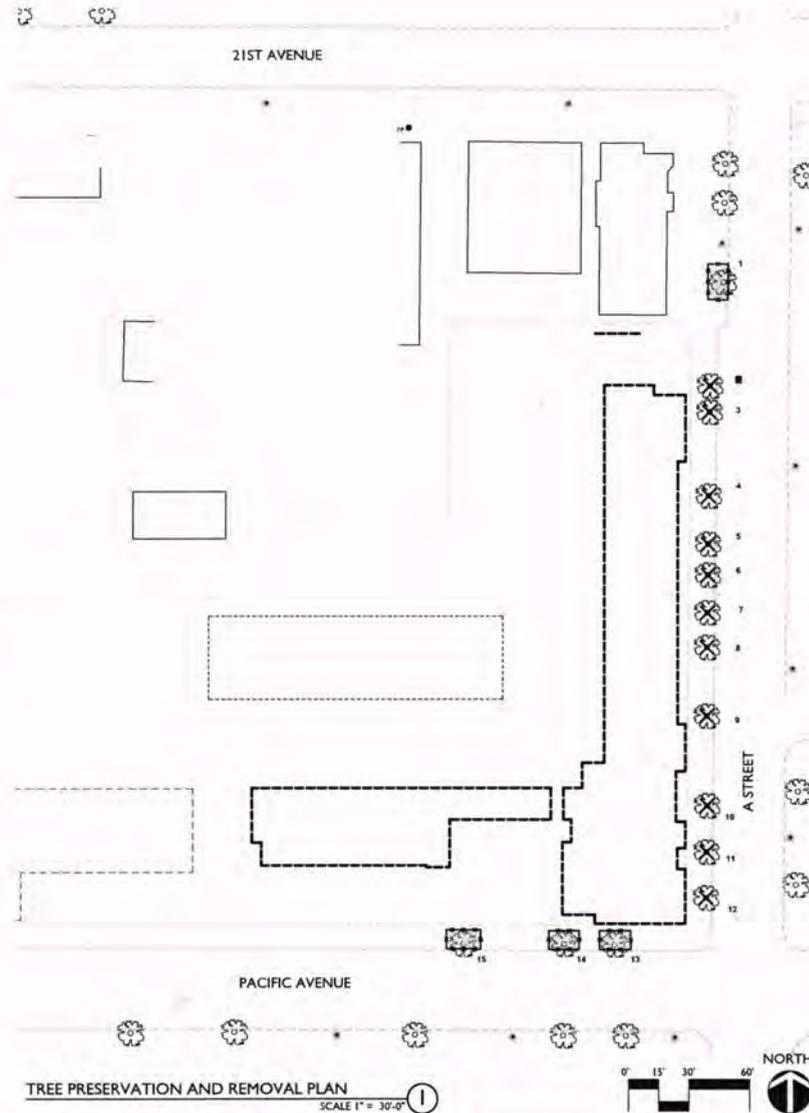
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NOTE
 1. Fencing to be installed prior to construction. Fencing to be inspected by Owner's representative prior to any invasive construction activities.

PROTECTIVE FENCING

NTS ②



TREE PRESERVATION AND REMOVAL PLAN
 SCALE 1" = 30'-0" ①

LEGEND

- PROPERTY LINE
- OUTLINE OF PROPOSED BUILDING
- EXISTING TREES To Remain
- EXISTING TREES To Be Removed
- TREE PROTECTION FENCE See Notes 1 & 2.
- ZONE OF SOIL PROTECTION See Notes 2 & 4.

TREE REMOVAL & PRESERVATION NOTES

1. Tree Protection Fence - Install fence during initial mobilization at the site and maintain until substantial completion. Fence is 6-foot chain link and secured with rigid galvanized steel posts 6' min. length.
2. Zone of Soil Protection - Boundaries as indicated and directed by the Owner's Authorized Representative. Enclose areas with rigid chain link fencing. Obtain advance written authorization from the Owner's Authorized Representative for removal or modification of fencing. There shall be no work conducted in the enclosed area, no storage, no traffic nor other activity not previously approved. Within this zone only trench-less boring at pre-authorized depths, "air spade" trenching or hand digging. Cut roots, and protect exposed roots as required.
3. If roots are encountered and the Architect determines that modification of the work is not practical, notify Owner's Authorized Representative for determination of alternative preservation strategy.
4. Within Zone of Soil Protection, utility lines, irrigation lines, or other pipes shall be installed by air spade trenching, hand digging, or tunneling under roots, as necessary, to avoid cutting roots 2" and larger.
5. Watering - Do not allow exposed roots to dry out before permanent backfill is in place; provide temporary earth cover, pack with wet bark mulch, or 4 layers of wet untreated burlap, and temporarily support and protect from damage until roots are permanently relocated and covered with backfill. Water the soil to settle backfill and eliminate voids and air pockets. Water trees if required by Owner's Authorized Representative. Use a slow drip or soaker hose to provide necessary water until completion of project.
6. See Specifications for additional requirements.

TREE PRESERVATION / REMOVAL TABLE

Plan ID	Common Name	DBH	Condition ^a	Comments	Action
1	Red Maple	3"	5	> 7% deadwood, even canopy, vigorous	protect
2	Japanese Maple	6"	2	25% deadwood, stunted growth, tree in decline	remove
3	Japanese Maple	6"	3	10% deadwood, stunted growth	remove
4	Japanese Maple	6"	3	15% deadwood, tree in decline	remove
5	Japanese Maple	6"	3	10% deadwood	remove
6	Japanese Maple	6"	2	25% deadwood, stunted growth, tree in decline	remove
7	Japanese Maple	6"	3	10% deadwood	remove
8	Japanese Maple	6"	3	15% deadwood	remove
9	Japanese Maple	6"	3	15% deadwood, uneven canopy	remove
10	Japanese Maple	6"	3	10% deadwood, uneven canopy	remove
11	Japanese Maple	6"	3	10% deadwood, uneven canopy	remove
12	Japanese Maple	6"	2	15% deadwood, tree in decline	remove
13	Red Maple	3"	3	suckers	protect
14	Red Maple	3"	3	significant trunk wound on SW side	protect
15	Red Maple	3"	3	significant trunk wound on SW side, suckers	protect

^aCondition
 5 = excellent perfect form, little to no deadwood, all limbs have good attachments, no sign of decay
 4 = good good form, multi-leader, but with good attachment, 10% or less large deadwood
 3 = fair unbalanced or incomplete crown, tight limb angles, 15-20% larger deadwood
 2 = poor Evidence of some decay, 20-30% larger deadwood, history of being topped
 1 = very poor Structurally unsound, extensive decay, dieback, poor form, unbalanced or greatly reduced crown.

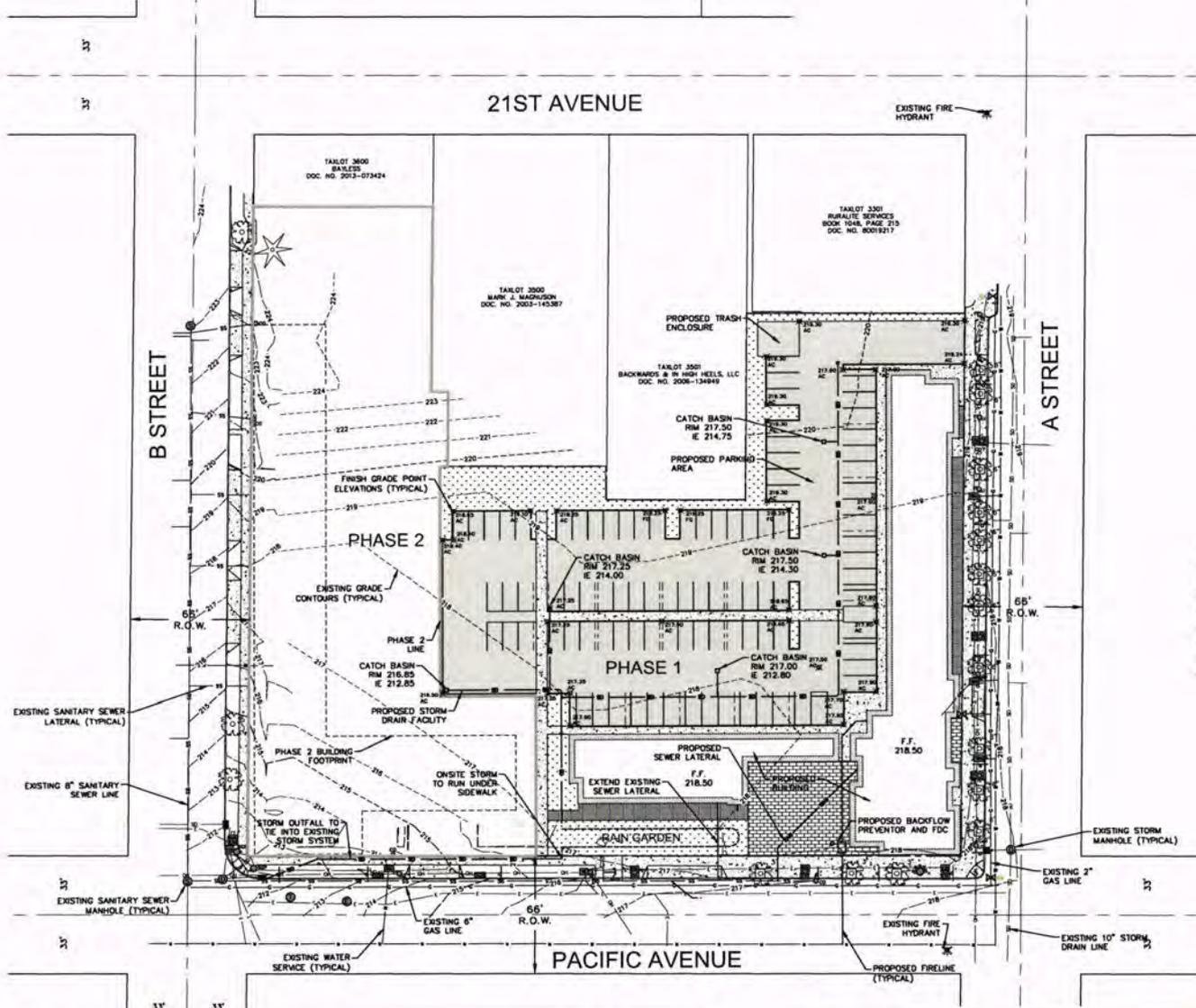


FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
 FOREST GROVE, OREGON

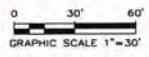


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LEGEND

- ⊙ EX. SANITARY SEWER MANHOLE
- EX. CLEANOUT
- ⊙ EX. STORM SEWER MANHOLE
- ⊙ EX. CATCH BASIN CENTER
- EX. CURB INLET
- EX. WATER VAULT
- EX. WATER METER
- EX. IRRIGATION CONTROL VALVE
- EX. ELECTRIC RISER
- EX. ELECTRIC VAULT
- EX. ELECTRIC BOX
- EX. ELECTRIC METER
- ⊙ EX. ELECTRIC MANHOLE
- ⊙ EX. GAS VALVE
- ⊙ EX. TELEPHONE MANHOLE
- ⊙ EX. UTILITY POLE
- ⊙ EX. TRAFFIC SIGNAL BOX
- ⊙ EX. TRAFFIC SIGNAL POLE
- ⊙ EX. SIGN
- ⊙ EX. FLAG POLE
- ⊙ EX. QUT ANCHOR
- ⊙ EX. TRASH CAN
- ⊙ EX. LIGHT POLE
- EX. CONCRETE
- ⊙ EX. DECIDUOUS TREE
- ⊙ EX. EVERGREEN TREE
- EX. OVERHEAD LINES
- SAH EX. SANITARY SEWER LINE
- EX. STORM DRAIN LINE
- EX. WATER LINE
- EX. UNDERGROUND POWER
- GAS EX. GAS LINE
- EX. UNDERGROUND TELE-COM
- EX. FENCE AS NOTED
- EX. BUILDING FOOTPRINT LINE
- AC EX. ASPHALT CONCRETE
- CONC. EX. CONCRETE
- HCR EX. HANDICAP RAMP
- DWY EX. DRIVEWAY



FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON

SISUL ENGINEERING
375 PORTLAND AVENUE
CLATSOP COUNTY, OREGON 97027
(803) 657-0188
DRAWING: v15-087_BASC.dwg



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MATERIALS PALETTE

EXTERIOR CLADDING



Brick



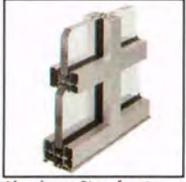
Lap-Siding
Color 1



Lap-Siding
Color 2



Lap-Siding
Color 3



Aluminum Storefront



Vinyl Windows (White)



Painted Steel Door



Steel Canopy



Steel Fence



Steel Entry Gate



Painted Steel Railings

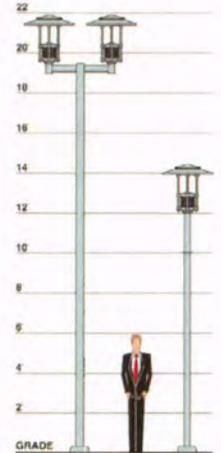
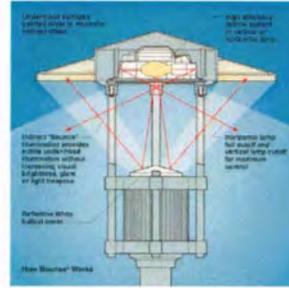


Metal Flashing

PEDESTRIAN AND PARKING LOT LIGHTING

Single luminaire w/ 12' +/- poles at pedestrian areas;
Double Luminaire w/ 20' +/- poles at parking lot

BOUNCE LUMINAIRE BY KIM LIGHTING, INC.
Available as LED or HID
Multiple colors and finishes available (tbd)



PLAZA LIGHT FIXTURE

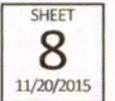
Intent of this special fixture is to integrate a distinguished element,
and reduce the number of poles in the plaza (optimize flexibility),

OLIVIO SISTEMO BY SELUX
Available as LED or HID
Multiple colors and finishes available (tbd)



FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON





**Land Use Approval
Staff Report and Recommendation**
Community Development Department, Planning Division

Report Date:	November 30, 2015
Hearing Date:	December 7, 2015
Land Use Request:	Planning Commission approval of a development agreement, site development review and design review for a mixed-use development project comprised of 78-apartment units, approximately 2,500 square feet of commercial space and 94 parking spaces on 1.53 acres located north of Pacific Avenue and west of A Street in downtown Forest Grove.
File Number	311-15-00022-PLNG
Property Location:	1837 Pacific Avenue, 1811 Pacific Avenue, 1817 Pacific Avenue, 2014 A Street, 2022 A Street, 2025 B Street
Legal Description:	1S306BB03400, 1S306BB03800, 1S306BB04200, 1S306BB04300, 1S306BB04301, 1S306BB04400, 1S306BB04500
Owner/Applicants:	Tokola Properties (Applicant)/City of Forest Grove (Owner/Applicant)
Comprehensive Plan Map Designations	Town Center Transition & Town Center Support
Zoning Map Designations	Town Center Transition & Town Center Support
Review Process	Type IV (Legislative)
Applicable Standards and Criteria	City of Forest Grove Development Code: <ul style="list-style-type: none"> ▪ <i>Development Agreement Sec. 10.2.840</i> ▪ <i>Site Plan Review Sec 10.2.400</i> ▪ <i>Design Review 10.2.300</i> ▪ <i>Article 3 (Zoning Districts)</i> ▪ <i>Article 5 (Tree Protection)</i> ▪ <i>Article 8 (General Development Standards)</i> ▪ <i>Design Guideline Handbook</i>
Reviewing Staff	Daniel Riordan, Senior Planner Jon Holan, Community Development Director
Recommendation	Staff recommends the Planning Commission recommend City Council approval of the proposed Development Agreement, site plan and design review application with the conditions noted in this report.

I. BACKGROUND

In 2012, the City purchased approximately 2.5 acres of land in downtown Forest Grove commonly known as the "Times-Litho" site. The Times-Litho Corporation operated a printing company at the site. The printing company ceased operations several years earlier. As a result, the buildings sat vacant and began to deteriorate. The City Council appreciated the opportunity the site provided for a visible catalytic redevelopment project anchoring the west end of downtown Forest Grove and authorized the City to acquire the property.

To achieve the City's objectives for the property the City issued an RFP to solicit development proposals. The RFP was released in 2014. The City received one response from Sycan B Corporation which expressed interest in pursuing a hotel project at the Times-Litho site but later withdrew from further consideration. While the City was working with Sycan B Corporation, Tokola Properties approached the City and expressed interest in pursuing a mixed-use (residential and commercial) development possibly including a hotel at the site. Over the course of several months Tokola refined their development concept based on a market analysis and City objectives for the property. The project concept prepared by Tokola Properties is described in detail in this memo. The project concept is for an initial phase possibly followed by development along the property's B Street frontage.

The City entered into an exclusive negotiating agreement with Tokola Properties in 2015 in order to refine the project concept based on the City's objectives for the property. The negotiating agreement outlined key aspects of the project important to the City including that the project be undertaken by a private developer. Important project elements for the City include a landmark transit-oriented development consisting of a mix of diverse uses, incorporation of a privately constructed plaza area complementing the City's streetscape, private parking with limited visibility from the public right-of-way, and an overall project design that complements and enhances the historic Town Center environment. Other important project elements include incorporation of low-impact design features and site improvements that enhance the building exterior and improve ecological performance. Desirable sustainable elements include construction waste recycling, energy and water efficiency, materials selection and ecologically sound design features. Another important aspect of site design is the desire for public pedestrian connectivity to the site, particularly from 21st Avenue and Pacific Avenues.

Tokola Properties is seeking public assistance to address project funding gaps and to the make the project feasible. Any public assistance provided to the project will be addressed by the City through a separate disposition and development agreement (DDA). The DDA will be considered by the City Council acting as the Urban Renewal Agency Board of Directors.

The City entered into negotiations with Tokola Properties in large part due to the firm's demonstrated track record of developing transit-oriented, catalytic projects in town centers. Project examples include the recently completed Fourth and Main Project in downtown Hillsboro and 3rd and Central in downtown Gresham. Also entering into the City's decision to work with Tokola is their business model which includes long term project ownership demonstrating a commitment to project success.

The land use approval for this project involves three elements: 1. Approval of a development agreement, 2. Approval the site development plan and 3. Design review approval. Each aspect of land use approval is discussed below. Development Code Section 10.1.205 allows for consolidated review when more than one land use approval is required. As such under the

provisions of 10.1.205 (Consolidated Review), all the applications can be reviewed at one time. In such cases, the process for the highest numbered procedure will apply to all applications. In this instance, the Development Agreement is a Type IV process requiring approval by the City Council. Thus, all three applications are subject to Council approval.

A development agreement is necessary due to the timing of preparing amendments to the Development Code to implement certain policies of the Forest Grove Comprehensive Plan. The 2014 update to the Comprehensive Plan included adoption of new policies to encourage more intensive residential development in downtown Forest Grove:

- Sustainability Goal 7: Promote interconnected land uses that encourage diverse, accessible, and proximate land uses that promote active living and access to vital services including employment, education and healthy food.
- Economic Development Goal 7: Promote the Forest Grove Town Center as the Focal Point of the Community.
- Economic Development Policy 7.10: Amend development standards to increase minimum development densities in the Town Center to improve the economic investment climate for residential construction and encourage a variety of housing types.
- Economic Development Policy 7.11: Promote investment in urban living infrastructure amenities to enhance livability in the Town Center.
- Urbanization Policy 10: The City of Forest Grove will continue to promote the efficient use of land within the Forest Grove Town Center and any areas designated as transit station communities on the Forest Grove Comprehensive Plan land use map.

To implement Comprehensive Plan policies including those identified above, the City applied for and received a code assistance grant from the Oregon Department of Land Conservation and Development. Grant proceeds were used to retain a consultant with experience preparing development codes for town centers and mixed use areas. Work began in December 2014 and is expected to be completed in April 2016. The proposed code amendments subject to this project include increasing the target density in the Town Center from 20.28 dwellings per net acre to 40 dwellings per net acre and establishing a maximum density of 100 units per net acre provided the project includes certain amenities. Proposed project amenities eligible for the density bonus include bicycle amenities, energy efficiency improvements, use of "green" building materials, incorporating low impact design features for stormwater, space for ground floor retail, residential gardening space, rooftop garden or eco-roof, outdoor plaza, structured parking, LEED certification or other amenity approved by the Planning Commission. The Tokola Project incorporates many of these features as described in this memo.

Another proposed code amendment applicable to this project is establishing minimum off-street parking spaces for residential projects in the Town Center. Currently, no off-street parking is required in the Town Center for any use. A parking analysis for the proposed project is provided below in Section III.

Since the updated Development Code will not be in place until April 2016 a development agreement is necessary to accommodate project density and other design features necessary to achieve the City's redevelopment objectives for the property. Specifically, a development

agreement is necessary since residential density will exceed what is currently allowed under the City's zoning rules.

II. EXISTING CONDITIONS

The project site is located at the western edge of downtown Forest Grove. The image below shows the area around the project site. The area to the east includes the Wells Fargo Bank building and associated parking lot. A city owned parking lot is located between the Wells Fargo ownership the buildings fronting Main Street. The area to the north of 21st Avenue is characterized by older single family detached homes. The area to the west of A Street is also residential and includes smaller apartment buildings and single family homes.

Project Site and Vicinity



The area proposed for development is approximately 1.5 acres in area. This represents about 60% of the City's ownership. The Times-Litho buildings have been demolished and the project site is ready for development as shown on the photo below. The photo also shows the remaining perimeter streetscape elements remain including sidewalk, decorative street lights and street trees. Overhead utility lines exist along the west side of the A Street public right-of-way as indicated by the utility pole near the corner of Pacific Avenue.

Project Site (Looking West along Pacific Avenue)



A two-story office building located at the corner of A Street and 21st Avenue is adjacent to the development site. Other uses along the south side of 21st Avenue adjacent to the development site include the Forest Grove Post Office and a home converted into multiple units and a single family dwelling at the corner of B Street and 21st Avenue. Development along the north side of 21st Avenue is characterized by pre-1940s era single family residential units.

21st Avenue Looking West (North of Project Site)



Development west of B Street is primarily residential with an apartment complex at B Street and Pacific Avenue.

A Street (West of Project Site)



The A Street frontage of the project site is shown below. The image shows the existing overhead power lines, street trees, and decorative street lights. Redevelopment of the project site may encourage development elsewhere in downtown Forest Grove. Prime opportunities include the Wells Fargo and City owned parking lots east of A Street.

A Street (Looking North)



III. PROJECT OVERVIEW

The applicant proposes to construct a mixed-use project including 78-unit apartment units and approximately 2,500 square feet of commercial space. The Development Code defines mixed-use development as “The development of a tract of land, building or structure with a variety of complementary and integrated uses, such as but not limited to, residential, office, manufacturing, retail, public or entertainment, in a compact urban form.”

This project includes a variety of apartment types with complementary retail space in a compact urban form. The proposed development will be four stories (55 feet in height). At the corner of Pacific Avenue and A Street the building will have the appearance of three stories to reduce visual impact. The proposed 55 foot building elsewhere is necessary since the project will include “tuck under” parking. This design places parking at ground level underneath part of the building. Tuck under parking is an efficient use of land typically found in urban rather than suburban settings. This type of parking is not anticipated for most properties in the Town Center due to the relatively small size of many parcels.

Proposed apartment types include 5 live-work units along Pacific Avenue, studio loft and flat apartments and one, two and three bedroom units with one or two baths. The live-work units are suitable for professional offices and add the commercial space provided to the project.

Residential units are expected to range in size from 590 square feet for a studio loft to more than 1,200 square feet for a three bedroom/two bath unit.

It is expected studio and live-work units will comprise about 35% of the project with one-bedroom units representing about 25% of the total units. Two-bedroom units will likely make-up about another 30% of the project with the remaining 10% being three-bedroom units.

As noted above, the project will also include approximately 2,500 square foot commercial space. This space is divided between two 1,250 square foot spaces. This space is suitable for emerging businesses looking for a relatively small space in a brick and mortar location. This model has been used with success by Tokola Properties in the 3rd Central project in Gresham.

A 2,900 square foot plaza is proposed on Pacific Avenue side of property near primary entrance. The plaza will be privately constructed and owned with public access. It is expected the plaza will liven the streetscape making the pedestrian experience downtown more enjoyable.

Other project amenities include a community garden space, rooftop community room with an outside deck, ground level children's play area, secure bicycle storage and repair area and an exercise room. Another unique project amenity is the proposed green roof incorporated with the carport covering a portion of the interior parking lot.

The next three sections of this memo address the review criteria for each land use approval action. For this project land use approval includes approval of a development agreement, site plan approval and design review approval.

Traffic Analysis

Development Code Section 10.1.225(D) requires a traffic analysis if a project is expected to generate more than 50 peak hour trips. A traffic analysis for the proposed project is provided below. Based on this analysis it appears to project will not degrade intersection level of service below the City's acceptable level of service of D. Also based on the analysis there is sufficient road capacity to handle expected traffic volumes. An assessment of parking is provided on page 20.

The following traffic assessment was made by staff based on a project of 78 apartment units and 2,500 square feet of retail space. It is based on the ITE Trip Generation – 7th Edition using Land Use Code 221 (low rise apartments) and 932 (high turn-over restaurant). The estimated projected traffic generation is as follows:

	Rate*	Trips	Direction Split		Trips by Direction	
			Exit	Enter	Exit	Enter
Low Rise Apartments (Land Use Code 221)			78 units			
Weekday						
-AM peak	0.51	39.8	80%	20%	31.8	8.0
-PM peak	0.62	48.4	36%	64%	17.4	31.0
-ADT	6.59	514.0	50%	50%	257.0	257.0
Saturday						
-Peak Hour	0.58	45.2	46%	54%	20.8	24.4
-ADT	7.16	558.5	50%	50%	279.2	279.2
Sunday						
-Peak Hour	0.56	43.7	47%	53%	20.5	23.2
-ADT	6.07	473.5	50%	50%	236.7	236.7
*Rate is per occupied dwelling unit assumes all 78 units occupied						

	Rate*	Trips	Direction Split		Trips by Direction	
			Exit	Enter	Exit	Enter
High Turn-Over (Sit-Down) Resturant (Land Use Code 932)			2500 square feet			
Weekday						
-AM peak	13.53	33.8	48%	52%	16.2	17.6
-PM peak	18.8	47.0	45%	55%	21.2	25.9
-ADT	127.15	317.9	50%	50%	158.9	158.9
Saturday						
-Peak Hour	20	50.0	37%	63%	18.5	31.5
-ADT	158.37	395.9	50%	50%	198.0	198.0
Sunday						
-Peak Hour	18.46	46.2	45%	55%	20.8	25.4
-ADT	131.84	329.6	50%	50%	164.8	164.8
*Rate is per 1000 square feet of gross leasable area						

Combining the trip generation for each land use, the overall trip generation is as follows:

Combined	Trips	Trips by Direction	
		Exit	Enter
Weekday			
-AM peak	73.6	48.1	25.5
-PM peak	95.4	38.6	56.8
-ADT	831.9	415.9	415.9
Saturday			
-Peak Hour	95.2	39.3	55.9
-ADT	954.4	477.2	477.2
Sunday			
-Peak Hour	89.8	41.3	48.5
-ADT	803.1	401.5	401.5

It is projected that 70% of the trips would be originating from or heading to the east while 30% is from the other direction. Staff anticipates that the bulk of these trips would use Pacific and 19th avenues. It is anticipated that very little, if any, trips would travel northbound due to the lack of attractors in that direction. The two potential attractors, Forest Grove High School and Harvey Clark Elementary, are not considered strong for this project because it is expected that most residents will not have elementary or high school age persons. However, some traffic might use

B Street to travel to either one of these facilities. Other trips heading north would likely either use Thatcher Road or Martin Road which would result in traffic on Pacific and 19th avenues. Applying the above trip count to Pacific and 19th avenues would be as follows:

Combined	Trips	Trips by Direction	
		Exit	Enter
Weekday			
-AM peak	73.6	48.1	25.5
-PM peak	95.4	38.6	56.8
-ADT	831.9	415.9	415.9
Saturday			
-Peak Hour	95.2	39.3	55.9
-ADT	954.4	477.2	477.2
Sunday			
-Peak Hour	89.8	41.3	48.5
-ADT	803.1	401.5	401.5

The following table summarizes the 24 hour and peak hourly traffic levels for the two roadways. These numbers are averages of the traffic counts taken by the City from Wednesday, March 18, 2015 to Sunday, March 22, 2015.

Number of Trips	Average Weekday			Average Weekend		
	Total	AM Peak	PM Peak	Total	AM Peak	PM Peak
Pacific Avenue						
200 feet w. of Filbert - westbound	10,218	696	920	7,927	635	658
19th Avenue						
100 feet e. of Elm Street - eastbound	11,411	779	899	8,846	772	748

These two streets are one way, two lane facilities with parking on both sides and a bike lane. Assuming that trips in either direction would impact these roadways and that the trip amounts on these roads would be about at the same level as at the point where the counts were taken, the additional traffic impacts would be as follows:

Number of Trips with Project	Average Weekday			Average Weekend	
	Total	AM Peak	PM Peak	Total	Peak Hour
Pacific Avenue	10,634	728	971	8,404	709
19th Avenue	11,411	779	899	9,323	816

This analysis does not consider reduced trips due to transit. The site has a bus stop along Pacific Avenue for TriMet Line 57, which is a frequent bus operation. In addition, the site is served by GroveLink, a local bus serve operated by Ride Connection. Further, it does not consider potential reduced traffic generation by potential students which may be tenants. This potential contribution is discounted because of its speculative nature.

Given that the two streets are one-way with two lanes, staff concludes there is sufficient capacity to absorb the additional projected traffic from the development. The traffic related

questions for staff is the impact of the project on intersections at Pacific/A, Pacific/B, 19th/A, and 19th/B.

Intersection level operation information from the 2014 Transportation System Plan is provided below for 2035 PM Peak. The analysis indicates a delay of 14.1 seconds and a Level of Service of B for the intersection.

Forest Grove 2013 TSP Update				Preferred Alternative Plus Added Streets								
19: B St & 19th Ave				2035 PM Peak								
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕						↕			↕	
Sign Control		Stop			Stop			Stop			Stop	
Volume (vph)	1	275	3	0	0	0	3	169	190	230	61	1
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
Hourly flow rate (vph)	1	299	3	0	0	0	3	184	207	250	66	1
Direction, Lane #	EB 1	NB 1	SB 1									
Volume Total (vph)	303	393	317									
Volume Left (vph)	1	3	250									
Volume Right (vph)	3	207	1									
Hadj (s)	0.03	-0.28	0.19									
Departure Headway (s)	5.8	5.1	5.6									
Degree Utilization, x	0.49	0.55	0.49									
Capacity (veh/h)	583	674	613									
Control Delay (s)	14.1	14.2	14.0									
Approach Delay (s)	14.1	14.2	14.0									
Approach LOS	B	B	B									
Intersection Summary												
Delay			14.1									
Level of Service			B									
Intersection Capacity Utilization			64.3%	ICU Level of Service	C							
Analysis Period (min)			15									

Data for the B Street at Pacific Avenue intersection is shown below. The analysis indicates that the south bound movement on B Street across Pacific Avenue will experience delays exceeding 72 seconds. Based on this analysis all other movements will experience less than one minute of delay. Volume to capacity ratios are below 1.0 for all movements which indicates the intersection is operating at less than capacity.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	12	0	264	148	598	97	54	45	0	0	129	11
Ideal Flow (vphpl)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Total Lost time (s)	4.0		4.0	4.0	4.0			4.0			4.0	
Lane Util. Factor	1.00		1.00	1.00	1.00			1.00			1.00	
Frt	1.00		0.85	1.00	0.98			1.00			0.99	
Fit Protected	0.95		1.00	0.95	1.00			0.97			1.00	
Satd. Flow (prot)	1676		1500	1676	1728			1718			1747	
Fit Permitted	0.95		1.00	0.95	1.00			0.97			1.00	
Satd. Flow (perm)	1676		1500	1676	1728			1718			1747	
Peak-hour factor, PHF	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Adj. Flow (vph)	12	0	272	153	616	100	56	46	0	0	133	11
RTOR Reduction (vph)	0	0	253	0	4	0	0	0	0	0	3	0
Lane Group Flow (vph)	12	0	19	153	712	0	0	102	0	0	141	0
Turn Type	Prot		custom	Prot	NA		Split	NA			NA	
Protected Phases	7			3	8		2	2			6	
Permitted Phases			7									
Actuated Green, G (s)	8.5		8.5	77.7	65.2			17.9			12.4	
Effective Green, g (s)	8.5		8.5	77.7	65.2			17.9			12.4	
Actuated g/C Ratio	0.07		0.07	0.65	0.54			0.15			0.10	
Clearance Time (s)	4.0		4.0	4.0	4.0			4.0			4.0	
Vehicle Extension (s)	3.0		3.0	3.0	3.0			3.0			3.0	
Lane Grp Cap (vph)	118		106	1085	938			256			180	
w/s Ratio Prot	0.01			0.09	c0.41			c0.06			c0.08	
w/s Ratio Perm			c0.01									
w/c Ratio	0.10		0.18	0.14	0.76			0.40			0.79	
Uniform Delay, d1	52.2		52.5	8.2	21.3			46.2			52.5	
Progression Factor	1.00		1.00	0.34	0.34			1.00			1.00	
Incremental Delay, d2	0.4		0.8	0.0	4.8			4.6			19.8	
Delay (s)	52.6		53.3	2.8	12.1			50.8			72.1	
Level of Service	D		D	A	B			D			E	
Approach Delay (s)		53.3			10.4			50.8			72.1	
Approach LOS		D			B			D			E	
Intersection Summary												
HCM 2000 Control Delay			28.4			HCM 2000 Level of Service					C	
HCM 2000 Volume to Capacity ratio			0.65									
Actuated Cycle Length (s)			120.0			Sum of lost time (s)		16.0				
Intersection Capacity Utilization			63.0%			ICU Level of Service					B	
Analysis Period (min)			15									
c Critical Lane Group												

IV. Development Agreement Review Criteria

Forest Grove Development Code Section 10.2.800 et. seq. establishes procedures for review and approval of development agreements. The purpose of a development agreement is to implement the goals, policies or programs of the Comprehensive Plan, the requirements of the Development Code, or another City code. Development agreements are also used to implement a condition of an approved land use permit or as necessary for the development of land. Approval of development agreement is necessary for development of the subject property due to the timing of proposed amendments to the Development Code affecting the project. This is similar to the development agreement adopted as part of the Pacific University Master Plan which also preceded amendments to the Development Code.

Development Code Section 10.2.840 establishes review criteria that must be met for approval. The criteria include:

- A. The agreement complies with the requirements of state law (ORS 94.504 to 94.528);
- B. The agreement complies with the intent of the purpose statement (Section 10.2.800);
- C. The agreement furthers the public interest;
- D. The agreement results in development or improvements that would not have a substantial adverse impact on adjacent properties;
- E. The agreement complies with all relevant City codes and requirements; and
- F. The agreement would result in development or improvements that can be accommodated by adequate transportation, police, fire, stormwater, sewer and water services.

Criterion A requires that the approved development agreement complies with the requirements of state law. Under ORS 94.504 a development agreement shall specific:

- a) The duration of the agreement (15 years maximum);
- b) The permitted uses of the property;
- c) The density or intensity of use;
- d) The maximum height and size of proposed structures;
- e) Provisions for reservation or dedication of land for public purposes;
- f) A schedule of fees and charges;
- g) A schedule and procedure for compliance review;
- h) Responsibility for providing infrastructure and services;
- i) The effect on the agreement when changes in regional policy or federal or state law or rules render compliance with the agreement impossible, unlawful, or inconsistent with such laws, rules or policy;
- j) Remedies available to the parties upon a breach of the agreement;
- k) The extent to which the agreement is assignable; and
- l) The effect on the applicability or implementation of the agreement when a city annexes all or part of the property subject to a development agreement.

Several of the items identified above do not apply this development project. This includes item e) and l) since this project does not require the provision for reservation or dedication of land for public purposes and the project is not subject to annexation. The other provisions apply and are addressed below:

- a) The proposed duration of the agreement is three years. This will ensure the Development code amendments are adopted and allow for the agreement to remain in effect until the project is stabilized.
- b) The permitted uses of the property include household living and commercial uses are permitted in the Town Center Transition (TCT) zone. The household living category includes apartments. The Commercial use category includes eating and drinking establishments, indoor entertainment, general retail, and office as permitted uses in the TCT zone.

- c) The proposed density or intensity of use is approximately 55 dwellings per net acre. This exceeds the current permitted density of the TCT zone but is within the density being considered as part of the amendments to the Forest Grove Development Code¹. The proposed amendments, if adopted, would allow for 40 units per net acre outright and up to 100 units per net acre with provision of certain project amenities. Amenities include ground floor retail, energy efficiency, bicycle parking, structured parking, outdoor plaza space, green materials, low impact design, residential gardening, eco-roof, LEED certification and affordable housing. This project includes many of these amenities except for LEED certification and affordable housing as explained in this memo.
- d) The proposed height is four stories (55 feet). The Development Code does not establish a firm height limit but rather establishes a maximum building in the Town Center of four stories. The term “story” is not defined in the Development Code. Story is, however, story is defined by the 2014 Oregon Structural Specialty Code as “That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.” The definition of story on the Structural Specialty Code does not limit a story to a specific height above grade.
- e) This project does not propose reservation or dedication of land for public purpose. Therefore, this criterion is not applicable.
- f) Fees and charges imposed on the development of property are those in effect at time that applications for building permits are filed. These fees and charges may be addressed as part of any agreement for public assistance between the City and Tokola Properties.
- g) Compliance review will be in accordance with standard public agency procedures for review of land use and building permits including procedures established by the State of Oregon Building Codes Division, City of Forest Grove and Clean Water Services.
- h) It is the responsibility of the applicant to provide the services necessary to serve the development in accordance with City or private utility standards. Responsibility for off-site infrastructure improvements shall be identified in the Disposition and Development Agreement (DDA) for conveyance of land owned by the City to the applicant.
- i) If there is a change in federal, regional or state laws or rules that make compliance with development agreement unlawful, then the City and applicant will negotiate in good faith an appropriate amendment to the development agreement to achieve adherence to the spirit and purpose of the development agreement and compliance with such laws.
- j) Under the development agreement the parties will retain all remedies available at law or equity to enforce the development agreement including claims for damages resulting from any breach.
- k) The development agreement is assignable with written mutual agreement between the parties subject to the agreement. Written notice of assignment must be provided to all parties mailed by United States Postal Service via certified mail, return receipt requested.
- l) This development proposal is not subject to annexation. Therefore, this criterion is not applicable.

¹ The proposed Development Code amendments include changing the definition of net density. The current definition is “The number of dwelling units per acre based on the net site acreage, which does not include sidewalks, public right of ways, public and private streets, common driveways, public and private open space areas, and other tracts intended for common use.” The recommended revised definition of net density is “The number of dwelling units per acre based on the net site acreage, which does not include rights-of-way through or on the edge of the site, environmentally constrained areas, or land intended for public ownership such as park and open space uses.” The significant of this change is explained under Section V (Site Development Review Criteria) in this memo.

In addition to the requirements of ORS 94.504 above, a development agreement must be consistent with local regulations then in place for the city or county unless the development agreement provides otherwise. ORS 94.518 states:

“Unless otherwise provided by the development agreement, the comprehensive plan, zoning ordinances and other rules and policies of the jurisdiction governing permitted uses of land, density and design applicable to the development of the property subject to a development agreement shall be the comprehensive plan and those ordinances, rules and policies of the jurisdiction in effect at the time of approval of the development agreement.”

The need for a development agreement stems from the fact that proposed amendments to the Development Code increasing density will not be adopted until spring 2016. The proposed development is consistent with the development code amendments intended to implement specific policies of the Comprehensive Plan for downtown Forest Grove. These policies are addressed in Section I of this report. Without the development agreement the project would not be able to move forward. Delaying the project will postpone returning the project to the general tax rolls and could increase development costs. As with any development project time is of the essence. Any delay to the project may impact its feasibility and possibly increase the need for public assistance.

V. Site Development Review Criteria

Forest Grove Development Code Section 10.2.400 et. seq. establishes procedures for site development review. The purpose of site development review is to promote the general welfare and enhance the appearance and function of the City by careful attention to site planning. Development Code Section 10.2.450 establishes review criteria that must be met for approval. The criteria include:

- A. The site development plan complies with all applicable standards of the base zoning district, any overlay district, and the applicable general development standards of Article 8.
 - a. The applicable standards are those not addresses through the Development Agreement or Design Guideline Handbook
- B. The site development plan ensures reasonable compatibility with surrounding uses as it relates to the following factors:
 - a. Building mass and scale do not result in substantial visual and privacy impacts to nearby residential properties.
 - b. Proposed structures, parking lots, outdoor use areas or other site improvements that could cause substantial off-site impacts such as noise, glare, and odors are oriented away from nearby residential uses and/or adequately mitigated through other design techniques.
- C. The site development plan preserves or adequately mitigates impacts to unique or distinctive natural features including, but not limited to:
 - i. Significant on-site vegetation and trees
 - ii. Prominent topographic features; and
 - iii. Sensitive natural resource areas such as wetlands, creek corridors and riparian areas.
- D. The site development plan preserves or adequately mitigates impacts to designated historic resources.

- E. The site development plan provides adequate right-of-way and improvements to abutting streets to meet the street standards of the City. This may include, but not be limited to, improvements to the right-of-way, sidewalks, bikeways, and other facilities needed because of anticipated vehicular and pedestrian traffic generation.
- F. The site development plan promotes safe, attractive and usable pedestrian facilities that connect building entrances, public sidewalks, bicycle and auto parking spaces, transit facilities and other parts of a site or abutting properties that may attract pedestrians.

A staff assessment of the project proposal complies with the site development criteria are provided below. The applicant's statement is attached to this memo in the submitted project narrative.

Site Development Review Criteria A (10.2.450(A))

Site Development Review Criteria A states:

- A. The site development plan complies with all applicable standards of the base zoning district, any overlay district and the applicable general development standards of Article 8. The applicable standards are those not eligible for departure through a development agreement or the design review process.

The site development does not comply with the density standards applicable to the base zoning district (Town Center Transition (TCT) and Town Center Support (TCS). The maximum density allowed in the TCT and TCS zones is 20.28 dwellings per net acre (Article 3, Table 3-13). Net density is defined in the Development Code as "The number of dwelling units per acre based on the net site acreage, which does not include sidewalks, public rights-of-way, public and private streets, common driveways, public and private open space areas, and other tracts intended for common use." This definition is set-up for calculating net density for a subdivision. Under this definition the internal parking area would be not included as part of the net density calculation. As such, the net density for this project is based on the building footprint of approximately 16,230 square feet or 0.37 acres. With the proposed 78 apartments the net density is 210 units per acre. With the proposed revision to the Development Code the net density calculation would be based on the site area of 66,485 square feet or 1.53 acres. Therefore, the net density is approximately 51 units per net acre. The net density of 51 exceeds the current maximum of 20.28 units per net acre but is well within the range proposed as part of the Development Code amendments being considered by the Planning Commission. The proposed amendments would establish a maximum net density range of 40 to 100 units per net acre based on the design features incorporated into the project. The issue of the proposed density exceeding the current Development Code requirement are addressed through the proposed Development Agreement.

Aside from the proposed density the project complies with the Article 3 requirements for minimum floor area ratio, parking, side and rear yard setbacks and landscaping. The Development Code establishes a minimum floor area ratio of 0.75:1 meaning a one story building must cover at least 75% of the lot area. The maximum floor area ratio is 3:1 meaning that at three story building could cover the entire site. For this project, the proposed building is 4 stories covering about 24% of the lot area. With four stories and approximately 86,550 square feet of building area and site are of 66,590 square feet, the floor area ratio for this project is approximately 1.3 well within the range established in Article 3.

Article 8 Requirements Subject to Site Development Review Criteria A

Article 8 of the Forest Grove Development Code establishes general development standards for access and circulation, clear vision area, open space and common areas, landscaping and screening, off-street parking and loading, lighting, and signs.

10.8.100 (Access and Circulation)

Development Code Section 10.8.100 establishes standards for safe and efficient vehicle access and egress on a site and for general circulation within a site, including pedestrian circulation. Section 10.8.100 also addresses project elements such as required driveway widths, distance curb cuts must be from street intersection and minimum distance between individual curb cuts.

Under Section 10.8.100 the minimum driveway width for multifamily uses is 15 feet and the maximum is 36 feet within Town Center zones. The width of the proposed driveway for the project is 24 feet which is within the required minimum and maximum.

The Development Code also addresses the location of driveway curb cuts relative to street intersections. For a local street, such as A Street, a driveway curb cut must be at least 20 feet from a street intersection. The proposed driveway for the project is more than 20 feet from the A Street/21st Avenue intersection. No other curb cuts are proposed along A Street. No curb cuts are proposed along Pacific Avenue.

10.8.150 (Clear Vision Area)

The purpose of the clear vision area is to ensure proper sight distances at intersections including driveways to reduce the hazard from vehicular turning movements. A clear vision area is not required in the Town Center. Given the potential for possible vehicle and pedestrian conflicts due to vehicles leaving the project staff a condition of approval is proposed to alert pedestrians of vehicles.

Condition of Approval: 10.8.150 (Clear Vision Area) Install a pedestrian alert signal (with light and sound) sufficient to alert pedestrians, at the sidewalk, of vehicles leaving the site's interior parking area.

10.8.200 (Open Space and Common Areas)

The purpose of this section is to establish standards for the provision of open space and recreational facilities and common areas. This section is generally applicable to land divisions. Common and private open space requirements for multifamily projects are addressed under Development Code Section 10.8.205(D). Under this provision all multifamily projects with more than 20 units must provide a minimum of 870 square feet of recreation space with a minimum dimension of 20 feet. The recreation space must include a children's play area.

To address the open space and common area requirements the applicant proposes to include a community garden, children's play area, plaza and open deck area on the fourth floor. The community garden is approximately 1,000 square feet, the children's play area is approximately 600 square feet and the plaza is approximately 2,900 square feet. Not including the fourth floor deck the recreation and common open space totals 4,500 square

feet well in excess of that required by Development Code Section 10.8.205(D). The applicant did not provide floor plan details showing the configuration of the fourth floor open deck area.

In addition the common areas noted above, the applicant proposes to construct a rain garden adjacent to the Pacific Avenue right-of-way. The proposed rain garden is 19 feet by 110 feet. As such, the rain garden provides an additional 9,900 square feet of open space.

Under the development code, multifamily projects must all provide individual private open space directly accessible from the dwelling unit. Patios and balconies must be at least 48 square feet with a minimum of 4 feet unless a departure is approved through the design review process. The applicant did not initially provide floor plan details showing the amount of private open space provided. Therefore, staff was unable to determine whether the private open space standard is met.

10.8.400 (Landscaping, Screening and Buffering)

This section of the Development Code establishes standards for landscaping, buffering and screening of land use within Forest Grove in order to enhance the aesthetic and environmental quality of the City. This is achieved through requiring street trees in new development, use of plant materials as a unifying design element, use of plant materials to define spaces, and using trees and other landscape materials to mitigate the effects of noise and lack of privacy and provide buffering and screening.

Parking Lot Landscaping

Under Development Code Section 10.8.415(E)(3), at least 8% of the interior parking lot area shall be landscaped. The applicant proposes an innovative approach to addressing the parking lot landscaping requirement. The applicant proposes a "green roof" over the carport canopy in the interior parking lot. The carport canopy is 145 feet by 41 feet. This amounts to 5,945 square feet. The amount of asphalt for the parking area is approximately 32,020 square feet. With the amount of landscaping provided by the green roof represents about 18.6% of the parking area. In addition to the green roof, the site plan shows seven landscaped areas along the perimeter of the parking lot. This standard is met.

The Development Code requires the installation of 1 tree or shrub for every 1,600 square feet of interior parking lot area. This equates to approximately 1 tree for every 6 spaces. Under this standard, this project requires the installation of 15 trees along the perimeter of the parking lot. The site plan shows 10 trees distributed along the perimeter of the parking lot.

The Town Center Design Guidelines do not provide for departure from the parking lot tree requirement. An administrative adjustment is possible which provides a 20% reduction (3 trees). The 20% reduction results in the need for a total of 12 perimeter parking lot trees. Therefore, a condition of approval is proposed that the applicant install a minimum 12 trees along the parking lot perimeter.

Based on the tree perimeter and other parking lot requirements contained in the Development Code, the following conditions of approval area proposed.

- Condition of Approval: A minimum of 12 trees, measuring at least 2" caliper, are required along the perimeter of the interior parking area. At least two trees shall be planted along the perimeter of the parking area south of the community garden area.
- Condition of Approval: It shall be the continuing obligation of the property owner to maintain required landscaped areas free of weeds and noxious vegetation. The minimum required amount of landscape materials shall be maintained.
- Condition of Approval: The ground in all required landscaped areas must be properly prepared with suitable soil and fertilizer. Specifications shall be submitted to the City prior to issuance of building permits showing that adequate preparation of the top soil and sub-soil will be undertaken prior to planting to support the long-term viability of the plantings.
- Condition of Approval: Installation of landscaping shall be done in accordance with Development Code Section 10.8.410(C). Landscaping shall be protected from vehicular damage by some form of wheel guard or curb.

General Landscaping Requirements

The Development Code (10.8.415(D)) requires a 5-foot landscaped strip between the common lot line and the off-street parking area or other vehicular use area. The site plan shows a five foot landscape strip along all common lot lines and the off-street parking or other vehicle use area. This requirement is met and no condition of approval is proposed.

10.8.425 (Buffering and Screening Standards)

This section of the code establishes standards to promote privacy and to reduce the adverse impacts of visual or noise pollution. Only utilities, screening, sidewalks and bikeways, and landscaping may occupy a buffer area.

Standards from this code section applicable to this application include standards for fences and screening refuse containers. Under the Development Code (10.8.425(B)(7)) fences must be constructed of any material commonly used in the construction of fences such as wood, stone, rock, or brick, or otherwise acceptable by the Director. The applicant did not provide detail pertaining to the design of fences. Therefore, a condition of approval is recommended that the applicant provide fence design details demonstrating compliance with 10.8.425 for approval by the Community Development Director:

- Condition of Approval: The applicant shall provide fence design specifications demonstrating compliance with Development Code Section 10.8.425(B)(7) for approval by the Community Development Director.

Section 10.8.425(C)(3) requires that any refuse container or refuse collection area visible from a public street, parking lot, residential or commercial area be screened or enclosed from view by placement of a solid wood fence, masonry wall or evergreen hedge. The refuse collection areas must be accessible for collection vehicles.

The applicant proposes to provide a refuse and recycling collection area totaling approximately 400 square feet. The collection area would be constructed with CMU masonry block with a corrugated metal roof. The roof will provide adequate screening from residences above.

Under code section 10.8.140(A)(4) refuse collection areas must not be located within 20 feet of the public right-of-way. The location of the proposed refuse collection area is approximately 90 feet from the A Street right-of-way. Therefore, this standard is met.

Development Code Section 10.7.200 et. seq. also addresses solid waste and recycling storage. These standards ensure that new construction incorporates functional and adequate space for on-site storage and efficient collection of solid waste and recycling prior to pick up and removal by haulers. The standards apply to new multifamily residential buildings containing 3 or more units.

Under Code Section 10.7.205(A), multifamily projects with more than 10 units must provide 50 square feet of storage area plus 5 square feet for each unit above 10. For this project the requirement is a minimum of 390 square feet. The applicant proposes to provide 400 square feet. Therefore, this standard is met for the residential units.

Section 10.7.205(A) requires 10 square feet of storage space for each 1,000 square feet of gross retail floor area and 4 square feet for each 1,000 square feet of office space. Therefore, this project must provide a minimum of 20 square feet of storage space for the retail uses and additional space for the residential leasing/property management office if comingled or separate. Therefore, a condition of approval is recommended to ensure adequate refuse and recycling area for non-residential activities:

- Condition of Approval: Prior to building permit issuance the applicant must show on construction plans the location and amount of space for refuse collection and recycling for non-residential uses. The area for non-residential refuse collection and recycling in addition to the 390 square feet required for residential use.

Development Code Section 10.7.200(B)(7) states the storage area shall be accessible for collection vehicles and located so that the storage area will not obstruct pedestrian or vehicle movement on the site or on public streets adjacent to the site. As shown on the site plan, the collection area is located approximately 90 feet from the public right-of-way near the perimeter of the site. The location is accessible for collection vehicles and the storage area does not obstruct pedestrian or vehicle movement on the site or on public streets adjacent to the site. Access to the collection area does not require that vehicles back out of a driveway onto a public street in conformance with Code Section 10.7.205(D)(3).

Development Code Section 10.7.200(D)(2) states storage areas shall be designed such that there is a minimum 10 feet of horizontal clearance and 8 feet of vertical clearance if the storage area is covered. To ensure compliance two conditions of approval are recommended:

- Condition of Approval: Refuse storage and recycling collection areas shall be design so that there is a minimum 10 feet of horizontal clearance and 8 feet of vertical clearance to accommodate collection vehicles.
- Condition of Approval: Prior to issuance of building permits, the applicant shall show on construction documents material specifications for the refuse/recycling area enclosure. The enclosure must be designed for access by refuse/recycling collection vehicles as required by Waste Management Corporation.

10.8.500 (Off-Street Parking and Loading)

The proposed project also complies with the parking requirements of Article 8. Under Article 8 (Table 8-5) no parking is required for residential or commercial uses in the Forest Grove Town Center. The applicant proposes 94 secure parking stalls serving the 78 apartment units. For illustrative purposes a comparison with the project proposal and current multifamily parking for projects outside the Town Center is provided. Information is also provided below showing the amount parking that would be required for this project if the proposed Development Code amendment related to residential parking in the Town Center is adopted.

Under the Table 8-5 a multifamily development outside of the Town Center is required to provide parking at the following minimum amounts:

Parking Analysis

<u>Unit Type</u>	<u>Current Code Outside Town Center</u>	<u>Amended Code</u>
Dwelling Unit <500 sf	1.0 space/dwelling	0.5 space/unit
1 Bedroom Unit	1.25 spaces/dwelling	0.75 space/unit
2 Bedroom Unit	1.50 spaces/dwelling	1.25 space/unit
3 Bedroom Unit	1.75 spaces/dwelling	1.75 space/unit

The final unit configuration has not been determined by the applicant. In order to assess the parking spaces that would be required if this project were constructed outside the Town Center staff used the following assumptions using the expected unit mix for the project. Information is provided based on the current code requirement and proposed code amendment.

Current Multifamily Parking Requirement (Outside Town Center)

Studio	21 units x 1.0 space = 21 spaces
1 Bedroom	26 units x 1.25 spaces = 32.5 spaces
2 Bedroom	23 units x 1.5 spaces = 34.5 spaces
3 Bedroom	8 units x 1.75 spaces = 14 spaces

Total: 101.5 spaces² (applicant proposal 94 spaces)

Proposed Code Amendment for Parking (Inside Town Center)

Studio	21 units x 0.5 spaces = 10.5 spaces
1 Bedroom	26 units x 0.75 spaces = 19.5 spaces
2 Bedroom	23 units x 1.25 spaces = 28.75 spaces
3 Bedroom	8 units x 1.75 spaces = 14 spaces

Total: 72.75 spaces (applicant proposal 94 spaces)

² It should be noted, this amount of parking does not reflect reductions allowed by the code due to proximity to transit or other factors.

The analysis above shows the proposed parking for the project falls between what would be required for a typical apartment complex outside the Town Center and the minimum parking proposed for the Town Center as part of the proposed code amendments.

The analysis above only considers the residential portion of the project. It is assumed parking for commercial uses would be accommodated on-street, within one of the public parking lots or within a private parking area through a joint use agreement as allowed by the Development Code.

To ensure compliance with the Code, the following conditions of approval area proposed:

- Condition of Approval: Identify visitor parking on site plan.
- Condition of Approval: Off-street parking shall be improved with an asphalt surface to specifications approved by the Building Official.
- Condition of Approval: All parking spaces shall be marked using permanent paint.
- Condition of Approval: All interior drives and access aisles shall be marked as to direction of traffic flow to maintain vehicular and pedestrian safety.
- Condition of Approval: Parking space configuration, stall and access aisle size shall be of sufficient width for all vehicles turning and maneuvering based on the standards shown in Development Code Figures 8-6 and 8-7.
- Condition of Approval: Parking space along the boundaries of the parking lot or adjacent to interior landscaped areas or pedestrian pathways shall be provided with a wheel stop at least four inches high located 1.5 feet back from the front of the parking stall as defined in Figure 8-6.
- Condition of Approval: Designate one parking stall for residential loading and unloading near a building entrance.
- Condition of Approval: Off street-parking and loading areas shall provide stormwater drainage in accordance approved by the City Engineer. Off-street parking and loading areas shall be drained so there is no flow of water across public sidewalks.

Along Pacific Avenue the project exceeds the maximum front setback of 15 feet to accommodate the proposed rain garden and plaza area. The maximum proposed setback is approximately 29 feet to accommodate the rain garden and 52 feet to accommodate the plaza. A departure from this standard is permissible through the design review process as requested by the applicant.

10.8.700 (Building Design and Development Standards)

This section of the code provides standards for new buildings constructed in the City to help provide compatibility with surrounding neighborhoods and that safe, functional working and living environments are created. These standards apply to all multifamily and commercial projects and all projects within Town Center zoning districts. Departures from the standards are permitted under the design review process. Specific departures applicable to this project are addressed in Section VI of this memo (Design Review Criteria).

Development Code Section 10.8.700 addresses the following design elements:

- A. Building Design Standards for Multi-Unit Development
 - a. Massing and Form
 - b. Compatibility
 - c. Privacy
 - d. Building Relationship to Arterial Street
- B. Building Design Standards for Commercial Development
 - a. Building Orientation
 - b. Massing and Form
 - c. Design Elements
 - d. Compatibility
 - e. Safety
- C. Building Design Standards within Town Center Districts
 - a. Building Form
 - i. All new buildings shall be a minimum two stories or a minimum of 24 feet
 - ii. All flat roofed buildings shall have a decorative cornice
 - iii. Exterior pilasters and columns shall project a minimum 6 inches beyond the building face
 - iv. All rooftop mechanical equipment shall be screened by a solid wall from view of the public right-of-way
 - v. Retail storefronts
 - vi. Commercial entries
 - vii. Residential entries
 - viii. Windows
 - ix. Exterior Walls
 - x. Walls and Fences

A. Building Design Standards for Multi-Unit Development

Under this section of the Code, no building shall have a dimension greater than 150 feet without a minimum 3 feet off-set of the exterior wall. Dwelling units shall be offset from the next dwelling unit by at least four feet in depth. All habitable rooms shall incorporate at least one window when facing parking lots and common areas. The site plan shows two buildings. One oriented to A Street and the other oriented to Pacific Avenue. The building along A Street is approximately 271 feet. Articulation is provided, however, the project as designed does not strictly adhere to the proscriptive standard and a departure is required through the design review process. The building along Pacific Avenue is approximately 156 feet. The project as designed does not strictly adhere to the prospective standard and a departure is required through the design review process as explained in Section VI below.

All buildings shall incorporate a porch or architecturally defined entry space for each ground level dwelling unit with a minimum area of 16 square feet per dwelling unit with no dimension less than four feet. Common entrances shall not serve more than four dwelling units. The project as designed uses rain gardens/planter areas to define entry space for each ground level dwelling unit. However, the area defining the entry is approximately 4 feet by 3 feet or 12 square feet. Since the area provided is less than 16 square feet the project does not comply with the prospective standard. Therefore, a departure must be approved through the design review process.

Buildings shall be setback at least 10 feet from arterials. Buildings shall be oriented away from arterials and no front or main entries shall be facing arterials. This is a suburban standard not applicable to a downtown location. Project does not comply with this proscriptive standard. Therefore, a departure must be approved through the design review process.

C. Building Design Standards within Town Center Districts

This section addresses building form. The Development Code stipulates that all new structures shall be a minimum of two stories in height or 24 feet measured at the front elevation to top of parapet or eave line of lowest point of façade. The project as proposed is four stories with a height of 55 feet. Therefore, the design complies with this standard.

Retail Storefronts

Requirement: Ground floor glazing Town Center Transition 50% minimum. The project provides 100% glazing where the commercial space is located. Project complies with standard.

Requirement: All window frames shall be painted. Project proposes aluminum storefront windows. Therefore, departure is required under the design review process. Awnings shall be constructed of metal, glass, or natural canvas fabrics. Signage or lettering on awnings is prohibited. Where awnings are provided the applicant proposes steel. Therefore, the project complies with this standard.

Commercial Entries

The Development Code establishes standards for the design of commercial entries. The applicant did not provide floorplans or specifications in sufficient detail to determine if this standard is met or a design review departure is required. Thus the following condition of approval is proposed:

- Condition of Approval: Prior to issuance of building permits the applicant shall provide construction details for design of commercial entries meeting the requirements of Development Code Section 10.8.700(C)

Residential Entries

The Development Code establishes standards for the design of residential entries. Under the Development Code residential doors which face a public right-of-way must be setback a minimum two feet from a public sidewalk. Based on the site plan residential entries are setback approximately three feet. Therefore it appears this standard is met.

The Development Code also requires that residential entry porches have a minimum area of 60 square feet. This appears to be a suburban standard atypical of traditional town center development. The proposed residential entries shown on the site plan appear to be approximately 12 square feet. Therefore, a departure through the design review process is required for project approval as described under Section VI below.

Also with respect to residential entries the Development Code requires that residential entries be no lower than four feet below grade measured adjacent to the right-of-way. All proposed residential entries are at grade so this standard is met.

Windows

Under the Development Code window openings shall comprise the following minimum portions of the front building facades at the main floor: Town Center Support (30%) and Town Center Transition (60%). To ensure compliance with this requirement the following condition of approval is proposed.

- Condition of Approval: Prior to issuance of building permits, provide construction drawings for windows in sufficient detail to demonstrate compliance with Development Code Section 10.8.700(C).

Exterior Walls

The Development Code restricts permissible exterior building materials in the Town Center. Vinyl, plastic or metal siding are prohibited. Synthetic Stucco is also prohibited. In addition, flagstone or other stone veneer along the first floor of facades that front public rights-of-way are prohibited. The applicant not proposing to use any of the prohibited materials. The materials palette submitted by the applicant indicates use of brick and lap siding. It appears this standard is met.

Walls and Fences

The Development Code prohibits the use of plastic or chain link as fencing materials in all Town Center zones. The applicant has not provided fencing detail. However, to staff's knowledge the applicant will not use plastic or chain link. The Development Code requires that all wood fences shall be painted. To staff's knowledge the applicant is not proposing wood fences. The following condition is proposed as advisory to the applicant since it is required by the Code:

- Condition of Approval: Plastic and/or chain link fences are prohibited in the Town Center. Wood fences shall be painted in compliance with Development Code Section 10.8.710(D)(7)(b).

10.8.750 (Lighting Standards)

The applicant did not submit lighting specifications for review. The applicant must provide lighting specifications for City review and approval prior to issuance of building permits. A public hearing with the Planning Commission is required if the applicant requests a departure from any prospective lighting standard. The applicant has provided lighting detail as part of their submittal. The lighting detail is shown on Plan Sheet 8 attached to this memo.

10.8.800 (Signs)

The applicant did not submit sign specifications for review. The applicant must provide sign specifications for City review and approval prior to issuance of building permits. A public hearing with the Planning Commission is required if the applicant requests a departure from any prospective sign standard. To ensure compliance with this requirement the following condition of approval is proposed:

- Condition of Approval: The applicant must provide sign specifications for City review and approval prior to issuance of building permits including specifications for address signage meeting Fire Department requirements.

Site Development Review Standard B (10.2.450(B))

Site Development Review Standard B requires:

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

- a. Building mass and scale do not result in substantial visual and privacy impacts to nearby residential properties.
- b. Proposed structures, parking lots, outdoor use areas or other site improvements that could cause substantial off-site impacts such as noise, glare, and odors are oriented away from nearby residential uses and/or adequately mitigated through other design techniques.

The proposed development is reflective of an urban scale. The maximum proposed building height is four stories or 55 feet and complies with the scale envisioned for the Town Center. Although the proposed project would be the tallest building in downtown Forest Grove, due to its location the building mass and scale will not result in substantial visual and privacy impacts to residential properties. The proposed buildings are not adjacent to existing residential properties.

Site Development Review Standard C (10.2.450(C))

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

- i. Significant on-site vegetation and trees
- ii. Prominent topographic features; and
- iii. Sensitive natural resource areas such as wetlands, creek corridors and riparian areas

The project site is located in downtown Forest Grove and was previously developed for industrial uses. As such, there are no unique or distinctive natural features on site. Therefore, this standard is not applicable.

Site Development Review Standard D (10.2.450(D))

This standard specifies that the site development plan preserves or adequately mitigates impacts to designated historic resources. There are no impacted historic resources. Therefore, this review standard is not applicable.

Site Development Review Standard E (10.2.450(E))

The site development plan provides adequate right-of-way and improvements to abutting streets to meet the street standards of the City. This may include, but not be limited to, improvements to the right-of-way, sidewalks, bikeways, and other facilities needed because of anticipated vehicular and pedestrian traffic generation. The site is located in the Forest Grove Town Center and right-of-way dedication is not required to meet City standards. An assessment of traffic impacts has been prepared and is attached to this memo. Based on the traffic assessment there is sufficient capacity to handle potential increased traffic generated by 78 apartment units and 2,500 square feet of retail space.

Site Development Review Standard F (10.2.450(F))

The site development plan promotes safe, attractive and usable pedestrian facilities that connect building entrances, public sidewalks, bicycle and auto parking spaces, transit facilities and other parts of a site or abutting properties that may attract pedestrians. Based on the site plan, the plan promotes safe, attractive and usable pedestrian facilities that connect building entrances, public sidewalks, bicycle and auto parking spaces, transit facilities and other parts of the site that may attract pedestrians. This finding is based on the proposed pedestrian pathways shown on the site plan, location of buildings entrances in close proximity to sidewalks and the location of the plaza area adjacent to the public right-of-way and near the current location for the bus stop for Tri-Met Line 57. A defined internal pedestrian circulation system is shown on the site plan providing a direct connection between the parking area and buildings. A pedestrian pathway is also shown connecting the Pacific Avenue right-of-way and the internal parking lot. A pathway is also provided along the Pacific Avenue building frontage connecting the western portion of the project site with the plaza area. The pedestrian pathways shown on the site plan are a minimum five feet in width which is consistent with the typical City sidewalk standard. For these reasons this standard is met.

VI. Design Review Criteria

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

- A. The development standards of the applicable zoning district and any overlay district;
 - a. Applicable development standards are those not subject to departure through the Design Guideline review process.
- B. The general standards of Article 8
- C. Departures from code requirements may be permitted as part of a Track 2 Design Review Process, when the following criteria are met:
 - a. The design guidelines contained in the applicable section of the Design Guideline Handbook are adequately addressed.
 - b. The applicant demonstrates that the overall development would result in a development that better meets the intent of the design guidelines than a design that simply meets the Code.

Design Guidelines: Town Center Focus Area

Design Guidelines are highlighted in yellow. The design guideline is followed by the applicant's response and staff analysis.

Guideline Site – Building Orientation: Design and construct buildings oriented to a public street right-of-way to create safe, pleasant and active pedestrian environments. Development in the town center area should create a well-defined, safe, attractive and active pedestrian environment. Zero lot line development should be encouraged in all town center zones, particularly the town center core. Parking should be behind or to the side of buildings, so as to not obstruct pedestrian pathways to the front door of buildings. If buildings are setback from the sidewalk, the area in front of the building should be well landscaped and used as an expanded sidewalk area or a pedestrian plaza.

Applicant Response

Building setback along A Street is limited to approximately between 5'-6" and 6'-8" in order to provide some outdoor private space for ground floor tenants. Other smaller setbacks have been included along A Street to meet Applicant's desired articulation expression.

Along Pacific Avenue, the commercial space is predominantly set at the property line with exceptions on the corners to allow for doors to open out and not project over the property line. Applicant desires to use this method to express commercial entries. Additionally, Applicant has set back the balance of the Pacific Avenue side of the building in order to provide two distinct urban amenities in the form of a plaza shouldered by the building on 3 sides and a large rain garden. Applicant feels that these amenities will create a distinct sense of place and enhance the diversity along the street frontage which is of great benefit to residents, visitors, and passersby.

Track 2 / Item 2: Design and construct a primary building entrance for each building façade. If a building has frontage on more than one public street, a single building entrance on the corner is acceptable.

Proposed project complies. Multiple unit entries are proposed along A Street, including a main residential entry and lobby space. Commercial entries are proposed to face Pacific Avenue while multiple unit entries are also proposed beyond.

Track 2 / Item 3: Use the area between the right-of-way and building to create a plaza court, planter area, bicycle parking or another amenity.

Proposed project complies. Building articulation and setbacks have been utilized to provide individual patios and planters for ground floor units facing A Street. Additionally, the building setback on Pacific Avenue facilitates the inclusion of a plaza space as well as a large rain garden.

Track 2 / Item 4: Main entrance should be oriented to the street.

Proposed project complies. All main entrances to the building serving either commercial space or the residential lobby face the street. Additionally, many ground floor unit entries also face the street.

Staff Analysis

Staff agrees with the applicant that the proposed buildings along both property frontages are oriented to the public street right-of-way. The proposed building along A Street is placed either at property line or setback slightly to accommodate residential building entrances and rain gardens. This design creates a pleasant pedestrian environment by "breaking-up" the façade and including at-grade landscaped elements.

Although the building along Pacific Avenue is setback from the public right-of-way the building is oriented toward the street. The building setback is proposed to accommodate a 2,900 square foot public plaza near the primary building entrance and commercial space. The proposed setback also accommodates a rain garden and pathway. These features promote a pleasant and active pedestrian environment.

To ensure compliance with the intent of this guideline, staff proposes the following conditions of approval:

- Condition of Approval: The project shall substantially conform to the site plan dated November 20, 2015. The Pacific Frontage shall include a public plaza located adjacent to the primary building entrance and commercial space. The public plaza shall be no less than 2,900 square feet.
- Condition of Approval: The publicly accessed plaza shall include seating approved by the Forest Grove Community Development Director prior to issuance of building permits.
- Condition of Approval: The Pacific Avenue street frontage design shall include a rain garden in the general location as shown on the site plan dated November 5, 2015. The design of the rain garden shall be approved by the Forest Grove Community Development Director prior to issuance of building permits.
- Condition of Approval: Construct a hardscape pedestrian pathway between the building and rain garden adjacent to the Pacific Avenue right-of-way. Pathway materials shall be approved by the Community Development Director prior to issuance of building permits.

Guideline Site – Pedestrian Connection: Develop continuous pedestrian connections that are attractive and convenient. The Town Center must maintain a clear and comfortable separation between vehicles and pedestrians. Where vehicles and pedestrians share the same space, pedestrian safety and comfort must not be compromised. Sidewalks should be continuous and free of barriers.

Applicant Response

With setbacks described above, buildings are proposed along both streets, articulated in order to reduce the scale of the building to a more human proportion. Parking is proposed on the opposite side of the building, effectively shielded from the R.O.W. by the building itself.

Track 2 / Item 2: Separate walkways from vehicle areas by landscaping, bollards or changes in elevation.

Proposed project complies. Applicant proposes separating vehicles and pedestrians using wheel stops and, in some cases, curbs.

Track 2 / Item 3: Provide landscaped pedestrian walkways for direct, convenient mid-block connections.

Not applicable.

Track 2 / Item 4: Separate or screen pedestrians from nuisances, such as mechanical equipment, dumpsters, and loading areas.

Proposed project will comply.

Track 2 / Item 5: Enclose trash and recycling areas.

Proposed project complies. A concrete masonry refuse and recycling enclosure is proposed.

Staff Analysis:

The project is designed with buildings placed at or near the public street right-of-way. As such, the design reflects the traditional pedestrian orientation of the Town Center. The project as proposed provides for a clear and comfortable separation between vehicles and pedestrians since the parking area is located behind buildings. Both vehicles and pedestrians will interact in the interior parking lot. To meet the intent of the pedestrian connection design guideline the site plan shows pedestrian pathways serving parking spaces. Proposed conditions of approval are as follows:

- Condition of Approval: Clearly pedestrian pathways serving the interior parking lot with pavers or striping. Extend the east-west pedestrian pathway through the parking lot the western property line to provide a possible connection to future development fronting B Street.
- Condition of Approval: Enclose trash and recycling areas. Design shall be meet Article 8 requirements.
- Condition of Approval: Provide a marked pedestrian pathway from the sidewalk adjacent to the A Street building to the trash enclosure.

Guideline Site – Amenities: Protect pedestrians from wind, sun, and rain and provide courtyards or other outdoor spaces to create a comfortable environment for meeting and sitting. Pedestrians should be protected from the elements, to encourage use of the Town Center during inclement weather. The design of awnings and canopies should be integral and well-proportioned to the facades of buildings. Street furniture, such as benches, lamps and landscape planters should be provided.

Applicant Response:

Proposed project complies. Steel canopies are proposed adjacent to commercial areas and the main residential entry. Applicant has chosen not to provide covering for public sidewalks adjacent to ground floor residential entries so that loitering is not encouraged in these areas.

Track 2 / Item 2: Canvas fixed or retractable awnings or horizontal metal canopies.

Proposed project complies.

Track 2 / Item 3: Seating areas near retail establishments.

Proposed project complies. The commercial space on the southeast corner of the property is designed adjacent to the plaza for this specific purpose.

Track 2 / Item 4: Courtyards, squares, forecourts, and plazas with active adjacent ground-floor uses.

Proposed project complies. A plaza is provided adjacent to the commercial space and is located specifically to activate the corner of the property.

Staff Analysis:

As proposed, the project includes weather protection at the A Street residential entry (approximately 25 feet). The second story is designed to project 4 feet over the individual residential entrances. The overhang does not extend over the sidewalk except at the primary building entry. The amount of weather protection provided over the sidewalk is 10% of the building frontage.

Guideline Buildings – Facades: All buildings shall contribute to the storefront character and visual relatedness of town center buildings. Facades should define a continuous street edge, while adding visual interest and variety for the pedestrian. Building frontages should provide a sense of continuity and enclosure to the street, creating a human-scale “street wall.”

Applicant Response

Track 2 / Item 1: Walls that have a comfortable rhythm of bays, columns, pilasters or other articulations.

Proposed project complies. Proposed building design includes a repetitive window rhythm and bays which cantilever over the ground floor. The building façade has been varied in order to reduce the length of any plane so that the proportions of the façade relate directly with the historic architecture in the neighborhood.

Track 2 / Item 2: Facades should be taller than one-story to create a sense of enclosure along the sidewalk.

Proposed project complies. Proposed building varies between three (3) and four (4) stories tall.

Track 2 / Item 3: Architectural elements such as towers, roof parapets.

Proposed project complies. Project proposes parapet roofs throughout. Additionally, Applicant has chosen to reduce the building height on the corner of the property and add interest such as a large roof deck facing the intersection in order to mark the ground floor commercial.

Track 2 / Item 4: Well-detailed cornices of significant proportions to create visual interest and shadow lines.

Proposed project complies. Project proposes many features, including cornices on some roofs, which provide extensive relief to the building façade and add shadow and visual interest.

Track 2 / Item 5: Vertical elements which break up long, monolithic building facades along the street.

Proposed project complies. Project proposes many features to articulate the building, including varied setbacks, projecting bays, and discontinuous canopies marking specific uses.

Track 2 / Item 6: Regularly spaced and similar-shaped windows with window trim on all building stories.

Proposed project complies. Extensive repetition of window types, sizes, and proportions are proposed by Applicant.

Track 2 / Item 7: Bay windows on second story or higher floor levels.

Proposed project complies. Many projecting bays are provided.

Track 2 / Item 8: Screen mechanical equipment.

Proposed project will comply. All applicable mechanical equipment will be located on the roof of the four (4) story building.

Staff Analysis

The Tokola Project reflects a contemporary design with subtle queues reflecting the historic feel of Downtown Forest Grove. Such queues include the flat roof, dark brown brick, vertical windows throughout the project, transom windows along the east (A Street) elevation and storefront windows along Pacific Avenue and at the primary A Street building entrance.

The height of the proposed building is four stories (approximately 55 feet). This is the result of the proposed "tuck under" parking. There are 31 parking spaces tucked under the proposed buildings. The tuck under parking is approximately one-third of the overall proposed parking and represents an efficient use of the development site.

In terms of context, the proposed building will be the tallest in downtown Forest Grove. There are two three story buildings in downtown Forest Grove including the building at the northwest corner of Pacific Avenue and Main Street, Bank of the West Building on Pacific Avenue. There are also several three story buildings located on the Pacific University campus. Although the proposed building would be the tallest in downtown Forest Grove the Pacific University Master Plan allows for a maximum building height of 50 feet at the eave or dominant parapet. The Tokola project is consistent with the building height allowed on the Pacific University campus. The design of the building takes advantage of the building height by incorporating a rooftop deck at the Pacific Avenue/B Street intersection.

To mitigate the perceived building height the project design incorporates use of building articulation including architectural features such as offsets, balconies, color, and streetscape features most notably rain gardens. Vertical windows are used to break-up the building face. To ensure compliance with the intent of this design guideline the following conditions of approval are proposed:

- Condition of Approval: The façade design shall be substantially consistent with perspective drawings dated November 20, 2015 and the accompanying material palette.
- Condition of Approval: All rooftop mechanical equipment shall be screened by a solid wall from view of the public right-of-way and pedestrian routes.

Guideline Building – Retail Storefronts: Storefronts should appear open, inviting, and engaging to the passerby. Retail and other commercial establishments should provide windows and doors offering views in and out of the building so passerby may see activity within buildings.

Applicant Response

Track 2 / Item 1: Storefront should be designed to encourage a lively streetscape with clear windows, window displays.

Proposed project complies. In order to provide an inviting architectural experience, Applicant proposes stepping down of the building above the commercial space in order to add interest to the building and mark the corner of the property. Additionally, commercial entries are set back and marked with canopies projecting out to the R.O.W. while extensive fenestration is proposed throughout. All of these features serve to provide an enjoyable experience for the pedestrian while providing a unique visual expression to the visitor and passerby.

Track 2 / Item 2: Clerestory or transom windows above storefronts are recommended.

Proposed project complies. Windows will be above entry doors up to a level of 12'-0" above finish floor. Additionally, in glazed areas between commercial entries, fenestration and support framing is continuous from the floor to 12'-0" above finish floor elevation.

Track 2 / Item 3: Entry ways with multiple doors, windows, architecture details and ornate hardware.

Proposed project complies.

Track 2 / Item 4: Sliding, overhead or other operable windows for restaurants or other active uses.

Proposed project does not currently include glass garage doors opening onto the plaza but allows simple inclusion should tenants desire to include them in the future.

Staff Analysis

The project incorporates approximately 2,500 square feet of retail area divided among two spaces. Retail storefront is shown on the perspective drawings. The retail space is complemented by the adjacent plaza on Pacific Avenue contributing to an inviting, engaging and active space.

Example of Aluminum Storefront



Guideline Building – Entries: Entryways should be clearly visible and recognizable from the street, and appear open and inviting to the pedestrian. The primary entry into buildings should be clearly recognized from the street. Additional architectural details, such as sidelights or transoms surrounding doorways are encouraged. Transparency between retail storefronts and the sidewalk is encouraged to create visibility from the street.

Applicant Response

Track 2 / Item 1: Entryways that project or are recessed from their surrounding building façades.

Proposed project complies. All building entries recess from the adjacent building wall surface. Additionally, the project includes a plaza adjacent to the commercial space which will serve to provide a unique, easily identifiable entry image for the project.

Track 2 / Item 2: Visible frame or trim detail surrounding the entry.

Proposed project complies.

Track 2 / Item 3: Transom, sidelights and other detailed window surrounds at the front entry.

Proposed project complies.

Staff Analysis

As proposed, building entrances are clearly visible and recognizable as shown on the perspective drawings. The primary building entrance on A Street is reinforced with a steel awning. In addition to the primary building entrance, each ground level residential unit has an individual entryway visible from the sidewalk.

Guideline Building – Residential Entries: Residential entries should create an inviting transition between public and private areas. Residential doors in the town center should provide a well-defined transition between the public and private realm. They should convey a sense of privacy while expressing a welcome entryway for those who approach. The design of the door should respond to the level of activity along the street.

Applicant Response

Proposed project complies.

Track 2 / Item 3: Durable, high quality metal door hardware.

Proposed project will comply.

Track 2 / Item 5: Entries separated from the street by semi-private transition areas such as porches, terraces, stoops or canopy-covered doorways.

Proposed project complies. Ground floor units are proposed to include a private patio for each unit.

Staff Analysis

Transition space is provided between public and private areas. The transition area between public and private space along A Street is reinforced with the presence of rain gardens which appear to look similar to planter boxes.

Building – Windows: Use windows to create an open and inviting atmosphere. Retail uses should provide windows that create visual interest and encourage people to visit restaurants and shops. Blank walls should be avoided.

Guideline Building – Exterior Walls: Use materials which are compatible with the character of Forest Grove and create a sense of permanence. Materials should be consistent with the existing buildings in the Town Center. Quality wall materials provide a sense of permanence and should be applied to create a sense of substance and mass.

Applicant Response

Track 2 / Item 1: Quality materials such as brick, stone and natural wood.

Proposed project complies. Applicant proposes brick and lap siding, with aluminum glazing systems on the ground floor.

Track 2 / Item 2: Applications which create depth, such as recessed windows and doors.

Proposed project complies. Extensive articulation is proposed, including projecting bays, recessed entries, canopies, and roof overhangs.

Track 2 / Item 7: TCT & TCS: Brick or stone masonry; cement-based stucco; lap siding; board and batten siding; shingles and shakes.

Proposed project complies. Brick is proposed on the project.

Staff Analysis

The applicant proposes a combination of brick and lap siding. Brick is a quality material which provides a sense of permanence, substance and mass. The use of dark brown brick is characteristic of buildings found in the Forest Grove Town Center and Pacific University campus.

Guideline Building Landscape – Walls and Fences: Site walls and fences should be compatible with the buildings architecture and reflect the commercial character of the development. Walls and fences should be considered integral parts of building and site, compatible with the overall design.

Applicant Response

Track 2 / Item 1: Site wall and landscaped planter box materials and character should generally match or provide compatibility with the adjoining building materials and historic character.

Applicant proposes to use metal raised planter boxes with a color to compliment building. . Perimeter fence will be 6'-0" tall, with 4"x4" steel posts approximately 6'-0" on center, steel horizontal structure top and bottom, and 1/2" x 1/2" steel pickets at about 4" on center. With landscaping buffer on the inside of this perimeter fence, this highly transparent fence will present a soft, friendly transition to neighboring properties. The refuse and recycling enclosure will be standard painted concrete masonry with fully opaque steel gates for people and equipment access.

Staff Analysis

As described by the applicant, the proposed walls and fences appear to be compatible with the building architecture. The applicant proposes uses steel posts and pickets for fencing. The use of steel as fencing material is compatible with the proposed steel for awnings as an exterior building element. Fencing detail is provided on Plan Sheet 8 attached to this memo.

Guideline Lighting – Exterior Building: Lighting should be an integral component of the building architecture. Lighting should be used to highlight the design of buildings while improving visibility of entryways and enhance safety. Lighting should not spill onto neighboring properties or cast glare which will decrease the safety of pedestrian and vehicles.

Applicant Response

Proposed project will comply. Exterior building lighting will be chosen for its compatibility with the building and site design, energy performance, durability, and ease of maintenance.

Track 2 / Item 2: Decorative wall sconce and similar architectural lighting features.

Proposed project will comply.

Track 2 / Item 3: Lighting fixtures which are integrated with and highlight landscaping.

Proposed project will comply.

Staff Analysis

General information about lighting is provided on Plan Sheet 8 attached to this memo. Although useful this information lacks sufficient detail to ensure this design guideline is met. Additional detail is needed with respect to lighting treatment for exterior residential entries, the commercial space and along internal pedestrian pathways. To ensure the intent of this guideline is met a condition of approval is proposed. This condition of approval is the same as recommended for Development Code Standard 10.8.750 (Lighting Standards) described previously:

- Prior to issuance of building permits the applicant must provide lighting specifications for City review and approval.

Guideline Lighting – Parking Lot: Light should be compatible with downtown street lights identified in the Public Area Requirements. Parking lot lighting should be provided for vehicular and pedestrian safety. Lighting should be integrated and compatible with the site and building design.

Applicant Response

Track 2 / Item 1: Light poles should be dark green or black

Proposed project will comply.

Track 2 / Item 2: Standards should accommodate banners and hanging flower pots (with drip irrigation systems)

Applicant will replace streetscape lights in this nature but not in the private realm of the parking lot. With the proposed design, parking lot poles will only be necessary along the interior lot lines, located in landscape islands. The balance of the parking area is covered, either by the building or the carport. Applicant proposes to mount lighting to the underside of structure in these areas, fully integrated with the building design. All fixtures will be chosen for their compatibility with the building and site design, energy performance, durability, and ease of maintenance.

Track 2 / Item 3: Light standards should be located in landscaped areas when possible to protect fixtures from automobile damage.

Proposed project will comply.

Track 2 / Item 4: Lights should be shorter than two-stories in height.

Proposed project will comply.

Staff Analysis

General information about lighting is provided on Plan Sheet 8 attached to this memo. Although useful this information lacks sufficient detail to ensure this design guideline is met. Additional detail is needed with respect to lighting treatment for exterior residential entries, the commercial space and along internal pedestrian pathways. To ensure the intent of this guideline is met a condition of approval is proposed. This condition of approval is the same as recommended for Development Code Standard 10.8.750 (Lighting Standards) described previously:

- Prior to issuance of building permits the applicant must provide lighting specifications for City review and approval.

Guideline Lighting – Sidewalk and Landscape: Lighting should be used to highlight sidewalks, street trees and other landscape features. Landscape lighting is appropriate as a way to provide pedestrian safety. Lights may be used to highlight features within public and private plazas, courtyards, walkways and other outdoor areas at night to create an active and safe environment.

Applicant Response

Track 2 / Item 1: Seasonal lights on buildings and trees.

Proposed project will comply. Project will include electrical receptacles that allow for seasonal lighting to be installed on trees.

Track 2 / Item 2: Foot lighting that illuminate walkways and stairs.

Proposed project will comply. All fixtures will be chosen for their compatibility with the building and site design, energy performance, durability, and ease of maintenance.

Track 2 / Item 4: Bollard lighting that is directed downwards toward walkways.

Proposed project will comply.

Staff Analysis

General information about lighting is provided on Plan Sheet 8 attached to this memo. Although useful this information lacks sufficient detail to ensure this design guideline is met. Additional detail is needed with respect to lighting treatment for exterior residential entries, the commercial space and along internal pedestrian pathways. To ensure the intent of this guideline is met a condition of approval is proposed. This condition of

approval is the same as recommended for Development Code Standard 10.8.750 (Lighting Standards) described previously:

- Prior to issuance of building permits the applicant must provide lighting specifications for City review and approval.

Guideline Lighting – Signs: Sign lighting should be designed as an integral component of the building and sign composition. The lighting of signs should be considered a part of the building architecture and site design and should be used to create visual interest.

Applicant Response

Not applicable

Staff Analysis

General information about lighting is provided on Plan Sheet 8 attached to this memo. Although useful this information lacks sufficient detail to ensure this design guideline is met. Additional detail is needed with respect to lighting treatment for exterior residential entries, the commercial space and along internal pedestrian pathways. To ensure the intent of this guideline is met a condition of approval is proposed. This condition of approval is the same as recommended for Development Code Standard 10.8.750 (Lighting Standards) described previously:

- Prior to issuance of building permits the applicant must provide lighting specifications for City review and approval.

Guideline Signs – Wall: Signs should not overwhelm the building or any special architectural features. Signage in the town center should communicate information to potential customers while enhancing the building architecture and overall streetscape. Signs should not render the building a backdrop for advertising or building identification.

Applicant Response

Not Applicable

Staff Analysis

Guideline Signs – Hanging or Projecting: Hanging signs should be oriented to the pedestrian and highly visible from the sidewalk. Signs should not overwhelm the streetscape and should be complementary to the building architecture and any awnings canopies, lighting and street furniture.

Applicant Response

Not Applicable

Staff Analysis

An example of signage meeting the applicable design guideline is shown below.

Sign Example



To ensure compliance with this design guideline the following condition of approval is proposed:

- Condition of Approval: Prior to issuance of building permits the applicant must provide sign specifications for any hanging or projecting signs for City review and approval.

Guideline Signs – Window: Window signs should identify building or tenant use without obstructing views through windows. Window signs should not be used to advertise specific products or services, but should simply identify the name or nature of the business operation. Window signs should be oriented to the pedestrian on the adjacent sidewalk. Large signs or large lettering intended to attract attention from passing vehicles is not appropriate.

Applicant Response

Not Applicable

Staff Analysis

To ensure compliance with this design guideline the following condition of approval is proposed:

- Condition of Approval: Prior to issuance of building permits the applicant must provide sign specifications for any window signs for City review and approval.

Guideline Signage – Informational and Directional: Directional signs should be small and dimensions, logically located and should not be used for advertising. Signs should be consistent throughout the project and fabricated from the same materials with a consistent colors and graphics. The materials used should be compatible with adjacent architectural design.

Applicant Response

Not Applicable

Staff Analysis

To ensure compliance with this design guideline the following condition of approval is proposed:

- Condition of Approval: Prior to issuance of building permits the applicant must provide sign specifications for any information and directional signs for City review and approval.

Guideline Signs – Temporary – Signs which identify a short-term use or activity should be consistent with the design character of the surrounding architecture. Small portable temporary signs (e.g. sandwich boards) should be used when businesses are open and located in close proximity to the related business. Signs should not obstruct pedestrian access or conflict with the visual quality and character of the town center.

Applicant Response

Not Applicable

Staff Analysis

Staff concurs with the applicant that this design guidelines is not applicable at this time.

VII OTHER PROPOSED CONDITIONS OF APPROVAL

As part of the development review process the Community Development Department routes land use applications to other City Departments for comment. Land use applications are routed to the City's Building Division, Engineering Division, Light and Power Department, Fire Department, Police Department and Public Works Department.

The Building Division requested that final construction documents show the location of ADA compliant spaces on the parking plan.

The Engineering Division had the following proposed conditions of approval:

- Improve the current sidewalk ramp on Pacific Avenue to current ADA standards.
- Extend the public storm system for connection and that the applicant
- Provide a storm water report documenting Clean Water Services design and construction requirements.
- Replace the sanitary sewer main with a manhole connection.

Finally the Engineering Division noted the project must adhere to applicable construction standards and requirements. This and the items listed above will be addressed further through the separate disposition and development agreement for City approval.

The Fire Department identified the following conditions of approval:

- Provide the Fire Department with your plan for addressing these buildings, we will need to approve this, as well as any signage that goes up showing the building address.
- Update fire hydrants that serve this site to current city standards of 3 hose connection points, with a 4" storz type thread connection on the "steamer port". We are considering the hydrants on B Street at Pacific Avenue and 21st Avenue, as well as on A Street at 21st Avenue and Pacific Avenue as those that serve this site.
- Locate a Knox Box key box in an approved location.
- Provide a fire department standpipe system to protect the parking lot
- A full review of this project will be completed once the full set of plans is submitted.

The Light and Power Department requested an agreement pertaining to financial responsibility for the costs to move, modify or underground existing overhead utility lines. This will be addressed through a separate disposition and development agreement for City approval.

The Public Works Department and Police Department didn't identify proposed conditions of approval.

ATTACHMENTS

Attachment A: Application for Design Review and Development Agreement for Forest Grove Mixed Use Building, November 20, 2015

Attachment B: Design Review and Development Agreement (Plan Sheets and Diagrams), November 20, 2015

**PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM**

December 7, 2015–7:00 P.M. **PAGE 1 of 8**

1. CALL TO ORDER:

Chairman Beck called the meeting to order at 7:00 p.m.

Planning Commission Present: Tom Beck, Sebastian B. Lawler, Lisa Nakajima, Dale Smith, Phil Ruder, Carolyn Hymes, and Hugo Rojas.

Absent: None.

Staff Present: Jon Holan, Community Development Director; Dan Riordan, Senior Planner; Cassi Bergstrom, Stand-In for Assistant Recorder.

2. PUBLIC MEETING:

2.1 PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS: None.

2.2 PUBLIC HEARING:

Chairmen Beck read the following:

Planning Commission approval of a development agreement, site development review and design review for a mixed-use development project comprised of 78-apartment units, approximately 2,500 square feet of commercial space and 94 parking spaces on a 1.53 acre portion of a site known as the Times-Litho property. The property is located north of Pacific Avenue and west of A Street in downtown Forest Grove.

The hearing procedures were then read through, and no challenge was made toward the hearing.

Staff Report:

Community Development Director Jon Holan explained that the Tokola project is viewed as a catalytic project investing in the Forest Grove town center. The definitions of DA (Development Agreement-the land use action) and DDA (Disposition and Development Agreement-financial aspects) were given, and it was stated that the financial aspect (DDA) of the project is not part of tonight's discussion. It will be further discussed by the City Council in January.

Mr. Holan also noted that a Memorandum was received to Dan Riordan, Sr. Planner, from Jim Walker, Studio C Architect, in regards to the modification of some conditions of approval, and there is no staff objection to the proposed changes.

Sr. Planner Dan Riordan entered two documents into the record: One being the Memorandum from Mr. Walker, and the other being draft findings and conditions of approval. Chairman Beck suggested that a vote be taken on the recommendation to City Council for the project, and take a second vote on the findings. Mr. Holan agreed.

Mr. Riordan gave a presentation on the project, and started by explaining the three land use applications under consideration: Site Development Review, Design Review, and Development Agreement. These can be concurrently considered, but all need to be presented to City Council for approval. Under the Development Code the review process is based on the highest numbered application type. Approval of a Development Agreement is a Type IV (Legislative) application so all applications are reviewed as Type IV. Type IV applications require City Council approval.

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Mr. Riordan got into the specifics of the project and the proposal by the developer, Tokola properties, with a Power Point presentation. The property is known as the “Times Litho” block, and the project shown as Phase 1 on the site plan is approximately 1.5 acres in size. A description of the vicinity of the project was presented, and it was noted that the remaining portion of the property facing B Street is possible phase II of the project. In regards to the project overview, 78 market rate apartments will be constructed with 5 of those apartments available as live/work space along Pacific Avenue. Chairman Beck asked to define live/work space, and Mr. Riordan answered that it is likely a space to live upstairs and commercial space downstairs. Chairman Beck questioned if it allows the tenant to live in the commercial space of the building. Mr. Holan suggested the applicant be asked regarding the specificity of the space. Mr. Riordan explained retail space on the ground floor is to be 2,500 square feet in addition to the live/work and residential living space, along with 2,900 square feet of public plaza. Mr. Riordan went on to say it is a 4 story structure at 55 feet high, with parking underneath a portion of the building. Chairman Beck asked for clarification on the stories of the building. Mr. Holan clarified that the first story and the parking are on the same level with 3 additional stories over it.

Mr. Riordan continued to describe the project as catalytic, resulting in more investment in the town center. Height is based on story, not feet, in the Development Code. An overview of the project’s design elements was presented. Project amenities include a landscaped, carport eco-roof to reduce the visual impact of parking from above. The eco-roof also increases the overall landscaping provided by the project. The Development Code requires 5% landscaping in the town center, and this project incorporates about 18.6% landscaping. A rain garden is also proposed along Pacific Avenue, which is a sustainable way to deal with drainage. Other features include a community garden for residents, children’s play area, fitness center, an elevator, and a bike storage/cleaning area.

Mr. Riordan presented the site plan, showing the public plaza along with the primary entrance facing Pacific Avenue. The primary residential entrance to the building being is along A Street. Commissioner Lawler asked if the community meeting place was designated just for residents, and Mr. Riordan stated that the project manager could answer that question more specifically.

Mr. Riordan explained where the rain garden and plaza will be located. Mr. Holan clarified that placing the rain garden and plaza next to each other creates synergy. Chairman Beck still questions why a rain garden would be put on the main street of town, and why it wouldn’t be put somewhere within the project. Mr. Riordan stated that it complements the public façade, adding visual interest along the streetscape.

Vice Chair Nakajima asked if there is only one access into the parking area. Mr. Riordan stated that is true, and the location of the driveway meets the city’s Development Code standard for minimum separation distance from street intersections. The off-street parking area includes 94 spaces for residents and visitors. The parking lot perimeter incorporates 10 trees but the city standard requires 12 trees if you deduct the area under the landscaped carport the driveway area, and portion of the parking area under the building. An administrative adjustment is permitted that allows for a reduction up to 20% of the landscaping requirement. With an adjustment only 10 trees would be required. Chairman Beck suggested maybe including 2 trees along the walkway between the rain garden and community garden. Mr. Riordan stated that it could be a possibility. After discussion the Commission agreed that 10 trees along the parking lot would be sufficient.

**PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM**

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Mr. Riordan went on with his presentation, showing the different elevations for the proposed buildings.

Mr. Riordan then went on to describe the land use actions. The first land use action is the Development Agreement. A Development Agreement is required since the project as proposed does not comply with the maximum density of 20.28 dwellings per net acre contained in the Development Code. The project as proposed complies with the Development Code regarding permitted uses and height. The project as proposed will meet the proposed revisions to the Development Code related to density and proposed definition of net density. Chairmen Beck asked what the density is under the current definition. Mr. Riordan stated the current definition defines it as 210 units/acre; with the proposed changes in the definition it is 55 units/acre. Chairmen Beck asked if they choose not to change the unit/acre code, what will happen. Mr. Holan stated that this project is under a separate agreement, so it would continue. Mr. Riordan explained Development Agreements are allowed under state law. Chairman Beck asked for further clarification about Development Agreements. Mr. Riordan explained that the Development Agreement approach is similar to the approval of the Pacific University master plan. Similar to this project, the Pacific University Master Plan required a Development Agreement. A Development Agreement was necessary since the Master Plan preceded approval of proposed amendments to the Development Code.

The second land use action is Site Development Review approval. Mr. Riordan went on to describe the site plan as it relates the approval criteria including compatibility with surrounding uses. Potential traffic impacts were provided in the staff report, and the analysis shows not much impact. Chairman Beck questioned the intersection of A Street and 19th Avenue, and wondering if that is in consideration. Turning left on 19th Avenue can be challenging. Mr. Holan stated that discussion with the Public Works Director was had, and back up of cars can be resolved by taking alternate routes such as 21st Avenue. Commissioner Ruder stated that it would be nice if there was B Street access. Mr. Holan stated that when there is a development of the Phase II of the site, the B Street access will be discussed. Chairmen Beck stated that intersection of A Street and 19th Ave is dangerous with the current traffic. Mr. Riordan continued presenting the criteria of the project.

Commissioner Lawler wanted to bring to attention the pedestrian crossings, and if pedestrian safety has been addressed. Mr. Riordan stated nothing specifically, but design treatments can be done. Mr. Holan agreed that there is opportunity for safety to be looked at and could be addressed by the Public Works Director through stripping crosswalks. Commissioner Ruder reinstated that a lot of pedestrian foot traffic will be brought to that area, and more protection is needed.

The third land use action is Design Review approval. Mr. Riordan continued to present his slides related to the Design Review criteria and applicable design guidelines. The purpose of design guidelines is to allow departure from proscriptive standards so long as the intent of the applicable design guideline is met. In terms of design, the building façade is contemporary but reflects design queues from the historic Forest Grove downtown.

Chairman Beck asked the question if it is possible to agree to create a driveway onto B Street. Mr. Holan invited City Financial Director Paul Downey to answer that question. Mr. Downey stated it is tentatively possible but not guarantee because the developer for Phase II is not decided. Commissioner Lawler asked if the downtown Hillsboro mixed use building has one or two access

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points in the parking garage. Mr. Holan stated that would be a question for the applicant, as they are the same developer at that site as well.

Mr. Riordan then continued his presentation on the proposed conditions of approval. Staff proposed a pedestrian alert signal at the entry/exit of the parking area. Chairman Beck asked how many visitor parking spaces are available. Mr. Riordan answered that 94 parking spaces for the 78 units are available, but did not discuss the exact number as visitor spaces. Staff has identified a loading and unloading space. Chairman Beck and Vice Chair Nakajima inquired about the parking restrictions on the adjacent streets. The Commission discussed that parking is only allowed on one side of A Street. Mr. Holan stated an agreement can be made for off-site, overnight parking areas.

Mr. Riordan concluded his staff report. Mr. Holan clarified the Memorandum sent by Jim Walker regarding the signage. Vice Chair Nakajima asked about the sprinklers within the building and the requirements. Mr. Riordan stated the applicant can shed more light on the sprinkler requirements.

Applicant's Report:

Applicant's introduced themselves as the following:

Dwight Unti, President/Owner of Tokola Properties
Jeff Edinger, Vice President of Tokola Properties
Eric Gernard, Architect at Studio C Architecture
Jim Walker, Architect at Studio C Architecture

Mr. Unti introduced Tokola Properties to the staff and public. They are an Oregon-based company, and are long term investors in their projects. Their main focus is on re-emerging historic main street districts. Forest Grove is committed to downtown revitalization, and Tokola properties are looking for projects that make a difference in a community. The project outcome will add residents, improve streetscape, attracts retail space, and establishes new benchmark for rental rates which in turn will speak well with the community.

Mr. Walker spoke on behalf of Studio C Architecture, and stated that their firm provides personalized attention to the project at hand. The project takes into account aspects of the 2014 Comprehensive Plan Update meeting certain sustainability, economic development and urban policy goals. The amenities were again gone over, and the rain garden was described as being sustainable and very public. This way everyone can see how it works. Chairman Beck asked if a public sculpture was ever considered for the rain garden to make it special. Mr. Walker explained that the rain garden has plantings and natural elements, and would be preferred. Vice Chair Nakajima made the suggestion that a drawing of the rain garden would help to give the commission a visual on what it looks like. Chairman Beck asked if the rain garden is required to be fenced. Mr. Walker clarified that the water goes down and gets filtrated in the rain garden so no standing water is a danger.

Commissioner Hymes asked the applicant what other projects have been done regarding the rain garden and if signage was used to educate the public as to the purpose. Mr. Walker stated that he has not in particular. Mr. Unti clarified that on site staff share information with the public in regards to the sustainability of the grounds. Discussion continued on the amenities of the

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apartment units, and Mr. Walker clarified that there is a fire suppression system in each unit as required by the state building code.

In regards to the parking lot, Commissioner Lawler inquired about future electric car charging ports. Mr. Walker stated that this will be on the table once the design review is complete. Architect Eric Gernard described the green roof with having eco-friendly, low growing succulent plants to help retain water. Chairman Beck asked about assigning parking spaces, and Mr. Gernard stated that was the plan. Vice Chair Nakajima asked about the plan for another exit within the parking facility, and Mr. Walker stated that Phase II has ideas on how it could work, but the parking facility design has been confirmed with the Fire Marshall. The current plan of the parking area has no dead ends within it, so a car can make a full loop without having the back up. Mr. Unti stated the security of residents is high, so the single point of entry has more management and control of who is coming on the property with a gated fence.

Mr. Gernard described how he came about with the idea of the colors, designs and materials to create the building. There was reference to the old buildings in downtown to create ingenuity and connecting the new building to the downtown buildings by utilizing the brick face, patterns of the windows, and referencing the design planes of historic buildings. Mr. Unti stated that this design approach honors the downtown district. Commissioner Lawler asked if a reinvestment has been made to local businesses for the future of the community. Mr. Unti stated that within downtown Hillsboro and Gresham sites, the number of vacant storefronts move to 100% occupancy due to the combination of the economy and forward thinking development. High quality development creates inspiration.

Public Hearing

Chairman Beck opened the floor to the public hearing session.

Proponents:

Dale Buck, 1526 Willamina Ave.

Ms. Buck is the manager of the Tokola property in downtown Hillsboro, and is knowledgeable of the governing of the facility since she is there every day. She urges folks to visit the property site. There are 71 apartments with amazing residents who are in love with their building. For incoming businesses there is a captive audience right there. Residents can walk to wherever they want downtown with a community feel. In working for Tokola, Ms. Buck realizes how much they care about residents and staff of their properties. This is not a “make a fast buck” business. Concerns that were raised tonight have been dealt with at that property. This will revitalize Forest Grove.

Opponents:

None.

Other:

Parks Adams, 2122 A Street

Mr. Adams initially was delighted and impressed with the demolition and a prospective development there. His concern is in regards to the parking of the project. It looks awfully tight to

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move cars in and out of the project. An exit on B Street is encouraged to keep the flow. Traffic and safety needs to be looked at, as there are already problems with the intersection at Pacific and A Street. The cars parked in front of Wells Fargo or along 19th make it hard to see if a car is approaching. The same is for pedestrians crossing the street. Also, Mr. Adams is curious about the projected rental rates of the apartments.

Chairman Beck stated the interior parking lot is strictly regulated by city code, so the project manager has to meet certain standards.

Todd Edwards-Leerer, 2117 A Street

Mr. Edwards-Leerer stated his biggest concern is 21st and A Street. The parking during the Wednesday Farmer's Market can get packed. People leaving the proposed apartments and heading north on A Street is going to be a challenge.

Paula Adams, 2122 A Street

Ms. Adams appreciates the concern about sustainability and reusing the water. The parking is concern with it being dark, and the northeast parking lot can be full during the farmer's market. The pull out place would need to be wider so there isn't double parking. Ms. Adams urged to not let the development here preclude the development of the post office.

Chairman Beck stated that the post office is a different issue.

Ms. Adams went on to say that a grocery market is needed for the residents.

Chairman Beck asked if there was further public comment, and none was made. The floor was then open up to the applicant to state anything further.

Mr. Unti addressed the question about the projected rental rates, and stated it is too early in the process to know for sure what they will be. The high quality of the apartments will carry with them a higher rate, but there are also diverse floor plans ranging from studio apartments to 3 bed/2 bath penthouse style. The 5 live/work apartments present an opportunity for entrepreneurs just beginning their business.

Chairman Beck closed the public hearing, went back to Commission for discussion.

Commission Discussion

Commissioner Lawler stated that he used public transit to commute within downtown Hillsboro at the transit center, and had never noticed a jam up or outflow of traffic at the Tokola property.

Commissioner Hymes stated that we need to ask the question as to what the city can do for our crosswalks. Mr. Holan suggested a separate motion could be considered by the Commission.

Commissioner Ruder stated that this is a very exciting project, and his only concern is the traffic flow. A Street and 21st Avenue is very narrow and typically only has room for one car to pass through.

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Commissioner Smith is encouraged by the design. Commissioner Rojas and Vice Chair Nakajima agreed.

Commissioner Lawler believes this is setting a precedent of investing within Forest Grove, and not just “filling space”.

MOTIONS:

Commissioner Lawler moved the motion to recommend approval of the Development Agreement, Site Development Review and Design Review to the city council. Vice Chair Nakajima seconded the motion. The motion passed 7-0.

Commissioner Ruder moved the motion to approve the findings as amended by the memorandum provided by Jim Walker at Studio C Architecture. Vice Chair Nakajima seconded the motion. The motion passed 7-0.

Commissioner Lawler moved the motion to recommend the city council to take a look at pedestrian safety around the site. Commissioner Ruder went on to add to the motion to include painted, prominent crosswalks at all four crossings at Pacific Ave. and A Street for pedestrian safety. Commissioner Smith seconded the motion. The motion passed 7-0.

Commissioner Smith moved the motion to recommend to the city council that an agreement be made between the city and developer for future egress on B Street. Commissioner Lawler seconded the motion. The motion passed 7-0.

2.3 ACTION ITEMS: None.

2.4 WORK SESSION ITEMS: None.

3.0 BUSINESS MEETING:

3.1 APPROVAL OF MINUTES:

Commissioner Lawler had a small correction to page 3, paragraph 2 of the minutes from November 2, 2015. The correction was noted. Commissioner Hymes moved the motion to approve the minutes from the November 2, 2015 meeting as amended. Commissioner Lawler seconded. Motion passed 7-0.

3.2 REPORTS FROM COMMISSIONERS/SUBCOMMITTEES: None.

3.3 DIRECTOR’S REPORT:

Mr. Holan gave the Director’s Report as follows:

There will be no commission meeting during Christmas week.

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The next meeting will be held January 4, 2016. At that meeting there is scheduled a development code update hearing.

Second meeting in January will be held on Tuesday, January 19th because of Martin Luther King Day being on that Monday. A public hearing will be held on the Comp Plan Designation for the Hayworth property. In addition, a public hearing will be held amending the Transportation System Plan to incorporate the Council Creek Trail. There will also be a public hearing to some amendments to the development code dealing with marijuana. These amendments need immediate attention. Finally, there may be discussion of the bowling alley sign on 19th Ave.

The February 1st commission meeting will be a work session on the infrastructure analysis on the Westside Planning Analysis.

Nothing further is scheduled, but there will be some potential annexations in the future.

In April, Tom Gamble (Parks & Rec Director) would be interested in a work session with the Commission on the Parks & Recreation Master Plan.

Chairman Beck inquired about a work session with the Sustainability Commission, and Mr. Holan replied that the Sustainability Commission began that discussion at their last meeting.

Chairman Beck and Commissioner Rojas will not be at the meeting on January 4th, but there will be a quorum for the meeting.

Chairman Beck requested concrete information in regards to the density issue discussed earlier in the meeting. Mr. Holan gave the current definition of net density, and if it applied to the Tokola project site, the number of units allowed would be 17 using 40 units per acre as the standard. Vice Chair Nakajima commented that we should be going along with state standards in density. There will be further discussion of this at the code update meeting.

3.4 ANNOUNCEMENT OF NEXT MEETING:

Next meeting will be held on January 4, 2016 at 7 p.m.

3.5 ADJOURNMENT: The meeting was adjourned at 9:29 p.m.

Respectfully submitted by:
Cassi Bergstrom
Assistant Recorder



NOTICE OF DECISION

TO: Affected Parties

FROM: Daniel Riordan
Senior Planner

DATE: December 14, 2015

RE: Planning Commission Decision to recommend approval of a development agreement, site plan and design review for a mixed-use development project located at Pacific Avenue and A Street.

APPLICANT: Tokola Properties Inc., and City of Forest Grove

FILE NUMBER: 311-000022-PLNG

This is your notice that on December 7, 2015 the Forest Grove Planning Commission voted to recommend City Council land use approval including a development agreement, proposed site plan and design review approval of the Forest Grove Mixed-Use Project located at the northwest quadrant of Pacific Avenue and A Street. A copy of the Planning Commission's *Findings and Decision* is attached.

This matter will next be considered by the Forest Grove City Council on January 11, 2016 at 7:00 PM, or thereafter. The City Council public hearing will take place at the Forest Grove Community Auditorium (1915 Main Street). The City Council decision will be the final local action on the land use approval.

Please call me at (503) 992-3226 if you have any questions. I can also be reached by E-mail at driordan@forestgrove-or.gov.

**Planning Commission Findings and Decision Number 2015-05
Recommend Development Agreement, Site Development Plan and Design for Forest
Grove Mixed-Use Project Located at 1837 Pacific Ave. (Former "Times-Litho" Site)
File Number: 311-15-00022-PLNG**

WHEREAS, Tokola Properties and the City of Forest Grove filed for land use approval of a development agreement, site development and design review for the Forest Grove Mixed-Use Project, a proposed 78 unit apartment development including 5 live-work units and 2,500 square feet of commercial space fronting Pacific Avenue and A Street; and

WHEREAS, the application was deemed complete on November 20, 2014; and

WHEREAS, notice of this request and public hearing was mailed to property owners and residents within 300 feet of the subject site on November 17-18, 2015 as required by Development Code Section 10.1.610; and

WHEREAS, notice of this request and public hearing was published in the Forest Grove Leader on December 2, 2015; and

WHEREAS, a staff report addressing the review criteria and applicant's submittal was published on November 30, 2015; and

WHEREAS, the Planning Commission held the duly-noticed public hearing on the proposal on December 7, 2015; and

WHEREAS, this proposal involves more than one application for the same property and may be reviewed under the consolidated review process as allowed by Development Code Section 10.1.205; and

WHEREAS, the consolidated review process requires that it be processed subject to the highest numbered procedure - Type IV for this project; and

WHEREAS, the Type IV process under Development Code Section 10.1.700 et. seq. requires Planning Commission recommendation and City Council approval of the applications subject to this decision.

The City of Forest Grove Planning Commission does hereby recommend City Council approval of a development agreement, the site development plan and design of the proposed project, making the following specific findings in support of this decision:

- 1) The Planning Commission adopts by reference the staff report including findings and recommendations dated December 7, 2015, as modified by this decision.
- 2) The project proposal complies with Development Code Section 10.2.450 *Site Development Review Criteria* except as modified through the Design Review process as follows:
 - A. *The site development plan complies with all applicable standards of the base zoning district, any overlay district, and the applicable general development standards of Article 8.*

Finding: The project is located in the Town Center Transition and Town Center Support zones. Base zoning standards are identified in Article 3 of the Forest Grove Development Code. Article 3 (Table 3-12) of the Forest Grove Development Code identifies permitted uses in the Town Center zoning districts. The proposed project includes household living and commercial as intended uses. Table 3-13 identifies household living and commercial as permitted uses in the Town Center zones. The project as proposed complies with the permitted uses shown on Table 3-12.

Finding: Article 3 (Table 3-13) establishes minimum and maximum building heights. Under Table 3-13, the minimum building height is two stories and the maximum building height is four stories. The proposed maximum building height is four stories. The project as proposed complies with the building height standard shown on Table 3-13.

Finding: Article 3 (Table 3-13) establishes requirements for minimum landscaping. The minimum landscaping requirement is 5% of the lot. Based on the site plan, the site will have approximately 18.6% landscaping including landscaping within the parking area.

Finding: Article 3 (Table 3-13) establishes minimum parking for the Town Center zones. Under Table 3-13 no parking is required for any use in the Town Center. The project proposes 94 off-street parking spaces.

Finding: Article 3 (Table 3-13) establishes minimum and maximum building setbacks. The minimum setback is 0 feet and the maximum setback is 15 feet. The maximum proposed building setback along the A Street frontage is 4 feet to accommodate residential entries. The maximum proposed building setback along Pacific Avenue is approximately 53 feet to accommodate a plaza area. This setback exceeds the maximum building setback shown on Table 3-13. A departure from the maximum setback is permissible when a project is reviewed based on the Track 2 design review process. The applicant requests and the Planning Commission grants a departure from the maximum building setback of up to 53 feet to accommodate the proposed plaza area.

Finding: The proposed project is not located within an overlay zone.

Finding: The general standards contained in Development Code Article 8 are applicable to all projects subject to development review. Projects in the Town Center subject to Design Review have the option of complying with the Article 8 standards or meeting flexible design guidelines contained in the Design Guideline Handbook. The applicant requested project review based on the design guidelines contained in the Design Guideline Handbook.

- B. The site development plan ensures reasonable compatibility with surrounding uses as it relates to the following factors:*
- a. Building mass and scale do not result in substantial visual and privacy impacts to nearby residential properties.*
 - b. Proposed structures, parking lots, outdoor use areas or other site improvements that could cause substantial off-site impacts such as noise, glare, and odors are oriented away from nearby residential uses and/or adequately mitigated through other design techniques.*

Finding: The project site is located at the northwest corner of Pacific Avenue and A Street. The site is adjacent to a vacant office building (former Ruralite offices), the Forest Grove Post Office and home converted into multiple units. Buildings are proposed near or adjacent

to the A Street and Pacific Avenue rights-of-way. A 94-space parking lot is planned interior to the subject property. Based on the location of the proposed buildings and the interior parking area the building mass and scale will not result in substantial visual or privacy impacts to nearby residential properties.

Finding: The proposed project is primarily residential. The site design includes a minimum five foot landscaped strip along the site's perimeter. This landscaped strip will provide a buffer between the project site and abutting properties. The landscaped strip provides a separation between the paved surface and abutting properties consistent with Development Code Section 10.8.415(D). Proposed structures, parking lots, outdoor use areas and other site improvements are not expected to cause substantial off-site impacts such as noise, glare, or odors.

- C. *The site development plan preserves or adequately mitigates impacts to unique or distinctive natural features including, but not limited to:*
- i. *Significant on-site vegetation and trees*
 - ii. *Prominent topographic features; and*
 - iii. *Sensitive natural resource areas such as wetlands, creek corridors and riparian areas.*

Finding: The site is vacant and cleared. No on-site vegetation or trees are present. The site is generally flat and devoid of prominent topographic features. The site contains no sensitive natural resources areas such as wetlands, creek corridors and riparian areas.

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

Finding: The project site is not adjacent to designated historic resources and is not located within a designated historic district. The site development plan generally reflects the historic development pattern found in the Town Center such as placing building close to the public right-of-way. The design includes storefront windows for the retail space.

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

Finding: The site is located in the Forest Grove Town Center. The perimeter of the site is adjacent to the A Street and Pacific Avenue rights-of-way. Both rights-of-way include sidewalk and streetscape improvements including street trees, tree wells and decorative streetlights. Additional right-of-way dedication is not required for right-of-way improvements.

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

Finding: The site development plan shows a five foot wide pedestrian pathway connecting the Pacific Avenue right-of-way and adjacent public plaza with the interior parking area. The pathway will connect building entrances, public sidewalks and auto parking spaces. The proposed plaza area adjacent to the Pacific Avenue right-of-way is adjacent to the existing Tri-Met Line 57 bus stop.

3) *The project proposal complies with Development Code Section 10.2.350 Design Review – Review Criteria for the Town Center Focus Area as follows:*

Guideline Site – Building Orientation: Design and construct buildings oriented to a public street right-of-way to create safe, pleasant and active pedestrian environments. Development in the town center area should create a well-defined, safe, attractive and active pedestrian environment. Zero lot line development should be encouraged in all town center zones, particularly the town center core. Parking should be behind or to the side of buildings, so as to not obstruct pedestrian pathways to the front door of buildings. If buildings are setback from the sidewalk, the area in front of the building should be well landscaped and used as an expanded sidewalk area or a pedestrian plaza.

Finding: The design review application includes renderings and diagrams showing the proposed building design. The building along both the Pacific Avenue and A Street frontages is oriented toward the public right-of-way. Along the A Street frontage the building is setback approximately 4 feet to accommodate residential entries. Along Pacific Avenue the building is setback to accommodate a pedestrian pathway and plaza consistent with the design guideline. Although the building is setback the orientation is toward the public right-of-way. The plaza provides an opportunity to activate space adjacent to the right-of-way. The proposed parking lot is placed behind the building consistent with the design guideline. The intent of this design guideline is met.

Guideline Site – Pedestrian Connection: Develop continuous pedestrian connections that are attractive and convenient. The Town Center must maintain a clear and comfortable separation between vehicles and pedestrians. Where vehicles and pedestrians share the same space, pedestrian safety and comfort must not be compromised. Sidewalks should be continuous and free of barriers.

Finding: The project is designed with buildings placed at or near the public street right-of-way. As such, the design reflects the traditional pedestrian orientation of the Town Center. The project as proposed provides for a clear and comfortable separation between vehicles and pedestrians since the parking area is located behind buildings. Both vehicles and pedestrians will interact in the interior parking lot. To meet the intent of the pedestrian connection design guideline the site plan shows pedestrian pathways serving parking spaces. The intent of this guideline is met.

Guideline Site – Amenities: Protect pedestrians from wind, sun, and rain and provide courtyards or other outdoor spaces to create a comfortable environment for meeting and sitting. Pedestrians should be protected from the elements, to encourage use of the Town Center during inclement weather. The design of awnings and canopies should be integral and well-proportioned to the facades of buildings. Street furniture, such as benches, lamps and landscape planters should be provided.

Finding: As proposed, the project includes weather protection at the A Street residential entry (approximately 25 feet). The second story is designed to project 4 feet over the individual residential entrances. The overhang does not extend over the sidewalk except at the primary building entry. The amount of weather protection provided over the sidewalk is 10% of the building frontage.

Guideline Buildings – Facades: All buildings shall contribute to the storefront character and visual relatedness of town center buildings. Facades should define a continuous street

edge, while adding visual interest and variety for the pedestrian. Building frontages should provide a sense of continuity and enclosure to the street, creating a human-scale "street wall."

Finding: The Tokola Project reflects a contemporary design with subtle queues reflecting the historic feel of Downtown Forest Grove. Such queues include the flat roof, dark brown brick, vertical windows throughout the project, transom windows along the east (A Street) elevation and storefront windows along Pacific Avenue and at the primary A Street building entrance.

Finding: The height of the proposed building is four stories (approximately 55 feet). This is the result of the proposed "tuck under" parking. There are 31 parking spaces tucked under the proposed buildings. The tuck under parking is approximately one-third of the overall proposed parking and represents an efficient use of the development site.

Finding: In terms of context, the proposed building will be the tallest in downtown Forest Grove. There are two three story buildings in downtown Forest Grove including the building at the northwest corner of Pacific Avenue and Main Street, Bank of the West Building on Pacific Avenue. There are also several three story buildings located on the Pacific University campus. Although the proposed building would be the tallest in downtown Forest Grove the Pacific University Master Plan allows for a maximum building height of 50 feet at the eave or dominant parapet. The Tokola project is consistent with the building height allowed on the Pacific University campus. The design of the building takes advantage of the building height by incorporating a rooftop deck at the Pacific Avenue/B Street intersection.

Finding: To mitigate the perceived building height the project design incorporates use of building articulation including architectural features such as offsets, balconies, color, and streetscape features most notably rain gardens. Vertical windows are used to break-up the building face.

Guideline Building – Retail Storefronts: *Storefronts should appear open, inviting, and engaging to the passerby. Retail and other commercial establishments should provide windows and doors offering views in and out of the building so passerby may see activity within buildings.*

Finding: The project incorporates approximately 2,500 square feet of retail area divided among two spaces. Retail storefront is shown on the perspective drawings. The retail space is complemented by the adjacent plaza on Pacific Avenue contributing to an inviting, engaging and active space.

Guideline Building – Entries: *Entryways should be clearly visible and recognizable from the street, and appear open and inviting to the pedestrian. The primary entry into buildings should be clearly recognized from the street. Additional architectural details, such as sidelights or transoms surrounding doorways are encouraged. Transparency between retail storefronts and the sidewalk is encouraged to create visibility from the street.*

Finding: As proposed, building entrances are clearly visible and recognizable as shown on the perspective drawings. The primary building entrance on A Street is reinforced with a steel awning. In addition to the primary building entrance, each ground level residential unit has an individual entryway visible from the sidewalk.

Guideline Building – Residential Entries: Residential entries should create an inviting transition between public and private areas. Residential doors in the town center should provide a well-defined transition between the public and private realm. They should convey a sense of privacy while expressing a welcome entryway for those who approach. The design of the door should respond to the level of activity along the street.

Finding: Transition space is provided between public and private areas. The transition area between public and private space along A Street is reinforced with the presence of rain gardens which appear to look similar to planter boxes.

Guideline Building – Windows: Use windows to create an open and inviting atmosphere. Retail uses should provide windows that create visual interest and encourage people to visit restaurants and shops. Blank walls should be avoided.

Finding: The design review submittal shows use of windows to create an open and inviting atmosphere. This is exhibited by storefront windows associated with the commercial space along Pacific Avenue. Windows are provided along the A Street frontage in conjunction with the residential units. The use of windows provides building articulation along both Pacific Avenue and A Street. This building articulation creates an open and inviting atmosphere by creating visual interest when compared with large blank walls.

Guideline Building – Exterior Walls: Use materials which are compatible with the character of Forest Grove and create a sense of permanence. Materials should be consistent with the existing buildings in the Town Center. Quality wall materials provide a sense of permanence and should be applied to create a sense of substance and mass.

Finding: The applicant proposes a combination of brick and lap siding. Brick is a quality material which provides a sense of permanence, substance and mass. The use of dark brown brick is characteristic of buildings found in the Forest Grove Town Center and Pacific University campus.

Guideline Building Landscape – Walls and Fences: Site walls and fences should be compatible with the buildings architecture and reflect the commercial character of the development. Walls and fences should be considered integral parts of building and site, compatible with the overall design.

Finding: Based on the design review submittal, the proposed walls and fences appear to be compatible with the building architecture. The applicant proposes uses steel posts and pickets for fencing. The use of steel as fencing material is compatible with the proposed steel for awnings as an exterior building element. Fencing detail is provided on Plan Sheet 8 attached to this memo.

Guideline Lighting – Exterior Building: Lighting should be an integral component of the building architecture. Lighting should be used to highlight the design of buildings while improving visibility of entryways and enhance safety. Lighting should not spill onto neighboring properties or cast glare which will decrease the safety of pedestrian and vehicles.

Finding: General information about lighting is provided on Plan Sheet 8 attached to this memo. Although useful this information lacks sufficient detail to ensure this design guideline is met. Additional detail is needed with respect to lighting treatment for exterior residential

entries, the commercial space and along internal pedestrian pathways. To ensure the intent of this guideline is met a condition of approval is proposed.

Guideline Lighting – Parking Lot: Light should be compatible with downtown street lights identified in the Public Area Requirements. Parking lot lighting should be provided for vehicular and pedestrian safety. Lighting should be integrated and compatible with the site and building design.

Finding: General information about lighting is provided on Plan Sheet 8 attached to this memo. Although useful this information lacks sufficient detail to ensure this design guideline is met. Additional detail is needed with respect to lighting treatment for exterior residential entries, the commercial space and along internal pedestrian pathways. To ensure the intent of this guideline is met a condition of approval is proposed.

Guideline Lighting – Sidewalk and Landscape: Lighting should be used to highlight sidewalks, street trees and other landscape features. Landscape lighting is appropriate as a way to provide pedestrian safety. Lights may be used to highlight features within public and private plazas, courtyards, walkways and other outdoor areas at night to create an active and safe environment.

Finding: General information about lighting is provided on Plan Sheet 8 attached to this memo. Although useful this information lacks sufficient detail to ensure this design guideline is met. Additional detail is needed with respect to lighting treatment for exterior residential entries, the commercial space and along internal pedestrian pathways. To ensure the intent of this guideline is met a condition of approval is proposed.

Guideline Lighting – Signs: Sign lighting should be designed as an integral component of the building and sign composition. The lighting of signs should be considered a part of the building architecture and site design and should be used to create visual interest.

Finding: General information about lighting is provided on Plan Sheet 8 attached to this memo. Although useful this information lacks sufficient detail to ensure this design guideline is met. Additional detail is needed with respect to lighting treatment for exterior residential entries, the commercial space and along internal pedestrian pathways. To ensure the intent of this guideline is met a condition of approval is proposed.

Guideline Signs – Wall: Signs should not overwhelm the building or any special architectural features. Signage in the town center should communicate information to potential customers while enhancing the building architecture and overall streetscape. Signs should not render the building a backdrop for advertising or building identification.

Finding: The applicant did not submit information pertaining to signage. Submittal of this information is required for review and approval prior to issuance of building permits.

Guideline Signs – Hanging or Projecting: Hanging signs should be oriented to the pedestrian and highly visible from the sidewalk. Signs should not overwhelm the streetscape and should be complementary to the building architecture and any awnings canopies, lighting and street furniture.

Finding: The applicant did not submit information pertaining to signage. Submittal of this information is required for review and approval prior to issuance of building permits.

Guideline Signs – Window: *Window signs should identify building or tenant use without obstructing views through windows. Window signs should not be used to advertise specific products or services, but should simply identify the name or nature of the business operation. Window signs should be oriented to the pedestrian on the adjacent sidewalk. Large signs or large lettering intended to attract attention from passing vehicles is not appropriate.*

Finding: The applicant did not submit information pertaining to signage. Submittal of this information is required for review and approval prior to issuance of building permits.

Guideline Signage – Informational and Directional: *Directional signs should be small and dimensions logically located and should not be used for advertising. Signs should be consistent throughout the project and fabricated from the same materials with a consistent colors and graphics. The materials used should be compatible with adjacent architectural design.*

Finding: The applicant did not submit information pertaining to signage. Submittal of this information is required for review and approval prior to issuance of building permits.

Guideline Signs – Temporary: *– Signs which identify a short-term use or activity should be consistent with the design character of the surrounding architecture. Small portable temporary signs (e.g. sandwich boards) should be used when businesses are open and located in close proximity to the related business. Signs should not obstruct pedestrian access or conflict with the visual quality and character of the town center.*

Finding: This guideline is not applicable as no temporary signs are proposed.

4) The project proposal complies with Development Code Section 10.2.840 *Development Agreements Review Criteria* as follows:

A. The agreement complies with the requirements of state law (ORS 94.504 to 94.528):

- a. The duration of the agreement;
- b. The permitted uses of the property;
- c. The density or intensity of use;
- d. The maximum height and size of proposed structures;
- e. Provisions for reservation or dedication of land for public purposes;
- f. A schedule of fees and charges;
- g. A schedule and procedure for compliance review;
- h. Responsibility for providing infrastructure and services;
- i. The effect on the agreement when changes in regional policy or federal or state law or rules render compliance with the agreement impossible, unlawful, or inconsistent with such laws, rules or policy;
- j. Remedies available to the parties upon a breach of the agreement;
- k. The extent to which the agreement is assignable; and
- l. The effect on the applicability or implementation of the agreement when a city annexes all or part of the property subject to a development agreement.

Finding:

- a) The proposed duration of the agreement is three years. This will ensure the Development code amendments are adopted and allow for the agreement to remain in effect until the project is stabilized.
- b) The permitted uses of the property include household living and commercial uses are permitted in the Town Center Transition (TCT) zone. The household living category includes apartments. The Commercial use category includes eating and drinking establishments, indoor entertainment, general retail, and office as permitted uses in the TCT zone.
- c) The proposed density or intensity of use is approximately 55 dwellings per net acre. This exceeds the current permitted density of the TCT zone but is within the density being considered as part of the amendments to the Forest Grove Development Code¹. The proposed amendments, if adopted, would allow for 40 units per net acre outright and up to 100 units per net acre with provision of certain project amenities. Amenities include ground floor retail, energy efficiency, bicycle parking, structured parking, outdoor plaza space, green materials, low impact design, residential gardening, eco-roof, LEED certification and affordable housing. This project includes many of these amenities except for LEED certification and affordable housing as explained in this memo.
- d) The proposed height is four stories (55 feet). The Development Code does not establish a firm height limit but rather establishes a maximum building in the Town Center of four stories. The term "story" is not defined in the Development Code. Story is, however, story is defined by the 2014 Oregon Structural Specialty Code as "That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above." The definition of story on the Structural Specialty Code does not limit a story to a specific height above grade.
- e) This project does not propose reservation or dedication of land for public purpose. Therefore, this criterion is not applicable.
- f) Fees and charges imposed on the development of property are those in effect at time that applications for building permits are filed. These fees and charges may be addressed as part of any agreement for public assistance between the City and Tokola Properties.
- g) Compliance review will be in accordance with standard public agency procedures for review of land use and building permits including procedures established by the State of Oregon Building Codes Division, City of Forest Grove and Clean Water Services.
- h) It is the responsibility of the applicant to provide the services necessary to serve the development in accordance with City or private utility standards. Responsibility for off-site infrastructure improvements shall be identified in the Disposition and Development Agreement (DDA) for conveyance of land owned by the City to the applicant.
- i) If there is a change in federal, regional or state laws or rules that make compliance with development agreement unlawful, then the City and applicant will negotiate in good faith

¹ The proposed Development Code amendments include changing the definition of net density. The current definition is "The number of dwelling units per acre based on the net site acreage, which does not include sidewalks, public right of ways, public and private streets, common driveways, public and private open space areas, and other tracts intended for common use." The recommended revised definition of net density is "The number of dwelling units per acre based on the net site acreage, which does not include rights-of-way through or on the edge of the site, environmentally constrained areas, or land intended for public ownership such as park and open space uses." The significant of this change is explained under Section V (Site Development Review Criteria) in this memo.

an appropriate amendment to the development agreement to achieve adherence to the spirit and purpose of the development agreement and compliance with such laws.

- j) Under the development agreement the parties will retain all remedies available at law or equity to enforce the development agreement including claims for damages resulting from any breach.
- k) The development agreement is assignable with written mutual agreement between the parties subject to the agreement. Written notice of assignment must be provided to all parties mailed by United States Postal Service via certified mail, return receipt requested.
- l) This development proposal is not subject to annexation. Therefore, this criterion is not applicable.

B. The agreement complies with the intent of the purpose statement (Section 10.2.800);

Finding: The purpose statement in Development Code Section 10.2.800 states:

"The purpose of a Development Agreement is to implement the goals, policies or programs of the Comprehensive Plan, the requirements of the Development Code or another City code, or condition of an approved land use permit, or for the development of land. This section provides the process, standards and criteria for review of a development agreement."

The proposed project is a mixed-use development including 78 apartment homes and approximately 2,500 square feet of commercial space at an urban density of approximately 55 dwellings per net acre in the Forest Grove Town Center. As such the proposed development implements the following Comprehensive Plan policies related to the development of land:

- Sustainability Goal 7: Promote interconnected land uses that encourage diverse, accessible, and proximate land uses that promote active living and access to vital services including employment, education and healthy food. The project implements this Comprehensive Plan policy since the result will be housing units near a variety of uses in the Town Center include shops, restaurants, professional and personal services, schools (Pacific University and Forest Grove Community School.
- Economic Development Goal 7: Promote the Forest Grove Town Center as the Focal Point of the Community. This project implements this Comprehensive Plan policy since it will result in 78 housing units in the Forest Grove Town Center. Additional residents in the Town Center will bring enhanced activity during the day and evening. In addition, additional residents will improve the economic vitality of the Forest Grove Town Center by increasing demand for services.
- Economic Development Policy 7.10: Amend development standards to increase minimum development densities in the Town Center to improve the economic investment climate for residential construction and encourage a variety of housing types. The proposed density of this project is approximately 55 units per net acre based on 78 residential units.
- Economic Development Policy 7.11: Promote investment in urban living infrastructure amenities to enhance livability in the Town Center. This project implements this Comprehensive Plan policy by including design features such as the plaza space

adjacent to the Pacific University right-of-way, community garden and child play area. These features enhance livability in the Town Center especially for project residents.

- Urbanization Policy 10: The City of Forest Grove will continue to promote the efficient use of land within the Forest Grove Town Center and any areas designated as transit station communities on the Forest Grove Comprehensive Plan land use map. The project implements this Comprehensive Plan policy since the proposed density of 55 units per net acre provides for an efficient use of land in the Forest Grove Town Center. This density exceeds the more typical suburban approximately density of approximately 20 units per acre otherwise permitted by the Development Code.
- C. The agreement furthers the public interest;

Finding: The development agreement furthers the public interest by permitting a land efficient, mixed-use development consistent with the goals and policies of the Forest Grove Comprehensive Plan as indicated under Criterion B above.

- D. The agreement results in development or improvements that would not have a substantial adverse impact on adjacent properties.

Finding: The development will not have a substantial adverse impact on adjacent properties. The site plan shows the buildings are oriented toward the public right-of-way and away from adjacent properties. This design minimizes potential privacy impacts affecting abutting properties. As indicated in the traffic analysis contained in the December 7, 2015, staff report and the 2014 Forest Grove Transportation System Plan the existing roadways (Pacific Avenue, 19th Avenue, 21st Avenue and A Street) have sufficient capacity to handle expected traffic resulting from the proposed 78 apartment units and 2,500 square feet of retail space.

- E. The agreement complies with all relevant City codes and requirements

Finding: The agreement complies with all relevant City codes and requirements including site development review and design review as described in the December 7, 2015, staff report. The agreement modifies Article 3 density requirements as permitted under state law (ORS 94. 518) which authorizes modifications to otherwise required zoning ordinance rules. Modification to Article 3 density requirements through a development agreement is necessary to approve the project proposal ahead of proposed amendments to the Forest Grove Development Code that will allow for development projects at a density of 55 units per acre. The proposed amendments to the Development Code specifically implement Comprehensive Plan Economic Development Policy 7.10 and Urbanization Policy 10 described under Criterion B above. The proposed project also complies with applicable Comprehensive Plan policies noted under Criterion B.

- F. The agreement would result in development or improvements that can be accommodated by adequate transportation, police, fire, stormwater, sewer and water services.

Finding: The agreement allows for development that can be accommodated by adequate transportation, police, fire, stormwater, sewer and water services. As noted under Criterion D above, the existing street network in the Town Center including Pacific Avenue and A Street have sufficient capacity to handle expected traffic generated by the proposed 78 unit apartment and 2,500 square foot commercial project.

Finding: Both the Forest Grove Police and Fire Departments are located in the Forest Grove Town Center within ½ mile of the project site. Both the Police and Fire Departments have sufficient resources to serve the 78 unit apartment and 2,500 square foot commercial project as reflected in the adopted FY 2015-2016 Budget.

Finding: The project is located in the Forest Grove Town Center. Water and sewer infrastructure are present within the public right-of-way adjacent to the project site. The applicant will be responsible for upgrading infrastructure to serve the project as required by the City and reflected in adopted water, sanitary sewer and storm sewer/drainage infrastructure master plans, the Municipal Code and Development Code.

5) To ensure compliance with all applicable provisions of the Development Code and Design Guideline Handbook, Section I Town Center Focus Area, the Planning Commission hereby adopts the following conditions of approval:

1. Condition of Approval: The project shall substantially conform to the site plan dated November 20, 2015. The Pacific Frontage shall include a publicly accessible plaza located adjacent to the primary building entrance and commercial space. The public plaza shall be no less than 2,900 square feet.
2. Condition of Approval: The publicly accessed plaza shall include seating approved by the Forest Grove Community Development Director prior to issuance of building permits.
3. Condition of Approval: The Pacific Avenue street frontage design shall include a rain garden in the general location as shown on the site plan dated November 5, 2015. The design of the rain garden shall be approved by the Forest Grove Community Development Director prior to issuance of building permits.
4. Condition of Approval: Construct a hardscape pedestrian pathway between the building and rain garden adjacent to the Pacific Avenue right-of-way. Pathway materials shall be approved by the Community Development Director prior to issuance of building permits.
5. Condition of Approval: 10.8.150 (Clear Vision Area) Install a pedestrian alert signal (with light and sound) sufficient to alert pedestrians of vehicles leaving the site's interior parking area.
6. Condition of Approval: It shall be the continuing obligation of the property owner to maintain required landscaped areas free of weeds and noxious vegetation. The minimum required amount of landscape materials shall be maintained.
7. Condition of Approval: The ground in all required landscaped areas must be properly prepared with suitable soil and fertilizer. Specifications shall be submitted to the City prior to issuance of building permits showing that adequate preparation of the top soil and sub-soil will be undertaken prior to planting to support the long-term viability of the plantings.

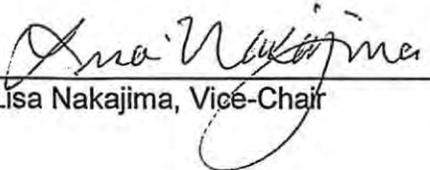
8. Condition of Approval: Installation of landscaping shall be done in accordance with Development Code Section 10.8.410(C). Landscaping shall be protected from vehicular damage by some form of wheel guard or curb.
9. Condition of Approval: The applicant shall provide fence design specifications demonstrating compliance with Development Code Section 10.8.425(B)(7) for approval by the Community Development Director.
10. Condition of Approval: Refuse storage and recycling collection areas shall be design so that there is a minimum 10 feet of horizontal clearance and 8 feet of vertical clearance to accommodate collection vehicles.
11. Condition of Approval: Prior to issuance of building permits, the applicant shall show on construction documents material specifications for the refuse/recycling area enclosure. The enclosure must be designed for access by refuse/recycling collection vehicles as required by Waste Management Corporation.
12. Condition of Approval: Prior to issuance of building permits the applicant shall provide construction details for design of commercial entries meeting the requirements of Development Code Section 10.8.700(C)
13. Condition of Approval: Prior to issuance of building permits, provide construction drawings for windows in sufficient detail to demonstrate compliance with Development Code Section 10.8.700(C)
14. Condition of Approval: Plastic and/or chain link fences are prohibited in the Town Center. Wood fences shall be painted in compliance with Development Code Section 10.8.710(D)(7)(b).
15. Condition of Approval: The applicant must provide lighting specifications for City review and approval prior to issuance of building permits.
16. Condition of Approval: identify visitor parking spaces (need to address how access gate will function)
17. Condition of Approval: Off-street parking shall be improved with an asphalt surface to specifications approved by the Building Official. The driveway adjacent to the refuse/recycling collection area must be concrete for collection vehicles.
18. Condition of Approval: All parking spaces shall be marked using permanent paint.
19. Condition of Approval: All interior drives and access aisles shall be marked as to direction of traffic flow to maintain vehicular and pedestrian safety.
20. Condition of Approval: Parking space configuration, stall and access aisle size shall be of sufficient width for all vehicles turning and maneuvering based on the standards shown in Development Code Figures 8-6 and 8-7.
21. Condition of Approval: Parking space along the boundaries of the parking lot or adjacent to interior landscaped areas or pedestrian pathways shall be provided with

a wheel stop at least four inches high located 1.5 feet back from the front of the parking stall as defined in Figure 8-6.

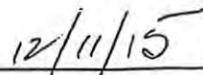
22. Condition of Approval: Designate one parking stall for loading and unloading near a building entrance.
23. Condition of Approval: Off street-parking and loading areas shall provide stormwater drainage approved by the City Engineer in accordance with City standards. Off-street parking and loading areas shall be drained so there is no flow of water across public sidewalks.
24. Condition of Approval: The Building Division requested that final construction documents show the location of ADA compliant spaces on the parking plan.
25. Condition of Approval: Applicant shall improve the current sidewalk ramp on Pacific Avenue to current ADA standards.
26. Condition of Approval: Applicant shall extend the public storm system for connection to the site
27. Condition of Approval: Applicant shall provide a storm water report documenting Clean Water Services design and construction requirements.
28. Condition of Approval: Applicant shall replace the sanitary sewer main serving the project with a manhole connection as required by the City Engineer.
29. Condition of Approval: Project must adhere to applicable construction standards and requirements.
30. Condition of Approval: The applicant must provide sign specifications for City review and approval prior to issuance of building permits specifically required for address signage meeting Fire Department requirements.
31. Condition of Approval: Applicant shall update fire hydrants that serve this site (B Street at Pacific Avenue and B Street at 21st Avenue) to current city standards of 3 hose connection points, with a 4" storz type thread connection on the "steamer port". We are considering the hydrants on B Street at Pacific Avenue and 21st Avenue, as well as on A Street at 21st Avenue and Pacific Avenue as those that serve this site.
32. Condition of Approval: Applicant shall locate a Knox Box key box in an approved location.
33. Condition of Approval: Applicant shall provide a fire department standpipe system to protect the parking lot.
34. Condition of Approval: Prior to issuance of building permits for signage, applicant must provide sign specifications for any hanging or projecting signs for City review and approval.

35. Condition of Approval: Prior to issuance of building permits for signage, the applicant must provide sign specifications for any window signs for City review and approval.

36. Condition of Approval: Prior to issuance of building permits for signage, the applicant must provide sign specifications for any information and directional signs for City review and approval.



Lisa Nakajima, Vice-Chair



Date

Supplemental Parking Analysis
Kittelson and Associates
December 15, 2015

Per your request, we have prepared a parking demand estimate for the proposed development based on information provided in *Parking Generation, 4th Edition*, published by the Institute of Transportation Engineers (ITE). Per ITE, average peak period parking demand at a low to mid-rise apartment complex (ITE Land Use 221) is approximately 1.23 parking stalls per dwelling unit within a suburban area (the rate is slightly lower within an urban area – 1.20 parking stalls per dwelling unit). Based on the proposed development plan, the 78 apartment units are expected to generate demand for approximately 96 parking stalls (78 x 1.23) during the peak period. In order to allow for some flexibility in the parking supply, we typically recommend that peak period parking demand not exceed 85 percent of the parking supply. Therefore, 113 parking stalls (96 / 0.85) should be sufficient to accommodate demand from the proposed apartments.

It is our understanding that the retail/commercial component of the proposed development consists of 2,500 square-foot of gross floor area. Based on a review of the available land uses within ITE and our understanding of the study area, two potential land uses were assumed for the analysis, including a high-turnover (sit-down) restaurant (ITE Land Use 932) and a coffee/donut shop without a drive through window (ITE Land Use 936). Per ITE, average peak period parking demand at a high turn-over (sit-down) restaurant is approximately 10.60 vehicles per 1,000 square feet of gross floor area within a suburban area (the rate is significantly lower within an urban area – 5.55 parking stalls per 1,000 square-foot). Based on the proposed development plan, a 2,500 square-foot restaurant could generate demand for approximately 27 parking stalls (2,500 / 1,000 x 10.55) during the peak time period. Again, in order to allow for some flexibility in the parking supply, 31 parking stalls (27 / 0.85) should be sufficient to accommodate demand from a 2,500 square-foot restaurant. The following table provides a summary of the parking estimate.

Land Use	ITE Code	Size	Rate	Average Peak Hour Parking Demand	Parking Supply ¹
Low/Mid-Rise Apartments	221	78 Units	1.23 per dwelling unit	96 (94)	113 (110)
High-Turnover (Sit-Down) Restaurant	932	2,500 Square Feet	10.55 per 1,000 square feet of gross floor area	27 (14)	31 (16)
Total				123 (108)	144 (126)

Suburban (urban)

Per ITE, average peak period parking demand at a coffee/donut shop without a drive through window is approximately 13.56 vehicles per 1,000 square feet of gross floor area (ITE does not provide a separate rate for urban versus suburban). Based on the proposed development plan, a 2,500 square-foot coffee shop could generate demand for approximately 34 parking stalls (2,500 / 1,000 x 13.56) during the peak time period. Again, in order to allow for some flexibility in the parking supply, 40 parking stalls (34 / 0.85) should be sufficient to accommodate demand from a 2,500 square-foot coffee shop. The following table provides a summary of the parking estimate.

Land Use	ITE Code	Size	Rate	Average Peak Hour Parking Demand	Parking Supply ¹
Low/Mid-Rise Apartments	221	78 Units	1.23 per dwelling unit	96 (94)	113 (110)
Coffee/Donut Shop without Drive-Through Window	936	2,500 Square Feet	13.56 per 1,000 square feet of gross floor area	34	40
Total				130 (128)	153 (150)

Suburban (urban)

As shown above, the proposed development is expected to generate demand for approximately 108 to 130 parking stalls during peak periods. Also, the minimum parking supply necessary to accommodate demand is 126 to 153 parking stalls. This estimate exceeds the proposed parking supply shown in the current site plan (96 parking stalls) by 30 to 57 parking stalls.

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A place where businesses and families thrive.

<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	7.
FINAL ACTION:	

CITY COUNCIL STAFF REPORT

TO: City Council

FROM: Jesse VanderZanden, City Manager

MEETING DATE: January 25, 2016

PROJECT TEAM: Jon Holan, Community Development Director, Paul Downey Administrative Services Director
Daniel Riordan, Senior Planner

SUBJECT TITLE: City Council approval of an Order approving Design Review for the Forest Grove Downtown Mixed Use Project

ACTION REQUESTED:

<input type="checkbox"/>	Ordinance	<input checked="" type="checkbox"/>	Order	<input type="checkbox"/>	Resolution	<input type="checkbox"/>	Motion	<input type="checkbox"/>	Informational
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X all that apply

ISSUE STATEMENT: Whether the City Council shall adopt an Order approving Design Review for the Forest Grove Downtown Mixed Use Project.

BACKGROUND: On November 20, 2015, Tokola Properties, through Studio C Architecture, submitted a complete land use application for the Forest Grove Mixed Use Project. The application includes three concurrent land use actions: Development Agreement, Site Development Review and Design Review. The project includes 78 apartments, including five live-work units, 2,500 square feet of retail space, 2,900 square foot publicly accessible plaza and 94 off-street parking spaces.

City Council held a public hearing on January 11, 2016 to consider the Planning Commission's recommendation to approve Design Review, with conditions, for the Forest Grove Mixed Use Project. The written staff report for the Council's January 11th public hearing demonstrates how the project meets applicable design review criteria. Staff also advised City Council on January 11th that an Order would be presented, on January 25, 2016, for City Council consideration granting Site Design Review approval with conditions.

FISCAL IMPACT: None. Approval of the Order approving Design Review for the Forest Grove Mixed Use Project does not obligate any City funds.

STAFF RECOMMENDATION: Staff recommends that City Council approve the Order granting Design Review approval, with conditions, for the Forest Grove Mixed Use Project.

ATTACHMENT(s):

- A. Order granting Design Review approval, with conditions, for the Forest Grove Mixed Use Project.

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ORDER NO. 2016-01

**ORDER APPROVING DESIGN REVIEW FOR THE FOREST GROVE
DOWNTOWN MIXED USE PROJECT (FILE NO. 311-15-00022-PLNG)**

WHEREAS, the “Applicant”, Tokola Properties, LLC and the City of Forest Grove, filed an application for site development review for the “Forest Grove Downtown Mixed Use Project”; and

WHEREAS, the land use approval is for a proposed 78 unit apartment complex including 5 live-work units and 2,500 square feet of commercial space fronting Pacific Avenue and A Street; and

WHEREAS, the application was deemed complete on November 20, 2015; and

WHEREAS, the Forest Grove Planning Commission (“Planning Commission”) held a duly-noticed public hearing on the application on December 7, 2015; and

WHEREAS, after considering the evidence in the record including the application, staff report, and testimony from the applicant and the public, and considering the evidence against the applicable criteria, the Planning Commission voted 7-0 to recommend approval of design review; and

WHEREAS, the City Council held duly-noticed public hearings on January 11 and January 25, 2016, to receive public testimony; and

WHEREAS, at the January 25, 2016, Public Hearing the City Council received additional testimony from the applicant and the public, closed the hearing, deliberated and reached a final decision.

NOW, THEREFORE, THE CITY OF FOREST GROVE ORDERS AS FOLLOWS:

Section 1. The City Council adopts the Findings attached as Exhibit A to this Order.

Section 2. After full consideration of the application, staff reports, findings, evidence in the record and public testimony, the City Council approves the design review application dated November 20, 2015 (Exhibit B), with conditions as shown on Exhibit C to this Order.

Section 3. This order shall be effective upon the effective date of Ordinance 2016-01 (Authorizing the City Manager to Enter into a Development Agreement Between Tokola Properties and City of Forest Grove and Forest Grove Mixed Use Project Located North of Pacific Avenue and West of A Street).

PRESENTED AND PASSED on the 25th day of January, 2016.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 25th day of January, 2016.

Peter B. Truax, Mayor

EXHIBIT A DESIGN REVIEW APPROVAL FINDINGS

The City Council adopts by reference the staff report and attachments, dated January 11, 2016, including findings and recommendations.

The project proposal complies with Development Code Section 10.2.350 Design Review – Review Criteria for the Town Center Focus Area as follows:

Guideline Site – Building Orientation: Design and construct buildings oriented to a public street right-of-way to create safe, pleasant and active pedestrian environments. Development in the town center area should create a well-defined, safe, attractive and active pedestrian environment. Zero lot line development should be encouraged in all town center zones, particularly the town center core. Parking should be behind or to the side of buildings, so as to not obstruct pedestrian pathways to the front door of buildings. If buildings are setback from the sidewalk, the area in front of the building should be well landscaped and used as an expanded sidewalk area or a pedestrian plaza.

Finding: The design review application includes renderings and diagrams showing the proposed building design. The building along both the Pacific Avenue and A Street frontages is oriented toward the public right-of-way. Along the A Street frontage the building is setback approximately 4 feet to accommodate residential entries. Along Pacific Avenue the building is setback to accommodate a pedestrian pathway and plaza consistent with the design guideline. Although the building is setback the orientation is toward the public right-of-way. The plaza provides an opportunity to activate space adjacent to the right-of-way. The proposed parking lot is placed behind the building consistent with the design guideline. The intent of this design guideline is met.

Guideline Site – Pedestrian Connection: Develop continuous pedestrian connections that are attractive and convenient. The Town Center must maintain a clear and comfortable separation between vehicles and pedestrians. Where vehicles and pedestrians share the same space, pedestrian safety and comfort must not be compromised. Sidewalks should be continuous and free of barriers.

Finding: The project is designed with buildings placed at or near the public street right-of-way. As such, the design reflects the traditional pedestrian orientation of the Town Center. The project as proposed provides for a clear and comfortable separation between vehicles and pedestrians since the parking area is located behind buildings. Both vehicles and pedestrians will interact in the interior parking lot. To meet the intent of the pedestrian connection design guideline the site plan shows pedestrian pathways serving parking spaces. The intent of this guideline is met.

Guideline Site – Amenities: Protect pedestrians from wind, sun, and rain and provide courtyards or other outdoor spaces to create a comfortable environment for meeting and sitting. Pedestrians should be protected from the elements, to encourage use of the Town Center during inclement weather. The design of awnings and canopies should be integral and well-proportioned to the facades of buildings. Street furniture, such as benches, lamps and landscape planters should be provided.

Finding: As proposed, the project includes weather protection at the A Street residential entry (approximately 25 feet). The second story is designed to project 4 feet over the individual residential entrances. The overhang does not extend over the sidewalk except at the primary building entry. The amount of weather protection provided over the sidewalk is 10% of the building frontage.

Guideline Buildings – Facades: *All buildings shall contribute to the storefront character and visual relatedness of town center buildings. Facades should define a continuous street edge, while adding visual interest and variety for the pedestrian. Building frontages should provide a sense of continuity and enclosure to the street, creating a human-scale “street wall.”*

Finding: The Tokola Project reflects a contemporary design with subtle queues reflecting the historic feel of Downtown Forest Grove. Such queues include the flat roof, dark brown brick, vertical windows throughout the project, transom windows along the east (A Street) elevation and storefront windows along Pacific Avenue and at the primary A Street building entrance.

Finding: The height of the proposed building is four stories (approximately 55 feet). This is the result of the proposed “tuck under” parking. There are 31 parking spaces tucked under the proposed buildings. The tuck under parking is approximately one-third of the overall proposed parking and represents an efficient use of the development site.

Finding: In terms of context, the proposed building will be the tallest in downtown Forest Grove. There are two three story buildings in downtown Forest Grove including the building at the northwest corner of Pacific Avenue and Main Street, Bank of the West Building on Pacific Avenue. There are also several three story buildings located on the Pacific University campus. Although the proposed building would be the tallest in downtown Forest Grove the Pacific University Master Plan allows for a maximum building height of 50 feet at the eave or dominant parapet. The Tokola project is consistent with the building height allowed on the Pacific University campus. The design of the building takes advantage of the building height by incorporating a rooftop deck at the Pacific Avenue/B Street intersection.

Finding: To mitigate the perceived building height the project design incorporates use of building articulation including architectural features such as offsets, balconies, color, and streetscape features most notably rain gardens. Vertical windows are used to break-up the building face.

Guideline Building – Retail Storefronts: *Storefronts should appear open, inviting, and engaging to the passerby. Retail and other commercial establishments should provide windows and doors offering views in and out of the building so passerby may see activity within buildings.*

Finding: The project incorporates approximately 2,500 square feet of retail area divided among two spaces. Retail storefront is shown on the perspective drawings. The retail space is complemented by the adjacent plaza on Pacific Avenue contributing to an inviting, engaging and active space.

Guideline Building – Entries: Entryways should be clearly visible and recognizable from the street, and appear open and inviting to the pedestrian. The primary entry into buildings should be clearly recognized from the street. Additional architectural details, such as sidelights or transoms surrounding doorways are encouraged. Transparency between retail storefronts and the sidewalk is encouraged to create visibility from the street.

Finding: As proposed, building entrances are clearly visible and recognizable as shown on the perspective drawings. The primary building entrance on A Street is reinforced with a steel awning. In addition to the primary building entrance, each ground level residential unit has an individual entryway visible from the sidewalk.

Guideline Building – Residential Entries: Residential entries should create an inviting transition between public and private areas. Residential doors in the town center should provide a well-defined transition between the public and private realm. They should convey a sense of privacy while expressing a welcome entryway for those who approach. The design of the door should respond to the level of activity along the street.

Finding: Transition space is provided between public and private areas. The transition area between public and private space along A Street is reinforced with the presence of rain gardens which appear to look similar to planter boxes.

Guideline Building – Windows: Use windows to create an open and inviting atmosphere. Retail uses should provide windows that create visual interest and encourage people to visit restaurants and shops. Blank walls should be avoided.

Finding: The design review submittal shows use of windows to create an open and inviting atmosphere. This is exhibited by storefront windows associated with the commercial space along Pacific Avenue. Windows are provided along the A Street frontage in conjunction with the residential units. The use of windows provides building articulation along both Pacific Avenue and A Street. This building articulation creates an open and inviting atmosphere by creating visual interest when compared with large blank walls.

Guideline Building – Exterior Walls: Use materials which are compatible with the character of Forest Grove and create a sense of permanence. Materials should be consistent with the existing buildings in the Town Center. Quality wall materials provide a sense of permanence and should be applied to create a sense of substance and mass.

Finding: The applicant proposes a combination of brick and lap siding. Brick is a quality material which provides a sense of permanence, substance and mass. The use of dark brown brick is characteristic of buildings found in the Forest Grove Town Center and Pacific University campus.

Guideline Building Landscape – Walls and Fences: Site walls and fences should be compatible with the buildings architecture and reflect the commercial character of the development. Walls and fences should be considered integral parts of building and site, compatible with the overall design.

Finding: Based on the design review submittal, the proposed walls and fences appear to be compatible with the building architecture. The applicant proposes uses steel posts and

pickets for fencing. The use of steel as fencing material is compatible with the proposed steel for awnings as an exterior building element. Fencing detail is provided on Plan Sheet 8 attached to this memo.

Guideline Lighting – Exterior Building: Lighting should be an integral component of the building architecture. Lighting should be used to highlight the design of buildings while improving visibility of entryways and enhance safety. Lighting should not spill onto neighboring properties or cast glare which will decrease the safety of pedestrian and vehicles.

Finding: General information about lighting is provided on Plan Sheet 8 attached to this memo. Although useful this information lacks sufficient detail to ensure this design guideline is met. Additional detail is needed with respect to lighting treatment for exterior residential entries, the commercial space and along internal pedestrian pathways. To ensure the intent of this guideline is met a condition of approval is proposed.

Guideline Lighting – Parking Lot: Light should be compatible with downtown street lights identified in the Public Area Requirements. Parking lot lighting should be provided for vehicular and pedestrian safety. Lighting should be integrated and compatible with the site and building design.

Finding: General information about lighting is provided on Plan Sheet 8 attached to this memo. Although useful this information lacks sufficient detail to ensure this design guideline is met. Additional detail is needed with respect to lighting treatment for exterior residential entries, the commercial space and along internal pedestrian pathways. To ensure the intent of this guideline is met a condition of approval is proposed.

Guideline Lighting – Sidewalk and Landscape: Lighting should be used to highlight sidewalks, street trees and other landscape features. Landscape lighting is appropriate as a way to provide pedestrian safety. Lights may be used to highlight features within public and private plazas, courtyards, walkways and other outdoor areas at night to create an active and safe environment.

Finding: General information about lighting is provided on Plan Sheet 8 attached to this memo. Although useful this information lacks sufficient detail to ensure this design guideline is met. Additional detail is needed with respect to lighting treatment for exterior residential entries, the commercial space and along internal pedestrian pathways. To ensure the intent of this guideline is met a condition of approval is proposed.

Guideline Lighting – Signs: Sign lighting should be designed as an integral component of the building and sign composition. The lighting of signs should be considered a part of the building architecture and site design and should be used to create visual interest.

Finding: General information about lighting is provided on Plan Sheet 8 attached to this memo. Although useful this information lacks sufficient detail to ensure this design guideline is met. Additional detail is needed with respect to lighting treatment for exterior residential entries, the commercial space and along internal pedestrian pathways. To ensure the intent of this guideline is met a condition of approval is proposed.

Guideline Signs – Wall: Signs should not overwhelm the building or any special architectural features. Signage in the town center should communicate information to potential customers while enhancing the building architecture and overall streetscape. Signs should not render the building a backdrop for advertising or building identification.

Finding: The applicant did not submit information pertaining to signage. Submittal of this information is required for review and approval prior to issuance of building permits.

Guideline Signs – Hanging or Projecting: Hanging signs should be oriented to the pedestrian and highly visible from the sidewalk. Signs should not overwhelm the streetscape and should be complementary to the building architecture and any awnings canopies, lighting and street furniture.

Finding: The applicant did not submit information pertaining to signage. Submittal of this information is required for review and approval prior to issuance of building permits.

Guideline Signs – Window: Window signs should identify building or tenant use without obstructing views through windows. Window signs should not be used to advertise specific products or services, but should simply identify the name or nature of the business operation. Window signs should be oriented to the pedestrian on the adjacent sidewalk. Large signs or large lettering intended to attract attention from passing vehicles is not appropriate.

Finding: The applicant did not submit information pertaining to signage. Submittal of this information is required for review and approval prior to issuance of building permits.

Guideline Signage – Informational and Directional: Directional signs should be small and dimensions logically located and should not be used for advertising. Signs should be consistent throughout the project and fabricated from the same materials with a consistent colors and graphics. The materials used should be compatible with adjacent architectural design.

Finding: The applicant did not submit information pertaining to signage. Submittal of this information is required for review and approval prior to issuance of building permits.

Guideline Signs – Temporary: – Signs which identify a short-term use or activity should be consistent with the design character of the surrounding architecture. Small portable temporary signs (e.g. sandwich boards) should be used when businesses are open and located in close proximity to the related business. Signs should not obstruct pedestrian access or conflict with the visual quality and character of the town center.

Finding: This guideline is not applicable as no temporary signs are proposed.

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DESIGN REVIEW & DEVELOPMENT AGREEMENT
CITY OF FOREST GROVE, OREGON

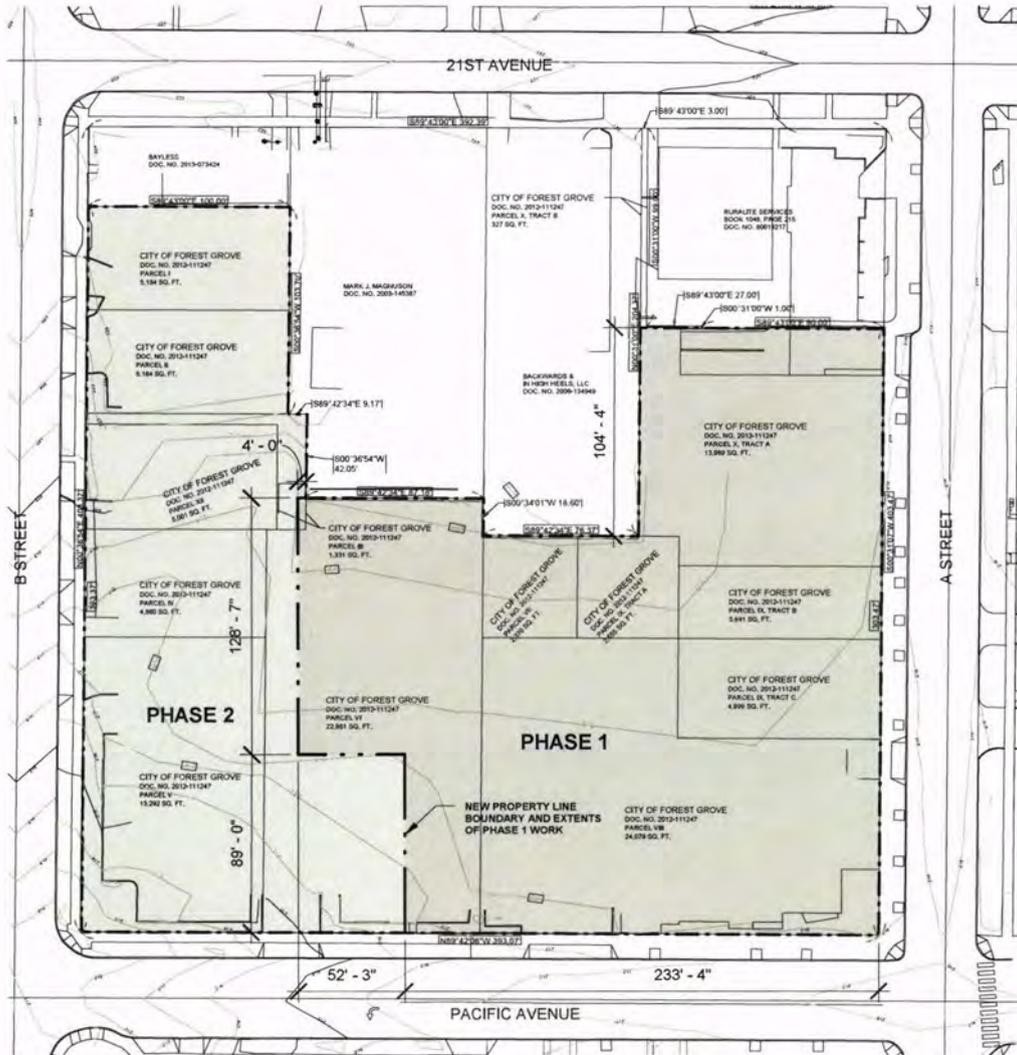
NOVEMBER 20, 2015



FOREST GROVE APARTMENTS
NW CORNER OF PACIFIC AVENUE & A STREET



EXHIBIT B



SITE AREA

PHASE 1 SITE AREA: 66,485 SF
 PHASE 2 SITE AREA: 42,876 SF
 TOTAL SITE AREA: 109,361 SF

 **SITE SURVEY**
 1" = 30'-0"

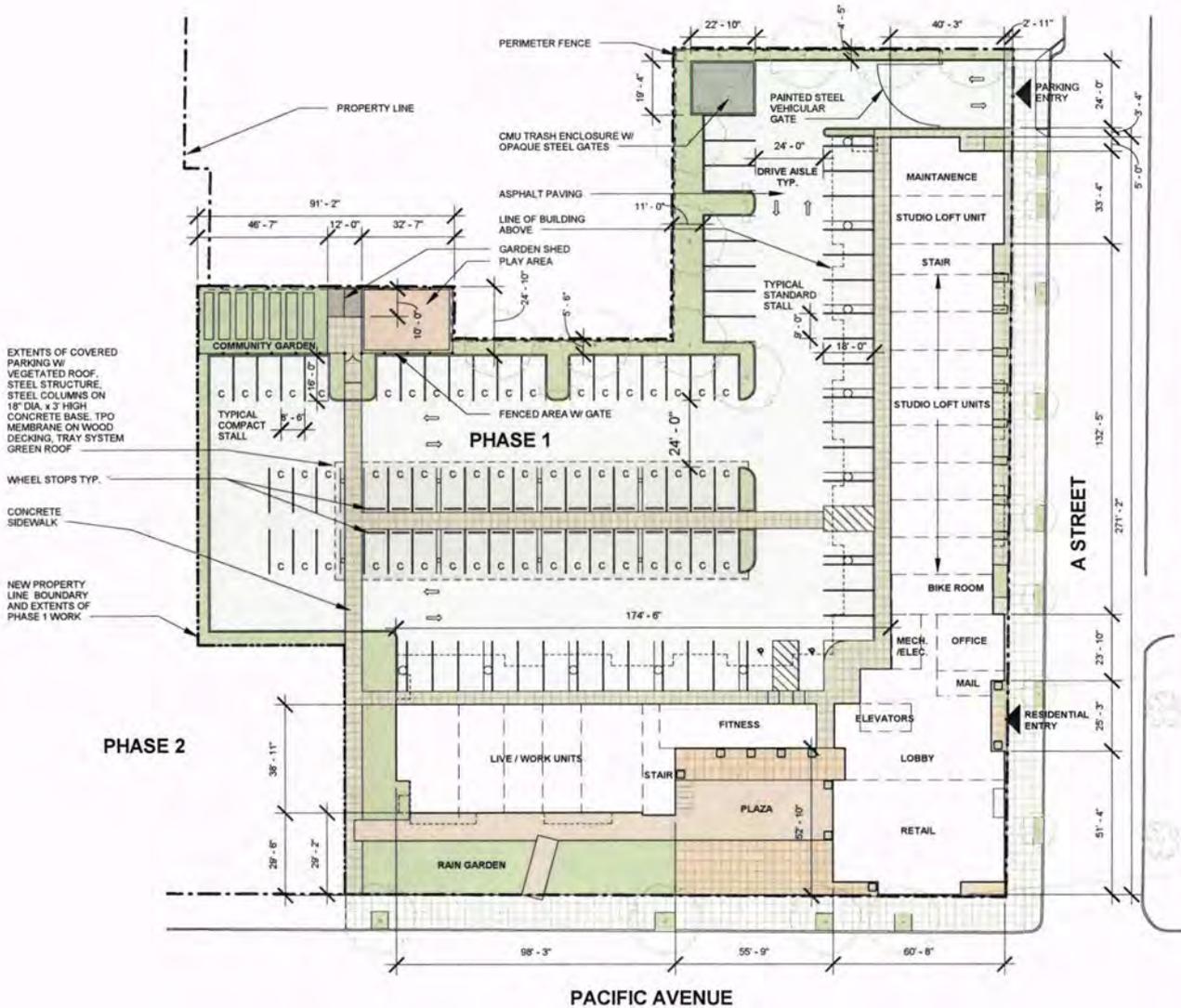


FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
 FOREST GROVE, OREGON



SHEET
1
 11/20/2015



PROJECT SUMMARY

TOTAL SITE AREA: 109,361 SF
 -PHASE 1: 66,485 SF
 -PHASE 2: 42,876 SF

PHASE 1

SITE AREA: 66,590 SF
 -BUILDING FOOTPRINT: 16,230 SF
 -ASHPALT: 32,020 SF
 -PAVERS: 3,010 SF
 -SIDEWALK: 5,870 SF
 -LANDSCAPE: 8,500 SF

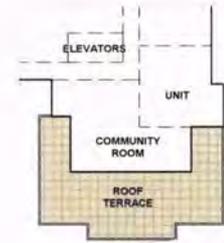
LOT COVERAGE: 27.7% (INCLUDING COVERED PARKING)

BUILDING AREA

-TOTAL BUILDING AREA: 86,550 SF
 -LEVEL 1: 16,230 SF
 -LEVEL 2: 22,600 SF
 -LEVEL 3: 22,600 SF
 -LEVEL 4: 20,650 SF
 -BALCONIES: 2,520 SF
 -4TH LEVEL TERRACE: 1,500 SF

PARKING MIX

-94 TOTAL PARKING STALLS
 -STANDARD: 37
 -COMPACT: 55
 -ACCESSIBLE: 2
 -94 STALLS/78 UNITS = 1.2 STALLS/UNIT PROVIDED



4TH LEVEL ROOF TERRACE



ARCHITECTURAL SITE PLAN
 1" = 20'-0"



FOREST GROVE APARTMENTS
 NW CORNER OF PACIFIC AVENUE & A STREET
 FOREST GROVE, OREGON



SHEET
2
 11/20/2015



FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON



SHEET
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FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON



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SE PERSPECTIVE



FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON



SHEET
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PLANT LIST		Size	Spacing	Street Trees / Perimeter Trees	Home Planting	2' Height Minimum, good to maintain	Good Fall Color	Evergreen	Winter Interest	Shrub Interest
Botanical Name	Common Name									
TREES - LARGE CANOPY										
<i>Aster rubrum</i> cultivars	Red Maple	2" ca.	30-40' o.c.	T						
<i>Betula papyrifera</i>	Honolulu White Birch		30-40' o.c.							
<i>Claytonia lutea</i>	American Yellowwood	2" ca.	30-40' o.c.							
<i>Fraxinus americana</i>	White Ash	2" ca.	30-40' o.c.	T						
<i>Fraxinus excelsior</i> 'Aurea'	European Golden Ash	2" ca.	30-40' o.c.	T						
<i>Ginkgo biloba</i>	Ginkgo	2" ca.	30-40' o.c.							
<i>Hippocrepis emerus</i>	Black Tupelo	2" ca.	30-40' o.c.							
<i>Pinus caryinata</i>	Hawking Pear	2" ca.	30-40' o.c.							
<i>Quercus prinus</i> 'Schmidt'	Forest Green Oak	2" ca.	30-40' o.c.	T						
<i>Ulmus americana</i> cultivars	American Elm	2" ca.	30-40' o.c.							
<i>Zelkova serrata</i> 'Vulky Green'	Valley Green Zelkova	2" ca.	30-40' o.c.	T						
TREES - SMALL DECIDUOUS										
<i>Acer circinnatum</i>	Vine Maple	1 1/2" ca.	as shown	N						
<i>Cornus canadensis</i>	Redbud	1 1/2" ca.	as shown							
<i>Cornus florida</i>	Kevin Dogwood	1 1/2" ca.	as shown							
<i>Hepatica americana</i>	Seven Sons Tree	1 1/2" ca.	as shown							
<i>Hippocrepis emerus</i> 'Royal Star'	Royal Star Magnolia	1 1/2" ca.	as shown							
<i>Japanese quercus</i>	Japanese Quercus	1 1/2" ca.	as shown							
SHRUBS - Tall over 3.5'										
<i>Camellia japonica</i> 'Talcott'	Seemann Camellia	#5	5' o.c.							
<i>Euonymus alatus</i> 'Compact'	Oscar Winged Euonymus	#5	5' o.c.							
<i>Hamamelis mollis</i>	Witch Hazel	#5	5' o.c.							
<i>Hydrangea quercifolia</i>	Oakleaf Hydrangea	#5	5' o.c.							
<i>Baccharis fortunei</i> 'Compact'	Compact Japanese Holly	#5	48" o.c.							
<i>Ilex virginica</i> 'Henry's Garnet'	Virginia Wintergreen	#5	48" o.c.							
<i>Osmanthus delavayi</i>	Delavay Osmanthus	#5	5' o.c.							
<i>Prunus laurocerasus</i> 'Zabellera'	Zabell Laurel	#5	48" o.c.							
<i>Rhododendron cultivars</i>	Rhododendrons	#5	48" o.c.							
<i>Sarcococca vesicaria</i>	Sarcococca	#5	48" o.c.							
SHRUBS and FERNS - Low, under 3.5'										
<i>Cornus sericea</i> 'Kobold'	Kobold Dogwood	#2	36" o.c.							
<i>Dryopteris erythrosperma</i>	Autumn Fern	#2	36" o.c.							
<i>Euonymus japonica</i> 'Microphyllus'	Booklet Euonymus	#2	24" o.c.							
<i>Fatsia japonica</i>	Oscar Fatsia	#2	36" o.c.							
<i>Hydrangea 'Tui'</i>	Pink ER Hydrangea	#2	36" o.c.							
<i>Ilex crenata</i>	Japanese Holly	#2	24" o.c.							
<i>Lonicera japonica</i>	Honey-suckle Privet	#2	36" o.c.							
<i>Hibiscus acutilobus</i> 'Compact'	Compact Orange Hibiscus	#2	36" o.c.							
<i>Polytaenium minimum</i>	Swordfern	#2	24" o.c.							
<i>Prunus laurocerasus</i> 'N. Varroci'	N. Varroci Laurel	#2	36" o.c.							
<i>Rhododendron cultivars</i>	Rhododendrons	#2	48" o.c.							
<i>Viburnum chinensis</i>	David Viburnum	#2	48" o.c.							
GROUNDCOVERS and Vines										
<i>Liriodendron 'Big Blue'</i>	Liriodendron	#1 cont.	30" o.c.							
<i>Baccharis fortunei</i> 'Holly'	Holly Japanese Holly	#1 cont.	30" o.c.							
<i>Gonolobus luteus</i>	Broom	#1 cont.	30" o.c.							
<i>Hibiscus japonicus</i>	Orange Hibiscus	#1 cont.	30" o.c.							
<i>Oxypetalum phloxiflorum</i> 'Tegrasense'	Black Hibiscus Grass	#1 cont.	30" o.c.							
<i>Prunus laurocerasus</i> 'N. Varroci'	N. Varroci Laurel	#1 cont.	30" o.c.							
<i>Rubus coccineus</i>	Strawberry	#1 cont.	30" o.c.							
<i>Vaccinium vitis-idaea</i> 'Misty'	Lingonberry	#1 cont.	30" o.c.							
ORNAMENTAL GRASSES										
<i>Calamagrostis canadensis</i> 'var. ca.'	Feather Reed Grass	#1 cont.	30" o.c.							
<i>Hesperaloe parviflora</i>	Honolulu Grass	#1 cont.	30" o.c.							
<i>Holcus lanatus</i> 'Windward'	Tall Purple Moor Grass	#1 cont.	30" o.c.							
<i>Panicum virgatum</i> 'Hawaii Herma'	Red Switch Grass	#1 cont.	30" o.c.							
<i>Pennisetum alopecuroides</i>	Fountain Grass	#1 cont.	30" o.c.							
PERENNIALS and BULBS										
<i>Artemisia japonica</i>	Spiny Bear's Broom	#1 cont.	48" o.c.							
<i>Asclepias 'Phosphores'</i>	Phosphores Yarrow	#1 cont.	30" o.c.							
<i>Astragalus canadensis</i>	Wild Ginger	#1 cont.	24" o.c.							
<i>Bergenia ciliolata</i>	Honolulu Bergenia	#1 cont.	24" o.c.							
<i>Camassia sp.</i>	Camellia Lily	#1 cont.	18" o.c.							
<i>Echinacea purpurea</i>	Purple Coneflower	#1 cont.	30" o.c.							
<i>Heimerocallis hybrid</i>	Daylily	#1 cont.	30" o.c.							
<i>Iris sibirica</i>	Siberian Iris	#1 cont.	36" o.c.							
<i>Lavandula sp.</i>	Lavender	#1 cont.	36" o.c.							
<i>Liriodendron 'Big Blue'</i>	Big Blue Liriodendron	#1 cont.	30" o.c.							
<i>Perovskia atrorubra</i>	Russian Sage	#1 cont.	48" o.c.							
<i>Rudbeckia hirta</i> 'Goldstrum'	Black-eyed Susan	#1 cont.	36" o.c.							
<i>Sedum 'Autumn Joy'</i>	Autumn Joy Sedum	#1 cont.	36" o.c.							



LEGEND

- PROPERTY LINE
- PERIMETER FENCING
- PARKING LOT LIGHT
- PEDESTRIAN SITE LIGHT Existing to remain
- PEDESTRIAN SITE LIGHT
- CONCRETE PAVING - VEHICULAR
- CONCRETE PAVING - PEDESTRIAN
- CONCRETE PAVING - SPECIAL FINISH
- PLANT BED
- AC PAVING
- STORMWATER FACILITY
- EXISTING TREE to remain
- NEW TREES
- AREA DRAIN See Civil
- DECK DRAIN See Civil
- TRENCH DRAIN See Civil
- BICYCLE RACKS
- CONCRETE POTS

SITE AREAS **66,485 SF**

OPEN SPACE Vegetated Open Space: 8% of development	11,330 SF 6,665 SF
RECREATION SPACE: Community Garden Play Area	1,390 SF 750 SF
PARKING AREA INTERIOR LANDSCAPING Interior Lot Size: Interior Plant Bed Areas: With Vegetated Roof: 20% Vegetated Required Trees (1 tree per 1,600 SF) Trees provided:	30,770 SF 140 SF 6,120 SF 19.2 10

PLANTING CONCEPT AND OUTLINE SPECIFICATIONS

Design Concept: The site is located on the corner of A Street and Pacific Avenue. The planting design will include courtyard, parking lot planting, and stormwater facility plantings.

Street Trees: Street tree plantings are required per the Mixed-Use zoning requirements along A Street and Pacific Avenue.

Tree Plantings: All trees required by Forest Grove Development Code will be minimum 2" caliper at the time of planting.

Stormwater Treatment Facility Plantings: Stormwater facility landscapes will comply with City of Forest Grove stormwater requirements for the facility types that are selected by design team.

Material Qualities and Specifications: Plants and trees will be selected from the Plant List to comply with City of Forest Grove requirements and will include deciduous street trees, deciduous accent trees, deciduous and evergreen shrubs, grasses, and perennials. Native species as well as nonnative species which are adapted to site growing conditions will be used.

Planting Plan: A complete Planting Plan, related details, and technical specifications will be prepared by Cameron McCarthy Landscape Architecture & Planning and submitted to the City of Forest Grove Public Works for review prior to installation.

IRRIGATION CONCEPT AND OUTLINE SPECIFICATIONS

Design Concept: The irrigation system is to be designed and constructed to be as efficient in terms of water usage as possible. It will use water-conserving low gallon pop-up spray or rotary heads. All plants and planted areas are to receive irrigation.

General Description: The irrigation system is to be a fully automatic underground system. A permanent system with 100% head to head coverage will be installed at all tree, shrub and groundcover plantings.

Products: Main and Lateral Lines: Class 200 PVC pipe is to be used throughout the project at sizes appropriate to minimize pressure loss due to friction and to maintain velocities of water flows at recommended levels.

Heads: All sprinkler heads are to be plastic "pop-up" heads. Spray or rotary nozzles are to be used at all new planted areas.

Valves: All control valves are to be plastic, heavy-duty automatic globe style valves equipped with manual open and close controls. Isolation valves and thrust blocks are to be installed as deemed appropriate in the mainline supply system. Manual drain valves will be installed at all mainline low points.



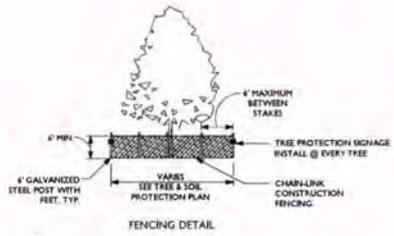
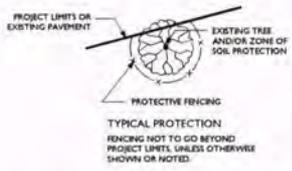
FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON

CAMERON McCARTHY
LANDSCAPE ARCHITECTURE & PLANNING
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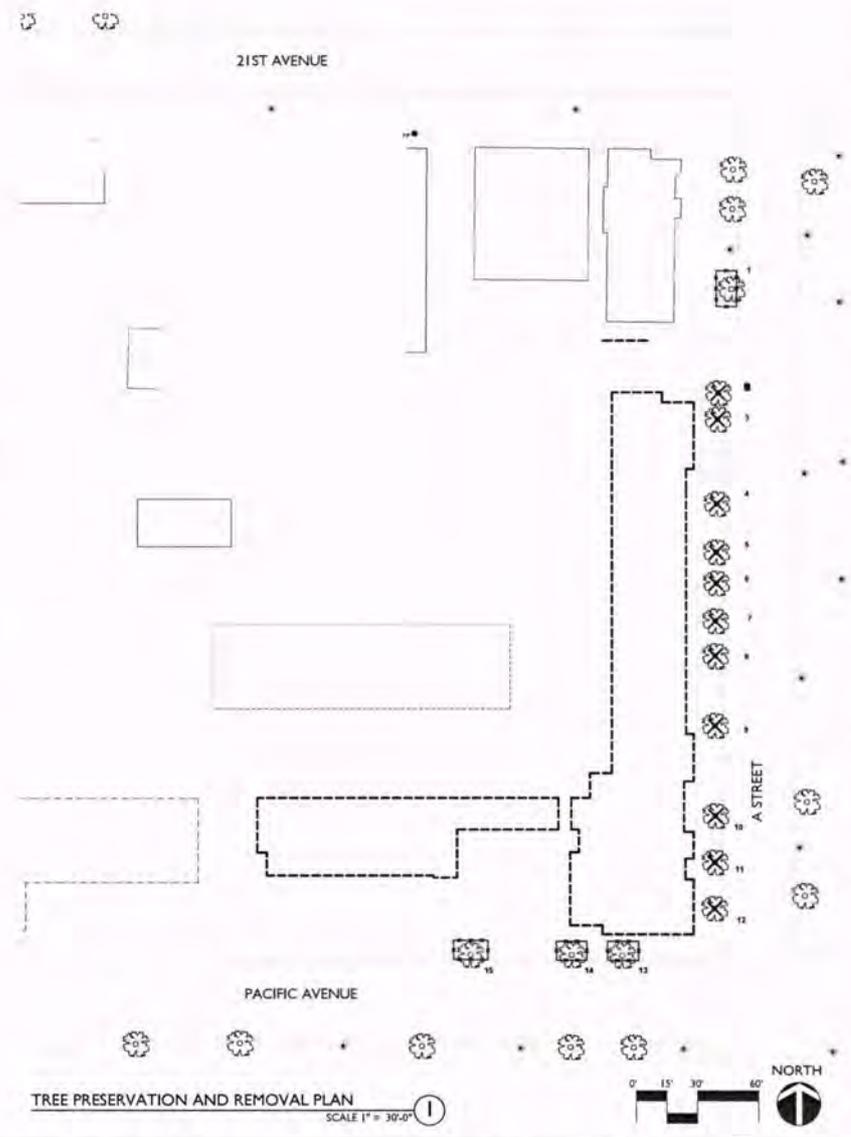


SHEET
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11/20/2015



NOTE:
1. Fencing to be installed prior to construction. Fencing to be inspected by Owner's representative prior to any invasive construction activities.

PROTECTIVE FENCING (2) NTS



LEGEND

- PROPERTY LINE
- OUTLINE OF PROPOSED BUILDING
- ⊙ EXISTING TREES To Remain
- ⊗ EXISTING TREES To Be Removed
- TREE PROTECTION FENCE See Notes 1 & 2.
- ZONE OF SOIL PROTECTION See Notes 2 & 4.

- TREE REMOVAL & PRESERVATION NOTES**
1. Tree Protection Fence - Install fence during initial mobilization at the site and maintain until substantial completion. Fence is 6-foot chain link and secured with rigid galvanized steel posts 6' min. length.
 2. Zone of Soil Protection - Boundaries as indicated and directed by the Owner's Authorized Representative. Enclose areas with rigid chain link fencing. Obtain advance written authorization from the Owner's Authorized Representative for removal or modification of fencing. There shall be no work conducted in the enclosed area, no storage, no traffic nor other activity not previously approved. Within this zone only trench-less boring at pre-authorized depths, "air spade" trenching or hand digging. Cut roots, and protect exposed roots as required.
 3. If roots are encountered and the Architect determines that modification of the work is not practical, notify Owner's Authorized Representative for determination of alternative preservation strategy.
 4. Within Zone of Soil Protection, utility lines, irrigation lines, or other pipes shall be installed by air spade trenching, hand digging, or tunneling under roots, as necessary, to avoid cutting roots 2" and larger.
 5. Watering - Do not allow exposed roots to dry out before permanent backfill is in place; provide temporary earth cover, pack with wet bark mulch, or 4 layers of wet untreated burlap, and temporarily support and protect from damage until roots are permanently relocated and covered with backfill. Water the soil to settle backfill and eliminate voids and air pockets. Water trees if required by Owner's Authorized Representative. Use a slow drip or soaker hose to provide necessary water until completion of project.
 6. See Specifications for additional requirements.

TREE PRESERVATION / REMOVAL TABLE

Plan ID	Common Name	DBH	Condition*	Comments	Action
1	Red Maple	3"	5	> 2% deadwood, even canopy, vigorous	protect
2	Japanese Maple	6"	2	25% deadwood, stunted growth, tree in decline	remove
3	Japanese Maple	6"	3	10% deadwood, stunted growth	remove
4	Japanese Maple	6"	3	15% deadwood, tree in decline	remove
5	Japanese Maple	6"	3	10% deadwood	remove
6	Japanese Maple	6"	2	25% deadwood, stunted growth, tree in decline	remove
7	Japanese Maple	6"	3	10% deadwood	remove
8	Japanese Maple	6"	3	15% deadwood	remove
9	Japanese Maple	6"	3	15% deadwood, uneven canopy	remove
10	Japanese Maple	6"	3	10% deadwood, uneven canopy	remove
11	Japanese Maple	6"	3	10% deadwood, uneven canopy	remove
12	Japanese Maple	6"	2	15% deadwood, tree in decline	remove
13	Red Maple	3"	3	suckers	protect
14	Red Maple	3"	3	significant trunk wound on SW side	protect
15	Red Maple	3"	3	significant trunk wound on SW side, suckers	protect

*Condition
 5 = excellent perfect form, little to no deadwood, all limbs have good attachments, no sign of decay
 4 = good good form, multi-leader, but with good attachment, 10% or less large deadwood
 3 = fair unbalanced or incomplete crown, tight limb angles, 15-20% larger deadwood
 2 = poor Evidence of some decay, 20-30% larger deadwood, history of being topped
 1 = very poor Structurally unsound, extensive decay, dieback, poor form, unbalanced or greatly reduced crown.

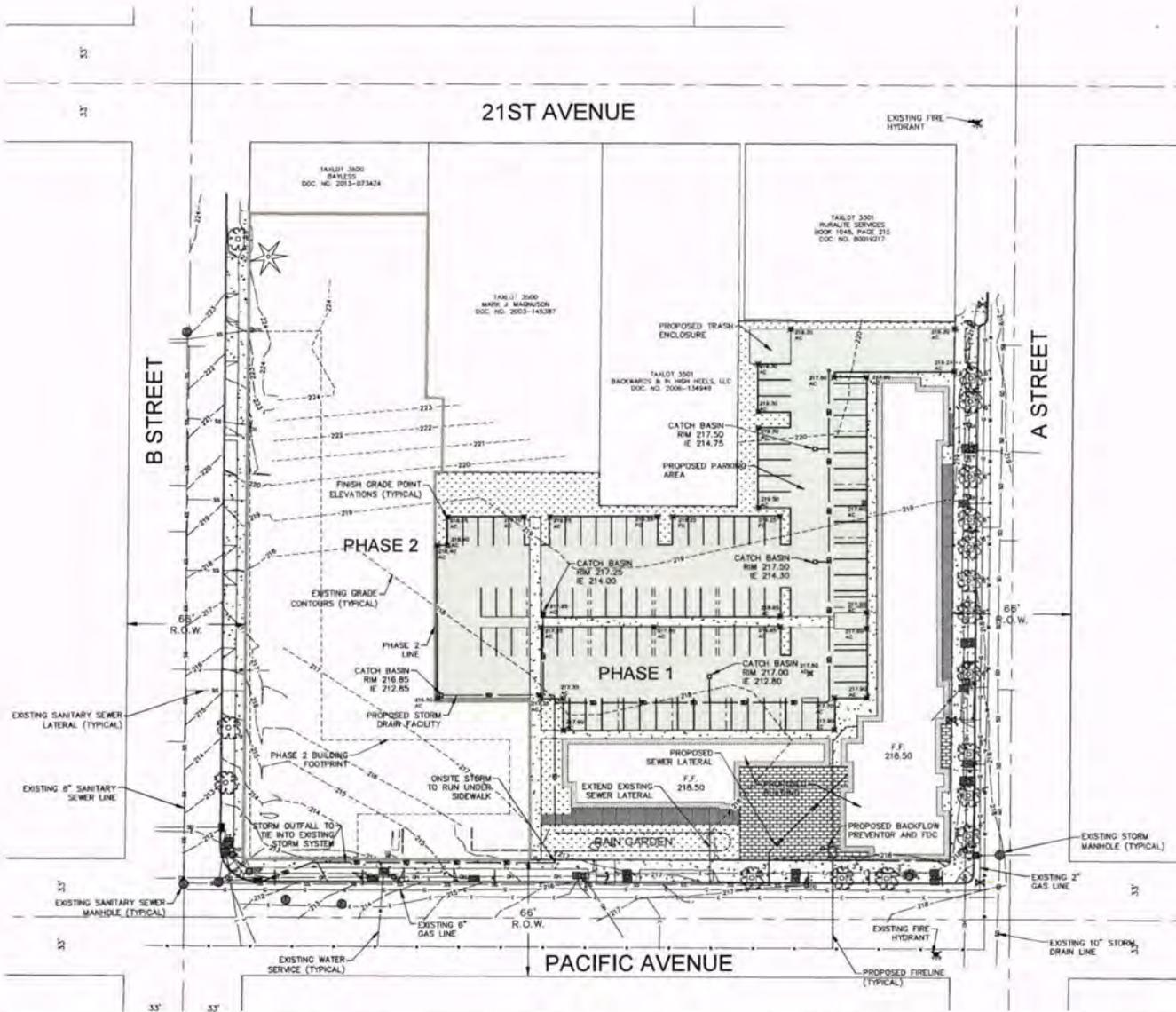


FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON



SHEET
6.1
11/20/2015



LEGEND

- EX. SANITARY SEWER MANHOLE
- EX. CLEANOUT
- ⊙ EX. STORM SEWER MANHOLE
- ⊕ EX. CATCH BASIN CENTER
- EX. CURB INLET
- EX. WATER VAULT
- EX. WATER METER
- EX. IRRIGATION CONTROL VALVE
- EX. ELECTRIC RISER
- EX. ELECTRIC VAULT
- EX. ELECTRIC BOX
- EX. ELECTRIC METER
- ⊙ EX. ELECTRIC MANHOLE
- ⊕ EX. GAS VALVE
- ⊙ EX. TELEPHONE MANHOLE
- ⊕ EX. UTILITY POLE
- ⊕ EX. TRAFFIC SIGNAL BOY
- ⊕ EX. TRAFFIC SIGNAL POLE
- EX. SIGN
- EX. FLAG POLE
- EX. GUY ANCHOR
- EX. TRASH CAN
- EX. LIGHT POLE
- EX. CONCRETE
- 12" EX. DECIDUOUS TREE
- 24" EX. EVERGREEN TREE
- EX. OVERHEAD LINES
- SAN EX. SANITARY SEWER LINE
- SD EX. STORM DRAIN LINE
- W EX. WATER LINE
- UG EX. UNDERGROUND POWER
- GAS EX. GAS LINE
- EX. UNDERGROUND TELE-COM
- EX. FENCE AS NOTED
- ▭ EX. BUILDING FOOTPRINT LINE
- AC EX. ASPHALT CONCRETE
- CONC EX. CONCRETE
- HCB EX. HANDICAP RAMP
- DWY EX. DRIVEWAY



FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON

SISUL ENGINEERING
375 PORTLAND AVENUE
GLADSTONE, OREGON 97027
(503) 657-0188
DRAWING #15-087 BASE.DWG



SHEET
7
11/20/2015

MATERIALS PALETTE

EXTERIOR CLADDING



Brick



Lap-Siding
Color 1



Lap-Siding
Color 2



Lap-Siding
Color 3



Aluminum Storefront



Vinyl Windows (White)



Painted Steel Door



Steel Canopy



Steel Fence



Steel Entry Gate



Painted Steel Railings

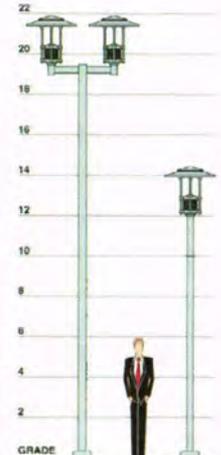
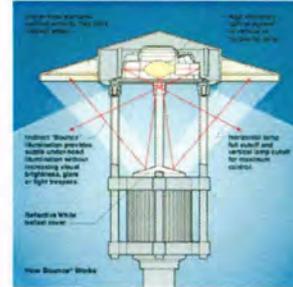


Metal Flashing

PEDESTRIAN AND PARKING LOT LIGHTING

Single luminaire w/ 12' +/- poles at pedestrian areas;
Double Luminaire w/ 20' +/- poles at parking lot

BOUNCE LUMINAIRE BY KIM LIGHTING, INC.
Available as LED or HID
Multiple colors and finishes available (tbd)



PLAZA LIGHT FIXTURE

Intent of this special fixture is to integrate a distinguished element, and reduce the number of poles in the plaza (optimize flexibility),

OLIVIO SISTEMO BY SELUX
Available as LED or HID
Multiple colors and finishes available (tbd)



EXHIBIT C
FOREST GROVE DOWNTOWN MIXED USE PROJECT
CONDITIONS OF APPROVAL
(FILE NO. 311-15-00022-PLNG)

1. Condition of Approval: The project shall substantially conform to the site plan dated November 20, 2015. The Pacific Frontage shall include a publicly accessible plaza located adjacent to the primary building entrance and commercial space. The public plaza shall be no less than 2,900 square feet.
2. Condition of Approval: The publicly accessed plaza shall include seating approved by the Forest Grove Community Development Director prior to issuance of building permits.
3. Condition of Approval: The Pacific Avenue street frontage design shall include a rain garden in the general location as shown on the site plan dated November 5, 2015. The design of the rain garden shall be approved by the Forest Grove Community Development Director prior to issuance of building permits.
4. Condition of Approval: Construct a hardscape pedestrian pathway between the building and rain garden adjacent to the Pacific Avenue right-of-way. Pathway materials shall be approved by the Community Development Director prior to issuance of building permits.
5. Condition of Approval: 10.8.150 (Clear Vision Area) Install a pedestrian alert signal (with light and sound) sufficient to alert pedestrians of vehicles leaving the site's interior parking area.
6. Condition of Approval: It shall be the continuing obligation of the property owner to maintain required landscaped areas free of weeds and noxious vegetation. The minimum required amount of landscape materials shall be maintained.
7. Condition of Approval: The ground in all required landscaped areas must be properly prepared with suitable soil and fertilizer. Specifications shall be submitted to the City prior to issuance of building permits showing that adequate preparation of the top soil and sub-soil will be undertaken prior to planting to support the long-term viability of the plantings.
8. Condition of Approval: Installation of landscaping shall be done in accordance with Development Code Section 10.8.410(C). Landscaping shall be protected from vehicular damage by some form of wheel guard or curb.
9. Condition of Approval: The applicant shall provide fence design specifications demonstrating compliance with Development Code Section 10.8.425(B)(7) for approval by the Community Development Director.
10. Condition of Approval: Refuse storage and recycling collection areas shall be design so that there is a minimum 10 feet of horizontal clearance and 8 feet of vertical clearance to accommodate collection vehicles.

11. Condition of Approval: Prior to issuance of building permits, the applicant shall show on construction documents material specifications for the refuse/recycling area enclosure. The enclosure must be designed for access by refuse/recycling collection vehicles as required by Waste Management Corporation.
12. Condition of Approval: Prior to issuance of building permits the applicant shall provide construction details for design of commercial entries meeting the requirements of Development Code Section 10.8.700(C)
13. Condition of Approval: Prior to issuance of building permits, provide construction drawings for windows in sufficient detail to demonstrate compliance with Development Code Section 10.8.700(C)
14. Condition of Approval: Plastic and/or chain link fences are prohibited in the Town Center. Wood fences shall be painted in compliance with Development Code Section 10.8.710(D)(7)(b).
15. Condition of Approval: The applicant must provide lighting specifications for City review and approval prior to issuance of building permits.
16. Condition of Approval: identify visitor parking spaces (need to address how access gate will function)
17. Condition of Approval: Off-street parking shall be improved with an asphalt surface to specifications approved by the Building Official. The driveway adjacent to the refuse/recycling collection area must be concrete for collection vehicles.
18. Condition of Approval: All parking spaces shall be marked using permanent paint.
19. Condition of Approval: All interior drives and access aisles shall be marked as to direction of traffic flow to maintain vehicular and pedestrian safety.
20. Condition of Approval: Parking space configuration, stall and access aisle size shall be of sufficient width for all vehicles turning and maneuvering based on the standards shown in Development Code Figures 8-6 and 8-7.
21. Condition of Approval: Parking space along the boundaries of the parking lot or adjacent to interior landscaped areas or pedestrian pathways shall be provided with a wheel stop at least four inches high located 1.5 feet back from the front of the parking stall as defined in Figure 8-6.
22. Condition of Approval: Designate one parking stall for loading and unloading near a building entrance.
23. Condition of Approval: Off street-parking and loading areas shall provide stormwater drainage approved by the City Engineer in accordance with City standards. Off-street parking and loading areas shall be drained so there is no flow of water across public sidewalks.

24. Condition of Approval: The Building Division requested that final construction documents show the location of ADA compliant spaces on the parking plan.
25. Condition of Approval: Applicant shall improve the current sidewalk ramp on Pacific Avenue to current ADA standards.
26. Condition of Approval: Applicant shall extend the public storm system for connection to the site
27. Condition of Approval: Applicant shall provide a storm water report documenting Clean Water Services design and construction requirements.
28. Condition of Approval: Applicant shall replace the sanitary sewer main serving the project with a manhole connection as required by the City Engineer.
29. Condition of Approval: Project must adhere to applicable construction standards and requirements.
30. Condition of Approval: The applicant must provide sign specifications for City review and approval prior to issuance of building permits specifically required for address signage meeting Fire Department requirements.
31. Condition of Approval: Applicant shall update fire hydrants that serve this site (B Street at Pacific Avenue and B Street at 21st Avenue) to current city standards of 3 hose connection points, with a 4" storz type thread connection on the "steamer port". We are considering the hydrants on B Street at Pacific Avenue and 21st Avenue, as well as on A Street at 21st Avenue and Pacific Avenue as those that serve this site.
32. Condition of Approval: Applicant shall locate a Knox Box key box in an approved location.
33. Condition of Approval: Applicant shall provide a fire department standpipe system to protect the parking lot.
34. Condition of Approval: Prior to issuance of building permits for signage, applicant must provide sign specifications for any hanging or projecting signs for City review and approval.
35. Condition of Approval: Prior to issuance of building permits for signage, the applicant must provide sign specifications for any window signs for City review and approval.
36. Condition of Approval: Prior to issuance of building permits for signage, the applicant must provide sign specifications for any information and directional signs for City review and approval.

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A place where businesses and families thrive.

<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>8.</u>
FINAL ACTION:	_____

CITY COUNCIL STAFF REPORT

TO: City Council

FROM: Jesse VanderZanden, City Manager

MEETING DATE: January 25, 2016

PROJECT TEAM: Jon Holan, Community Development Director, Paul Downey Administrative Services Director
Daniel Riordan, Senior Planner

SUBJECT TITLE: City Council approval of an Order approving Site Development Review for the Forest Grove Downtown Mixed Use Project

ACTION REQUESTED:

	Ordinance	X	Order		Resolution		Motion		Informational
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X all that apply

ISSUE STATEMENT: Whether the City Council shall adopt an Order approving Site Development Review for the Forest Grove Downtown Mixed Use Project.

BACKGROUND: On November 20, 2015, Tokola Properties, through Studio C Architecture, submitted a complete land use application for the Forest Grove Mixed Use Project. The application includes three concurrent land use actions: Development Agreement, Site Development Review and Design Review. The project includes 78 apartments, including five live-work units, 2,500 square feet of retail space, 2,900 square foot publicly accessible plaza and 94 off-street parking spaces.

City Council held a public hearing on January 11, 2016 to consider the Planning Commission’s recommendation to approve Site Development Review for the Forest Grove Mixed Use Project. The written staff report for the Council’s January 11th public hearing demonstrates how the project meets applicable site development review criteria. Staff also advised City Council on January 11th that an Order would be presented, on January 25, 2016, for City Council consideration granting Site Development Review approval.

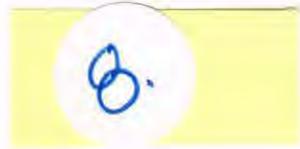
FISCAL IMPACT: None. Approval of the Order approving Site Development Review for the Forest Grove Mixed Use Project does not obligate any City funds.

STAFF RECOMMENDATION: Staff recommends that City Council approve the Order granting Site Development Review approval for the Forest Grove Mixed Use Project.

ATTACHMENT(s):

- A. Order granting Site Development Review approval for the Forest Grove Mixed Use Project.

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ORDER NO. 2016-02

ORDER APPROVING SITE DEVELOPMENT REVIEW FOR THE FOREST GROVE DOWNTOWN MIXED USE PROJECT (FILE NO. 311-15-00022-PLNG)

WHEREAS, the “Applicant”, Tokola Properties, LLC and the City of Forest Grove, filed an application for site development review for the “Forest Grove Downtown Mixed Use Project”; and

WHEREAS, the land use approval is for a proposed 78 unit apartment complex including 5 live-work units and 2,500 square feet of commercial space fronting Pacific Avenue and A Street; and

WHEREAS, the application was deemed complete on November 20, 2015; and

WHEREAS, the Forest Grove Planning Commission (“Planning Commission”) held a duly-noticed public hearing on the application on December 7, 2015; and

WHEREAS, after considering the evidence in the record including the application, staff report, and testimony from the applicant and the public, and considering the evidence against the applicable criteria, the Planning Commission voted 7-0 to recommend approval of the site development plan; and

WHEREAS, the City Council held duly-noticed public hearings on January 11 and January 25, 2016 to receive public testimony; and

WHEREAS, at the January 25, 2016, Public Hearing the City Council received additional testimony from the applicant and the public, closed the hearing, deliberated and reached a final decision.

NOW, THEREFORE, THE CITY OF FOREST GROVE ORDERS AS FOLLOWS:

Section 1. The City Council adopts the Findings attached as Exhibit A to this Order.

Section 2. After full consideration of the application, staff reports, findings, evidence in the record and public testimony, the City Council approves the project site plan dated November 20, 2015 (Exhibit B), with conditions as shown on Exhibit C to this Order.

Section 3. This order shall be effective upon the effective date of Ordinance 2016-01 (Authorizing the City Manager to Enter into a Development Agreement between Tokola Properties and City of Forest Grove and Forest Grove Mixed Use Project Located North of Pacific Avenue and West of A Street).

PRESENTED AND PASSED on the 25th day of January, 2016.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 25th day of January, 2016.

Peter B. Truax, Mayor

EXHIBIT A
SITE DEVELOPMENT REVIEW FINDINGS

The City Council adopts by reference the staff report and exhibits, dated January 11, 2016, including findings and recommendations.

The project proposal complies with Development Code Section 10.2.450 *Site Development Review Criteria* except as modified through the Design Review process as follows:

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

Finding: The project is located in the Town Center Transition and Town Center Support zones. Base zoning standards are identified in Article 3 of the Forest Grove Development Code. Article 3 (Table 3-12) of the Forest Grove Development Code identifies permitted uses in the Town Center zoning districts. The proposed project includes household living and commercial as intended uses. Table 3-13 identifies household living and commercial as permitted uses in the Town Center zones. The project as proposed complies with the permitted uses shown on Table 3-12.

Finding: Article 3 (Table 3-13) establishes minimum and maximum building heights. Under Table 3-13, the minimum building height is two stories and the maximum building height is four stories. The proposed maximum building height is four stories. The project as proposed complies with the building height standard shown on Table 3-13.

Finding: Article 3 (Table 3-13) establishes requirements for minimum landscaping. The minimum landscaping requirement is 5% of the lot. Based on the site plan, the site will have approximately 18.6% landscaping including landscaping within the parking area.

Finding: Article 3 (Table 3-13) establishes minimum parking for the Town Center zones. Under Table 3-13 no parking is required for any use in the Town Center. The project proposes 94 off-street parking spaces.

Finding: Article 3 (Table 3-13) establishes minimum and maximum building setbacks. The minimum setback is 0 feet and the maximum setback is 15 feet. The maximum proposed building setback along the A Street frontage is 4 feet to accommodate residential entries. The maximum proposed building setback along Pacific Avenue is approximately 53 feet to accommodate a plaza area. This setback exceeds the maximum building setback shown on Table 3-13. A departure from the maximum setback is permissible when a project is reviewed based on the Track 2 design review process. The applicant requests and the Planning Commission grants a departure from the maximum building setback of up to 53 feet to accommodate the proposed plaza area.

Finding: The proposed project is not located within an overlay zone.

Finding: The general standards contained in Development Code Article 8 are applicable to all projects subject to development review. Projects in the Town Center subject to Design Review have the option of complying with the Article 8 standards or meeting flexible design guidelines contained in the Design Guideline Handbook. The applicant requested project review based on the design guidelines contained in the Design Guideline Handbook.

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

- a. Building mass and scale do not result in substantial visual and privacy impacts to nearby residential properties.*
- b. Proposed structures, parking lots, outdoor use areas or other site improvements that could cause substantial off-site impacts such as noise, glare, and odors are oriented away from nearby residential uses and/or adequately mitigated through other design techniques.*

Finding: The project site is located at the northwest corner of Pacific Avenue and A Street. The site is adjacent to a vacant office building (former Ruralite offices), the Forest Grove Post Office and home converted into multiple units. Buildings are proposed near or adjacent to the A Street and Pacific Avenue rights-of-way. A 94-space parking lot is planned interior to the subject property. Based on the location of the proposed buildings and the interior parking area the building mass and scale will not result in substantial visual or privacy impacts to nearby residential properties.

Finding: The proposed project is primarily residential. The site design includes a minimum five foot landscaped strip along the site's perimeter. This landscaped strip will provide a buffer between the project site and abutting properties. The landscaped strip provides a separation between the paved surface and abutting properties consistent with Development Code Section 10.8.415(D). Proposed structures, parking lots, outdoor use areas and other site improvements are not expected to cause substantial off-site impacts such as noise, glare, or odors.

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

- i. Significant on-site vegetation and trees*
- ii. Prominent topographic features; and*
- iii. Sensitive natural resource areas such as wetlands, creek corridors and riparian areas.*

Finding: The site is vacant and cleared. No on-site vegetation or trees are present. The site is generally flat and devoid of prominent topographic features. The site contains no sensitive natural resources areas such as wetlands, creek corridors and riparian areas.

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

Finding: The project site is not adjacent to designated historic resources and is not located within a designated historic district. The site development plan generally reflects the historic development pattern found in the Town Center such as placing building close to the public right-of-way. The design includes storefront windows for the retail space.

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

Finding: The site is located in the Forest Grove Town Center. The perimeter of the site is adjacent to the A Street and Pacific Avenue rights-of-way. Both rights-of-way include

sidewalk and streetscape improvements including street trees, tree wells and decorative streetlights. Additional right-of-way dedication is not required for right-of-way improvements.

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

Finding: The site development plan shows a five foot wide pedestrian pathway connecting the Pacific Avenue right-of-way and adjacent public plaza with the interior parking area. The pathway will connect building entrances, public sidewalks and auto parking spaces. The proposed plaza area adjacent to the Pacific Avenue right-of-way is adjacent to the existing Tri-Met Line 57 bus stop.

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DESIGN REVIEW & DEVELOPMENT AGREEMENT
CITY OF FOREST GROVE, OREGON

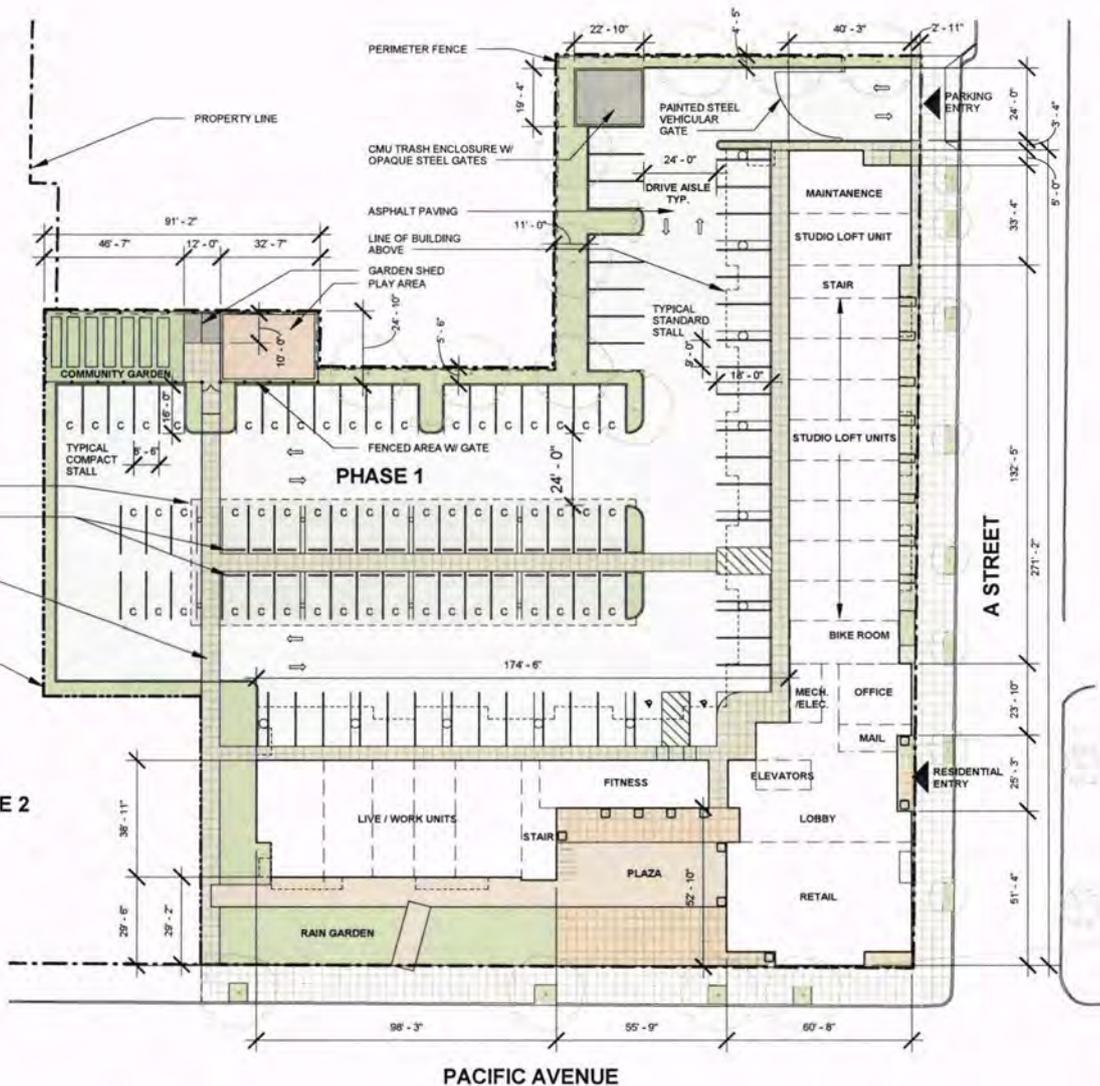
NOVEMBER 20, 2015



FOREST GROVE APARTMENTS
NW CORNER OF PACIFIC AVENUE & A STREET



EXHIBIT B



EXTENTS OF COVERED PARKING W/ VEGETATED ROOF, STEEL STRUCTURE, STEEL COLUMNS ON 18" DIA. x 3' HIGH CONCRETE BASE, TPO MEMBRANE ON WOOD DECKING, TRAY SYSTEM GREEN ROOF

WHEEL STOPS TYP.

CONCRETE SIDEWALK

NEW PROPERTY LINE BOUNDARY AND EXTENTS OF PHASE 1 WORK

PROJECT SUMMARY

TOTAL SITE AREA: 109,361 SF
 -PHASE 1: 66,485 SF
 -PHASE 2: 42,876 SF

PHASE 1

SITE AREA: 66,590 SF
 -BUILDING FOOTPRINT: 16,230 SF
 -ASHPALT: 32,020 SF
 -PAVERS: 3,010 SF
 -SIDEWALK: 5,870 SF
 -LANDSCAPE: 8,500 SF

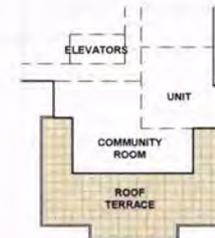
LOT COVERAGE: 27.7% (INCLUDING COVERED PARKING)

BUILDING AREA

-TOTAL BUILDING AREA: 86,550 SF
 -LEVEL 1: 16,230 SF
 -LEVEL 2: 22,600 SF
 -LEVEL 3: 22,600 SF
 -LEVEL 4: 20,650 SF
 -BALCONIES: 2,520 SF
 -4TH LEVEL TERRACE: 1,500 SF

PARKING MIX

-94 TOTAL PARKING STALLS
 -STANDARD: 37
 -COMPACT: 55
 -ACCESSIBLE: 2
 -94 STALLS/78 UNITS = 1.2 STALLS/UNIT PROVIDED



4TH LEVEL ROOF TERRACE



ARCHITECTURAL SITE PLAN

1" = 20'-0"



FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
 FOREST GROVE, OREGON



SHEET
2
 11/20/2015



FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON



SHEET
3
11/20/2015



FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON



SHEET
4
11/20/2015



SE PERSPECTIVE



FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON



SHEET
5
11/20/2015

Botanical Name	Common Name	Size	Spacing	Street Trees / Perimeter Trees	Native Plantings	"Through Streets, good to medium"	Good Full Color	Evergreen	Winter Interest	Shiny Flowers
TREES-LARGE CANOPY										
Acer rubrum rubrum	Red Maple	2" ca.	30-40' o.c.	T	d	f				
Betula papyrifera	Honeylocust White Birch		30-40' o.c.							
Chidocarpus laevis	American Yellowwood	2" ca.	30-40' o.c.		d	f				
Fraxinus americana	White Ash	2" ca.	30-40' o.c.	T	d	f				
Fraxinus excelsior 'Aurea'	European Golden Ash	2" ca.	30-40' o.c.	T	d	f				
Gleditsia triacanthos	Golden Tree	2" ca.	30-40' o.c.		d	f				
Hydra sp.	Black Tupelo	2" ca.	30-40' o.c.		d	f				
Pyrus calleryana	Flowering Pear	2" ca.	30-40' o.c.		d	f				
Quercus laevis 'Schmidt'	Forest Green Oak	2" ca.	30-40' o.c.	T	d	f				
Ulmus americana cultorum	American Elm	2" ca.	30-40' o.c.		d	f				
Zelkova sericea 'Valley Green'	Valley Green Zelkova	2" ca.	30-40' o.c.	T	d	f				
TREES-SMALL DECIDUOUS										
Acer canadense	Vine Maple	1 1/2" ca.	as shown		d	f				
Cornus canadensis	Radbud	1 1/2" ca.	as shown		d	f				
Cornus lacinata	Korean Dogwood	1 1/2" ca.	as shown		d	f				
Hydrangea macrophylla	Seven Seas Tree	1 1/2" ca.	as shown		d	f				
Hydrangea mollis 'Royal Star'	Royal Star Hydrangea	1 1/2" ca.	as shown		d	f				
Sorbaria pedunculata	Japanese Sorbaria	1 1/2" ca.	as shown		d	f				
SHRUBS: Tall, over 3.5'										
Camellia sasanqua 'Tulardi'	Sasanqua Camellia	#5	5' o.c.		d	f				
Euonymus alata 'Compacta'	Dwarf Winged Euonymus	#5	5' o.c.		d	f				
Hamamelis mollis	Witch Hazel	#5	5' o.c.		d	f				
Hydrangea quercifolia	Oakleaf Hydrangea	#5	5' o.c.		d	f				
Ilex crenata 'Compacta'	Compact Japanese Holly	#5	48" o.c.		d	f				
Ilex verticillata 'Henry's Garnet'	Virginia Sweetspire	#5	48" o.c.		d	f				
Osmanthus delavayi	Delavay Osmanthus	#5	5' o.c.							
Prunus laurocerasus 'Zabotai'	Calad Laurel	#5	48" o.c.							
Rhododendron cultorum	Rhododendrons	#5	48" o.c.							
Sarcococca nuchicola	Sarcococca	#5	48" o.c.							
SHRUBS and FERNS: Low, under 3.5'										
Cornus sericea 'Rubro'	Kelley Dogwood	#2	30" o.c.							
Dryopteris erythrosperma	Autumn Fern	#2	30" o.c.							
Euonymus japonica 'Microphylla'	Bokeak Euonymus	#2	24" o.c.							
Fothergilla gardenii	Oleaster Fothergilla	#2	30" o.c.							
Hydrangea 'Tee'	Pink (B) Hydrangea	#2	30" o.c.							
Ilex crenata	Japanese Holly	#2	24" o.c.							
Lonicera japonica	Honey-suckle Frost	#2	30" o.c.							
Hibiscus artemisiifolius 'Compacta'	Compact Orange Ginkgo	#2	30" o.c.							
Polystichum montanum	Swordfern	#2	24" o.c.							
Prunus laurocerasus 'T.H. Vernooy'	T.H. Vernooy Laurel	#2	30" o.c.							
Rhododendron cultorum	Rhododendrons	#2	48" o.c.							
Viburnum dentatum	David Viburnum	#2	48" o.c.							
GROUNDCOVERS and Vines										
Linum catharticum 'Big Blue'	Linum	#1 cont.	30" o.c.							
Ilex crenata 'Hedley'	Hedley Japanese Holly	#1 cont.	30" o.c.							
Gonolobus laevis	Broom	#1 cont.	30" o.c.							
Hibiscus repens	Creeching Hibiscus	#1 cont.	30" o.c.							
Cyrtopogon plumosus 'Nigrescent'	Black Heads Grass	#1 cont.	30" o.c.							
Prunus laurocerasus 'T.H. Vernooy'	T.H. Vernooy Laurel	#1 cont.	30" o.c.							
Rubus calycosus	Bramble	#1 cont.	30" o.c.							
Vaccinium vitis-idaea 'Himal'	Lingonberry	#1 cont.	30" o.c.							
ORNAMENTAL GRASSES										
Calamagrostis canadensis stricta cv	Feather Reed Grass	#1 cont.	30" o.c.							
Habenaria macrochaeta	Habena Grass	#1 cont.	30" o.c.							
Habenaria arvensis 'Windspire'	Tall Purple Moor Grass	#1 cont.	30" o.c.							
Panicum virgatum 'Piazza Plena'	Red Switch Grass	#1 cont.	30" o.c.							
Pennisetum alopecuroides	Fountain Grass	#1 cont.	30" o.c.							
PERENNIALS and BULBS										
Acrostichum sp.	Spry Bear's Breath	#1 cont.	48" o.c.							
Aspidistra 'Horseshoe'	Horseshoe Yarrow	#1 cont.	30" o.c.							
Asplenium platyneuron	Wing Ginger	#1 cont.	30" o.c.							
Begonia cordata	Heartleaf Begonia	#1 cont.	24" o.c.							
Canna sp.	Canna Lily	#1 cont.	18" o.c.							
Echinacea purpurea	Purple Coneflower	#1 cont.	30" o.c.							
Hemerocallis hybrid	Daylily	#1 cont.	30" o.c.							
Iris sibirica	Siberian Iris	#1 cont.	30" o.c.							
Lamella sp.	Lamella	#1 cont.	30" o.c.							
Linum catharticum 'Big Blue'	Big Blue Linum	#1 cont.	30" o.c.							
Penstemon sp.	Penstemon Sage	#1 cont.	48" o.c.							
Rudbeckia fulgida 'Goldstrum'	Black-eyed Susan	#1 cont.	30" o.c.							
Sedum 'Autumn Joy'	Autumn Joy Sedum	#1 cont.	30" o.c.							



LEGEND	
—	PROPERTY LINE
—	PERIMETER FENCING
□	PARKING LOT LIGHT
●	PEDESTRIAN SITE LIGHT
●	PEDESTRIAN SITE LIGHT
■	CONCRETE PAVING - VEHICULAR
■	CONCRETE PAVING - PEDESTRIAN
■	CONCRETE PAVING - SPECIAL FINISH
■	PLANT BED
■	AC PAVING
■	STORMWATER FACILITY
○	EXISTING TREE to remain
○	NEW TREES
○	AREA DRAIN See Civil
○	DECK DRAIN See Civil
○	TRENCH DRAIN See Civil
○	BICYCLE RACKS
■	CONCRETE POTS

PLANTING CONCEPT AND OUTLINE SPECIFICATIONS

Design Concept:
The site is located on the corner of A Street and Pacific Avenue. The planting design will include courtyard, parking lot plantings, and stormwater facility plantings.

Street Trees:
Street tree plantings are required per the Mixed-Use zoning requirements along A Street and Pacific Avenue.

Tree Plantings:
All trees required by Forest Grove Development Code will be minimum 2" caliper at the time of planting.

Stormwater Treatment Facility Plantings:
Stormwater facility landscaping will comply with City of Forest Grove stormwater requirements for the facility types that are selected by design team.

Material Qualities and Specifications:
Plants and trees will be selected from the Plant List to will comply with City of Forest Grove requirements and will include deciduous street trees, deciduous accent trees, deciduous and evergreen shrubs, grasses, and perennials. Native species as well as nonnative species which are adapted to site growing conditions will be used.

Planting Plan:
A complete Planting Plan, related details, and technical specifications will be prepared by Cameron McCarthy Landscape Architecture & Planning and submitted to the City of Forest Grove Public Works for review prior to installation.

IRRIGATION CONCEPT AND OUTLINE SPECIFICATIONS

Design Concept:
The irrigation system is to be designed and constructed to be as efficient in terms of water usage as possible. It will use water-conserving low gillon pop-up spray or rotary heads. All plants and planted areas are to receive irrigation.

General Description:
The irrigation system is to be a fully automatic underground system. A permanent system with 100% head to head coverage will be installed at all tree, shrub and groundcover plantings.

Products:
Main and Lateral Lines:
Class 200 PVC pipe is to be used throughout the project at sizes appropriate to minimize pressure loss due to friction and to maintain velocities of water flows at recommended levels.
Heads:
All sprinkler heads are to be plastic "pop-up" heads. Spray or rotary nozzles are to be used at all new planted areas.
Valves:
All control valves are to be plastic, heavy-duty automatic globe style valves equipped with manual open and close controls. Isolation valves and check blocks are to be installed as deemed appropriate in the mainline supply system. Manual drain valves will be installed at all mainline low points.

SITE AREAS		66,485 SF
OPEN SPACE:	Vegetated Open Space:	11,330 SF
	8% of development	6,665 SF
RECREATION SPACE:	Community Garden	1,390 SF
	Play Area	750 SF
PARKING AREA	INTERIOR LANDSCAPING	30,770 SF
	Interior Lot Size:	140 SF
	Interior Plant Bed Areas:	<1% Vegetated
	With Vegetated Roof:	6,120 SF
	20% Vegetated	19.2
	Required Trees	10
	(1 tree per 1,600 SF)	
	Trees provided:	

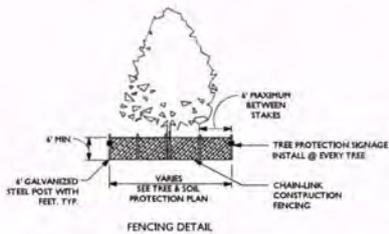
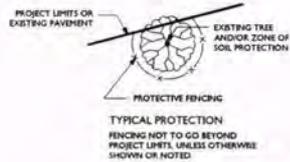


FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON



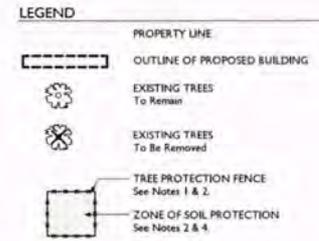
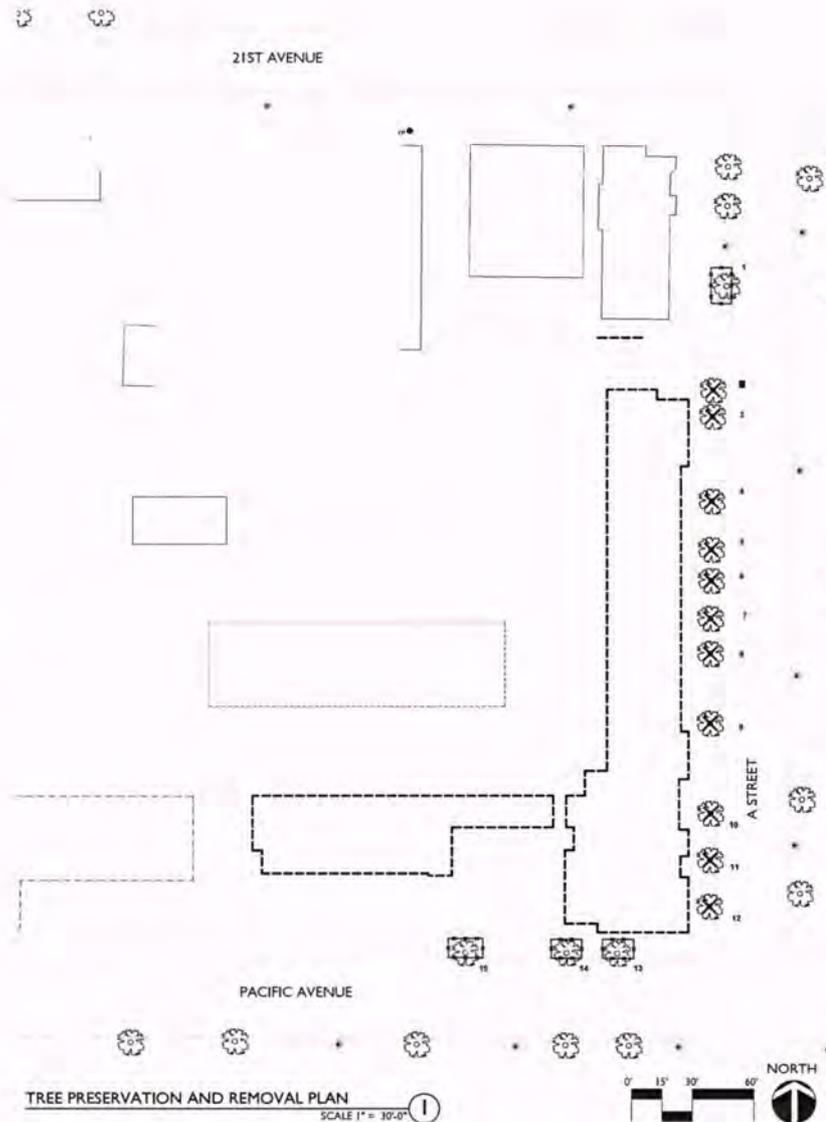
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11/20/2015



NOTE

1. Fencing to be installed prior to construction. Fencing to be inspected by Owner's representative prior to any invasive construction activities.

PROTECTIVE FENCING (2) NTS



TREE REMOVAL & PRESERVATION NOTES

- Tree Protection Fence - Install fence during initial mobilization at the site and maintain until substantial completion. Fence is 6-foot chain link and secured with rigid galvanized steel posts 6' min. length.
- Zone of Soil Protection - Boundaries as indicated and directed by the Owner's Authorized Representative. Enclose areas with rigid chain link fencing. Obtain advance written authorization from the Owner's Authorized Representative for removal or modification of fencing. There shall be no work conducted in the enclosed area, no storage, no traffic nor other activity not previously approved. Within this zone only trench-less boring at pre-authorized depths, "air spade" trenching or hand digging. Cut roots and protect exposed roots as required.
- If roots are encountered and the Architect determines that modification of the work is not practical, notify Owner's Authorized Representative for determination of alternative preservation strategy.
- Within Zone of Soil Protection, utility lines, irrigation lines, or other pipes shall be installed by air spade trenching, hand digging, or tunneling under roots, as necessary, to avoid cutting roots 2" and larger.
- Watering - Do not allow exposed roots to dry out before permanent backfill is in place; provide temporary earth cover, pack with wet bark mulch, or 4 layers of wet untreated burlap, and temporarily support and protect from damage until roots are permanently relocated and covered with backfill. Water the soil to settle backfill and eliminate voids and air pockets. Water trees if required by Owner's Authorized Representative. Use a slow drip or soaker hose to provide necessary water until completion of project.
- See Specifications for additional requirements.

Plan ID	Common Name	DBH	Condition*	Comments	Action
1	Red Maple	3"	5	> 25% deadwood, even canopy, vigorous	protect
2	Japanese Maple	6"	2	25% deadwood, stunted growth, tree in decline	remove
3	Japanese Maple	6"	3	10% deadwood, stunted growth	remove
4	Japanese Maple	6"	3	15% deadwood, tree in decline	remove
5	Japanese Maple	6"	3	10% deadwood	remove
6	Japanese Maple	6"	2	25% deadwood, stunted growth, tree in decline	remove
7	Japanese Maple	6"	3	10% deadwood	remove
8	Japanese Maple	6"	3	15% deadwood	remove
9	Japanese Maple	6"	3	15% deadwood, uneven canopy	remove
10	Japanese Maple	6"	3	10% deadwood, uneven canopy	remove
11	Japanese Maple	6"	3	10% deadwood, uneven canopy	remove
12	Japanese Maple	6"	2	15% deadwood, tree in decline	remove
13	Red Maple	3"	3	suckers	protect
14	Red Maple	3"	3	significant trunk wound on SW side	protect
15	Red Maple	3"	3	significant trunk wound on SW side, suckers	protect

*Condition

5 = excellent	perfect form, little to no deadwood, all limbs have good attachments, no sign of decay
4 = good	good form, multi-leader, but with good attachment, 10% or less large deadwood
3 = fair	unbalanced or incomplete crown, tight limb angles, 15-20% larger deadwood
2 = poor	Evidence of some decay, 20-30% larger deadwood, history of being topped
1 = very poor	Structurally unsound, extensive decay, dieback, poor form, unbalanced or greatly reduced crown,

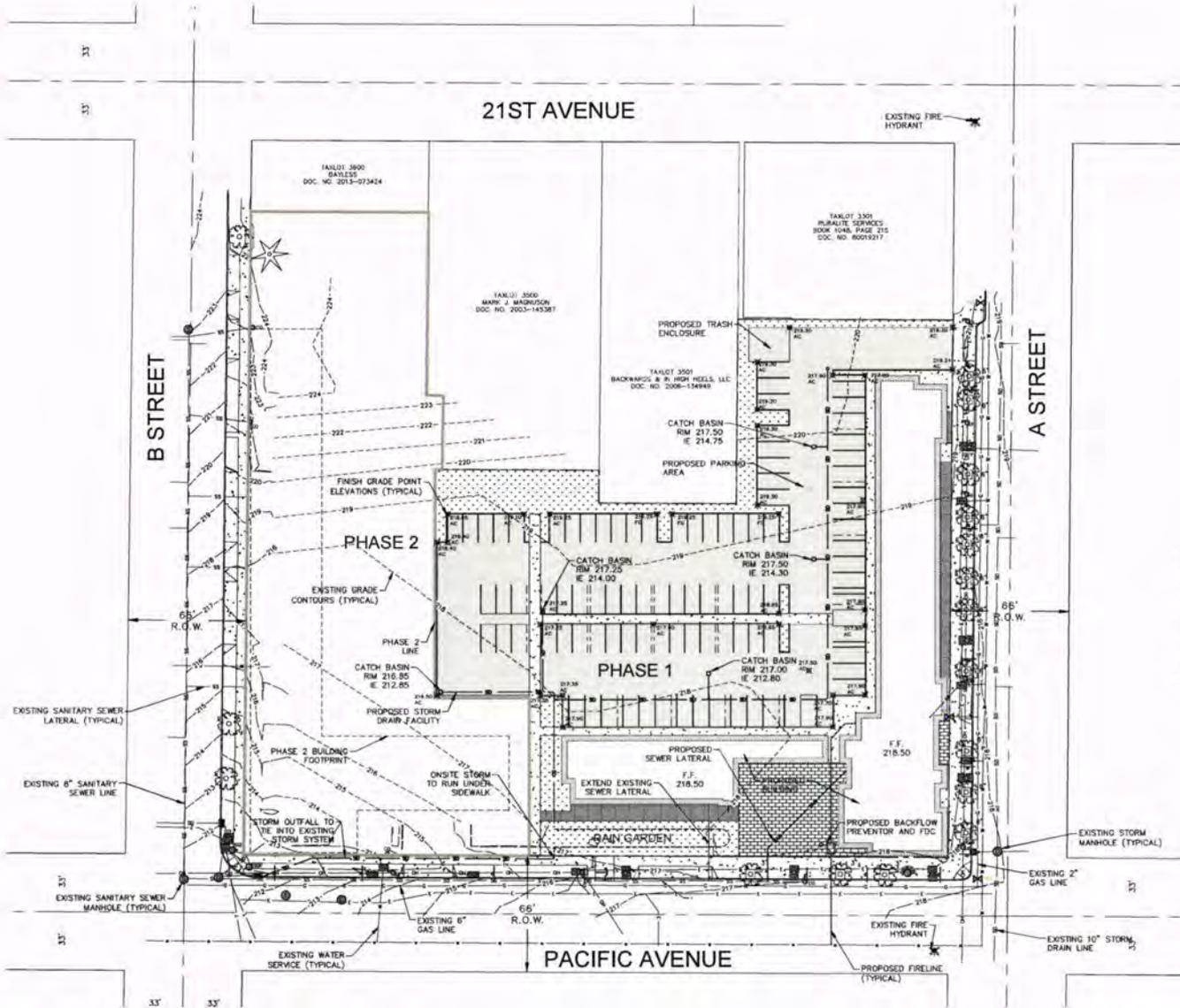


FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON

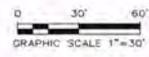


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11/20/2015



LEGEND

- EX. SANITARY SEWER MANHOLE
- EX. CLEANOUT
- ⊕ EX. STORM SEWER MANHOLE
- ⊕ EX. CATCH BASIN CENTER
- EX. CURB INLET
- EX. WATER VAULT
- EX. WATER METER
- EX. IRRIGATION CONTROL VALVE
- EX. ELECTRIC RISER
- EX. ELECTRIC VAULT
- EX. ELECTRIC BOX
- EX. ELECTRIC METER
- ⊕ EX. ELECTRIC MANHOLE
- ⊕ EX. GAS VALVE
- ⊕ EX. TELEPHONE MANHOLE
- ⊕ EX. UTILITY POLE
- ⊕ EX. TRAFFIC SIGNAL BOX
- ⊕ EX. TRAFFIC SIGNAL POLE
- ⊕ EX. SIGN
- ⊕ EX. FLAG POLE
- ⊕ EX. GUY ANCHOR
- ⊕ EX. TRASH CAN
- ⊕ EX. LIGHT POLE
- ⊕ EX. CONCRETE
- EX. DECIDUOUS TREE
- EX. EVERGREEN TREE
- EX. OVERHEAD LINES
- SAN EX. SANITARY SEWER LINE
- EX. STORM DRAIN LINE
- EX. WATER LINE
- EX. UNDERGROUND POWER
- GAS EX. GAS LINE
- EX. UNDERGROUND TELE-COM
- EX. FENCE AS NOTED
- ⊕ EX. BUILDING FOOTPRINT LINE
- AC EX. ASPHALT CONCRETE
- CONC. EX. CONCRETE
- HCR EX. HANDICAP RAMP
- DWT EX. DRIVEWAY



FOREST GROVE APARTMENTS

NW CORNER OF PACIFIC AVENUE & A STREET
FOREST GROVE, OREGON

SISUL ENGINEERING
375 PORTLAND AVENUE
GLADSTONE, OREGON 97027
(503) 657-0188
DRAWING 115-087 BASE.DWG



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11/20/2015

EXHIBIT C
FOREST GROVE DOWNTOWN MIXED USE PROJECT
CONDITIONS OF APPROVAL
(FILE NO. 311-15-00022-PLNG)

1. Condition of Approval: The project shall substantially conform to the site plan dated November 20, 2015. The Pacific Frontage shall include a publicly accessible plaza located adjacent to the primary building entrance and commercial space. The public plaza shall be no less than 2,900 square feet.
2. Condition of Approval: The publicly accessed plaza shall include seating approved by the Forest Grove Community Development Director prior to issuance of building permits.
3. Condition of Approval: The Pacific Avenue street frontage design shall include a rain garden in the general location as shown on the site plan dated November 5, 2015. The design of the rain garden shall be approved by the Forest Grove Community Development Director prior to issuance of building permits.
4. Condition of Approval: Construct a hardscape pedestrian pathway between the building and rain garden adjacent to the Pacific Avenue right-of-way. Pathway materials shall be approved by the Community Development Director prior to issuance of building permits.
5. Condition of Approval: 10.8.150 (Clear Vision Area) Install a pedestrian alert signal (with light and sound) sufficient to alert pedestrians of vehicles leaving the site's interior parking area.
6. Condition of Approval: It shall be the continuing obligation of the property owner to maintain required landscaped areas free of weeds and noxious vegetation. The minimum required amount of landscape materials shall be maintained.
7. Condition of Approval: The ground in all required landscaped areas must be properly prepared with suitable soil and fertilizer. Specifications shall be submitted to the City prior to issuance of building permits showing that adequate preparation of the top soil and sub-soil will be undertaken prior to planting to support the long-term viability of the plantings.
8. Condition of Approval: Installation of landscaping shall be done in accordance with Development Code Section 10.8.410(C). Landscaping shall be protected from vehicular damage by some form of wheel guard or curb.
9. Condition of Approval: The applicant shall provide fence design specifications demonstrating compliance with Development Code Section 10.8.425(B)(7) for approval by the Community Development Director.
10. Condition of Approval: Refuse storage and recycling collection areas shall be design so that there is a minimum 10 feet of horizontal clearance and 8 feet of vertical clearance to accommodate collection vehicles.

11. Condition of Approval: Prior to issuance of building permits, the applicant shall show on construction documents material specifications for the refuse/recycling area enclosure. The enclosure must be designed for access by refuse/recycling collection vehicles as required by Waste Management Corporation.
12. Condition of Approval: Prior to issuance of building permits the applicant shall provide construction details for design of commercial entries meeting the requirements of Development Code Section 10.8.700(C)
13. Condition of Approval: Prior to issuance of building permits, provide construction drawings for windows in sufficient detail to demonstrate compliance with Development Code Section 10.8.700(C)
14. Condition of Approval: Plastic and/or chain link fences are prohibited in the Town Center. Wood fences shall be painted in compliance with Development Code Section 10.8.710(D)(7)(b).
15. Condition of Approval: The applicant must provide lighting specifications for City review and approval prior to issuance of building permits.
16. Condition of Approval: identify visitor parking spaces (need to address how access gate will function)
17. Condition of Approval: Off-street parking shall be improved with an asphalt surface to specifications approved by the Building Official. The driveway adjacent to the refuse/recycling collection area must be concrete for collection vehicles.
18. Condition of Approval: All parking spaces shall be marked using permanent paint.
19. Condition of Approval: All interior drives and access aisles shall be marked as to direction of traffic flow to maintain vehicular and pedestrian safety.
20. Condition of Approval: Parking space configuration, stall and access aisle size shall be of sufficient width for all vehicles turning and maneuvering based on the standards shown in Development Code Figures 8-6 and 8-7.
21. Condition of Approval: Parking space along the boundaries of the parking lot or adjacent to interior landscaped areas or pedestrian pathways shall be provided with a wheel stop at least four inches high located 1.5 feet back from the front of the parking stall as defined in Figure 8-6.
22. Condition of Approval: Designate one parking stall for loading and unloading near a building entrance.
23. Condition of Approval: Off street-parking and loading areas shall provide stormwater drainage approved by the City Engineer in accordance with City standards. Off-street parking and loading areas shall be drained so there is no flow of water across public sidewalks.

24. Condition of Approval: The Building Division requested that final construction documents show the location of ADA compliant spaces on the parking plan.
25. Condition of Approval: Applicant shall improve the current sidewalk ramp on Pacific Avenue to current ADA standards.
26. Condition of Approval: Applicant shall extend the public storm system for connection to the site
27. Condition of Approval: Applicant shall provide a storm water report documenting Clean Water Services design and construction requirements.
28. Condition of Approval: Applicant shall replace the sanitary sewer main serving the project with a manhole connection as required by the City Engineer.
29. Condition of Approval: Project must adhere to applicable construction standards and requirements.
30. Condition of Approval: The applicant must provide sign specifications for City review and approval prior to issuance of building permits specifically required for address signage meeting Fire Department requirements.
31. Condition of Approval: Applicant shall update fire hydrants that serve this site (B Street at Pacific Avenue and B Street at 21st Avenue) to current city standards of 3 hose connection points, with a 4" storz type thread connection on the "steamer port". We are considering the hydrants on B Street at Pacific Avenue and 21st Avenue, as well as on A Street at 21st Avenue and Pacific Avenue as those that serve this site.
32. Condition of Approval: Applicant shall locate a Knox Box key box in an approved location.
33. Condition of Approval: Applicant shall provide a fire department standpipe system to protect the parking lot.
34. Condition of Approval: Prior to issuance of building permits for signage, applicant must provide sign specifications for any hanging or projecting signs for City review and approval.
35. Condition of Approval: Prior to issuance of building permits for signage, the applicant must provide sign specifications for any window signs for City review and approval.
36. Condition of Approval: Prior to issuance of building permits for signage, the applicant must provide sign specifications for any information and directional signs for City review and approval.

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A place where businesses and families thrive.

CITY RECORDER USE ONLY:	
AGENDA ITEM #:	9.
FINAL ACTION:	

CITY COUNCIL STAFF REPORT

TO: City Council

FROM: Jesse VanderZanden, City Manager

MEETING DATE: January 25, 2016

PROJECT TEAM: Paul Downey, Director of Administrative Services
Jesse VanderZanden, City Manager

SUBJECT TITLE: Authorize PERS Coverage Agreement

ACTION REQUESTED: Ordinance Order Resolution Motion Informational

X all that apply

ISSUE STATEMENT: On October 30, 2015, the City Council authorized City staff to negotiate a coverage agreement with the Public Employees Retirement System (PERS) after the City reached agreement with the Forest Grove Police Association (FGPA) to put newly hired police officers into PERS and with the International Association of Firefighters Local No. 1660 (IAFF) to put newly hired firefighters into PERS. Staff has negotiated the coverage agreement with PERS and is requesting that the City Council approve the agreement and authorize the City Manager to sign it for the City.

BACKGROUND: Staff has negotiated the coverage agreement following the terms passed by the City Council in Resolution 2015-75. The key points of that resolution are:

- PERS will be the retirement plan for police officers and firefighters hired after the effective date of the PERS coverage agreement.
- The City understands that participation is permanent and irrevocable once the coverage agreement goes into effect.
- The City does not intend to participate in the State and Local Government Rate Pool for Tier 1 and Tier 2 (Chapter 238) members.
- The City will pay (“pick up”) the six percent Individual Account Plan (IAP) contribution on applicable employees’ behalf similar to how the City currently pays the seven percent employee contribution to the City’s Defined Benefit Plan.

PERS sent a draft coverage agreement for the City to review. Staff, the City Attorney’s Office, and the City’s retirement plan attorney reviewed the draft agreement. The City requested minor modifications which were made by PERS. The attorneys reviewed the revised version and have approved the language that is being presented for Council consideration tonight. The terms of the proposed coverage agreement complies with the terms approved by the Council in its resolution of intent to join PERS.

The key points in the agreement being considered tonight are:

- The City understands and agrees that its election to participate in PERS is irrevocable for its eligible employees.
- Police officers and firefighters hired after the effective coverage date, most likely February 1, 2016, will go into PERS. They will go into PERS at their level of eligibility for PERS coverage.
- The City will have the following initial employer contribution rates of eligible salary: 1) Oregon Public Service Retirement Plan (OPSRP) – 12.65%; and 2) Tier 1 and Tier 2 – 17.79%.
- The City agrees to pay the Individual Account Plan (IAP) contribution on behalf of PERS-covered employees. The City pays the employee retirement contribution in its own retirement plan.
- The City will not participate in the State & Local Government Rate Pool for Tier 1 and Tier 2 employees.
- For Tier 1 and Tier 2 employees, the City elects to participate in the sick leave conversion program at retirement. The City has a sick leave conversion program at retirement in its own defined benefit plan.

If the agreement is approved by both parties, the City will have its first PERS-eligible employee commence employment once the coverage agreement is effective. The City will also amend its own defined benefit plan provisions to exclude from coverage employees who will be going into PERS.

FISCAL IMPACT: As stated in the October 30, 2015, staff report on the resolution to allow staff to negotiate with PERS, the fiscal impact is difficult to determine. How fast eligible employees turn over and the financial performance of both plans will affect the fiscal impact over time. The decision to move these employees to PERS is a calculated risk that PERS will be better able to control costs over the long-term. The initial PERS OPSRP rate will be 12.65% compared to 17.3% for the City's current defined contribution rate. In March 2016, City staff and its retirement actuaries will be discussing actuarial changes which could significantly increase the costs of the City's defined benefit retirement plan.

STAFF RECOMMENDATION: Staff recommends that the Council approve the PERS coverage agreement and authorize the City Manager to sign the agreement.

ATTACHMENT(s): Oregon Public Service Retirement Plan Coverage Agreement

RESOLUTION NO. 2016-08**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE OREGON PUBLIC SERVICE RETIREMENT PLAN COVERAGE AGREEMENT BETWEEN THE CITY OF FOREST GROVE (CITY) AND THE STATE OF OREGON FOR NEWLY HIRED POLICE OFFICERS AND FIREFIGHTERS TO PARTICIPATE IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS)**

WHEREAS, the City and the Forest Grove Police Association (FGPA) have agreed to put newly hired police officers into PERS; and

WHEREAS, the City and the International Association of Firefighters Local No. 1660 (IAFF) have agreed to put newly hired firefighters into PERS; and

WHEREAS, the City has negotiated a coverage agreement with PERS that will put police officers and firefighters hired after the effective date of the coverage agreement into PERS; and

WHEREAS, PERS requires formal government body approval of the coverage agreement for the agreement to be effective; and

WHEREAS, the City Council will be required to approve the negotiated coverage agreement before it is effective.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. The City of Forest Grove agrees to the terms in the Oregon Public Service Retirement Plan Coverage Agreement attached as Exhibit A.

Section 2. The City understands that this agreement is irrevocable once it becomes effective.

Section 3. The City designates Michael J. VanderZanden, City Manager, to execute the Oregon Public Service Retirement Plan Coverage Agreement on behalf of the City.

Section 4. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 25th day of January, 2016.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 25th day of January, 2016.

Peter B. Truax, Mayor

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Oregon Public Service Retirement Plan Coverage Agreement

This agreement is made between the State of Oregon by and through the PUBLIC EMPLOYEES RETIREMENT BOARD (hereinafter referred to as "the Board") on behalf of the PUBLIC EMPLOYEES RETIREMENT SYSTEM (hereinafter referred to as "PERS") and CITY OF FOREST GROVE (hereinafter referred to as "the City") for the purpose of establishing new employer coverage for City employees pursuant to ORS 238A.070 and ORS 238A.025(2).

WHEREAS, on October 30, 2015, the City adopted Resolution 2015-75, by which the City announced its intention to participate in PERS for all of its sworn police officers and firefighters hired on or after the effective date of this coverage agreement;

WHEREAS, Resolution 2015-75 further provided:

that the City would provide the "unused sick leave benefit" available under ORS 238.350 to members of PERS entitled to benefits under ORS chapter 238;

that the City did not intend to participate in the State and Local Government Rate pool with respect to its contributions for members of PERS entitled to benefits under ORS chapter 238; and

that the City would pay the six percent contribution for the Individual Account Program that is due from members under ORS 238A.330 on behalf of its employees, pursuant to ORS 238A.335;

THEREFORE, the parties agree that:

- (1) As used in this agreement, the term "Eligible City Employee" shall mean any City police and firefighter employee who is hired by the City on or after the effective date of this agreement, and is either an "employee" as that term is defined in ORS 238.005(8) or an "eligible employee" as that term is defined in ORS 238A.005(4).
- (2) As of the effective date of this agreement, the City elects to participate for its Eligible City Employees in the Public Employees Retirement System ("PERS"), which consists of ORS chapter 238 and the Oregon Public Service Retirement Plan Pension Program ("OPSRP Pension Program") and Individual Account Program ("IAP") in ORS chapter 238A. The City understands and agrees that its election to participate in PERS is irrevocable for its Eligible City Employees.
- (3) The City shall provide coverage to its Eligible City Employees as follows:
 - (a) For those Eligible City Employees who establish membership in the OPSRP Pension Program under ORS 238A.100 and any related administrative rules promulgated by the Board, the City shall provide coverage in the OPSRP Pension Program.

- (b) For those Eligible City Employees who establish membership in the Individual Account Program under ORS 238A.300 and ORS 238A.305 and any related administrative rules promulgated by the Board, the City shall provide coverage in the Individual Account Program.
 - (c) For those Eligible City Employees who have established membership in PERS under ORS 238.015 and ORS 238A.025(4) and any related administrative rules promulgated by the Board, the City shall provide coverage under ORS chapter 238.
 - (d) No Eligible City Employee shall receive retirement credit or any other benefit under ORS chapters 238 or 238A for service performed for the City prior to the effective date of this agreement.
- (4) The City understands that the Oregon Legislature may in the future amend ORS chapters 237, 238 and 238A. The City also understands that the Board may amend its administrative rules promulgated pursuant to those statutes. The City agrees to comply with the statutes and rules governing those programs, including any additions or amendments to those statutes and rules.
- (5) The City has the following initial employer contribution rates. The City understands that employer contribution rates are subject to change based on periodic actuarial valuations or as directed by the Board pursuant to ORS 238.225 and ORS 238A.220, and the City agrees that the Board may change those contribution rates without amending this agreement.
- (a) For Eligible City Employees who establish membership in the OPSRP Pension Program and who are classified as police and fire, the initial employer contribution rate shall be 12.65% percent of salary. For purposes of this subsection, "salary" is defined in ORS 238A.005(17).
 - (b) For Eligible City Employees who have established membership in PERS under ORS 238.015 and ORS 238A.025(4) and who are classified as police and fire, if any, the City shall have the initial employer contribution rate of 17.79 percent of salary. For purposes of this subsection, "salary" is defined in ORS 238.005(26).
- (6) The City understands that Eligible City Employees who establish membership in the IAP are required by ORS 238A.330 to contribute six percent of their salaries to the IAP. In accordance with Resolution 2015-75, the City hereby agrees to pay those IAP contributions on behalf of Eligible City Employees under ORS 238A.335. If the City changes the manner in which IAP contributions are to be paid in the future, such a change shall be effective with respect to employee contributions made on and after the date that the Board receives notice as required by ORS 238.335. For purposes of this section, "salary" is defined in ORS 238A.005(17).
- (7) In accordance with Resolution 2015-75, PERS will not include the City in the State & Local Government Rate Pool, as of the effective date of this agreement, for purposes of contributions made on behalf of Eligible City Employees who have established

membership in PERS under ORS 238.015 and ORS 238A.025(4). The City may elect to participate in the State & Local Government Rate Pool in the future by adopting a resolution or ordinance and submitting a copy to the Board, in accordance with OAR 459-009-0070(4).

- (8) In accordance with Resolution 2015-75, Eligible City Employees who have established membership in PERS under ORS 238.005 and ORS 238A.025(4) will be compensated for accumulated unused sick leave by increasing their retirement benefits upon service or disability retirement pursuant to ORS 238.350. The City understands and agrees that its election to provide increased retirement benefits for accumulated unused sick leave is irrevocable.
- (9) The City understands and agrees that once this agreement is in effect the City must continue to provide coverage under the OPSRP Pension Program and ORS chapter 238 for all Eligible City Employees. In the event that the City at any time does not employ any Eligible City Employees, the City shall still be required to make contributions necessary to fund any unfunded liability for benefits under the OPSRP Pension Program and ORS chapter 238, as determined by the Board. These obligations shall be binding on the successors and assignees of the City.
- (10) The City warrants that it is a "public employer" as defined by ORS 238.005(17), and a governmental agency or instrumentality as defined in Internal Revenue Code §414(d). If at any time the City for any reason fails to meet the definition of ORS 238.005(17) or IRC §414(d), the City's participation in PERS shall terminate as of that date. In the event of any termination the City shall continue to make contributions necessary to fund any unfunded liability for benefits under the OPSRP Pension Program and ORS chapter 238, as determined by the Board.
- (11) By virtue of this coverage agreement, neither the Board nor PERS assumes any contractual obligations of the City toward any employee, other than the responsibility to administer benefits funded by the City as specifically provided for in this coverage agreement.
- (12) The parties agree that if any term or provision of this agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, or if any part of this agreement conflicts with any law, the validity of the remaining terms and provisions shall not be affected, and rights and obligations of the parties shall be construed and enforced as if the contract did not contain the particular term or provision held to be invalid.
- (13) In addition to the provisions of this agreement, ORS chapters 237, 238, and 238A and all administrative rules promulgated by the Board apply to the City and all Eligible City Employees. If a provision of this agreement conflicts with any provision of ORS chapters 237, 238, or 238A, or with any administrative rules promulgated by the Board, the statute or rule shall govern.
- (14) This agreement is effective **February 1, 2016**, but shall have no effect until the agreement has been approved and signed by the City and by the Board.

For City of Forest Grove this _____ day of _____, 2016.

By _____
Michael J. VanderZanden, City Manager
City of Forest Grove

For the Oregon Public Employees Retirement System this _____ day of _____, 2016.

By _____
Steve Rodeman, Executive Director
Oregon Public Employees Retirement System

For the Oregon Public Employees Retirement Board this _____ day of _____, 2016.

By _____
John Thomas, Chair
Oregon Public Employees Retirement Board

Approved as to form _____
Assistant Attorney General



A place where businesses and families thrive.

<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	WORK SESSION:
FINAL ACTION:	

10.

CITY COUNCIL STAFF REPORT

TO: City Council

FROM: Jon Holan, Community Development Director; Janie Schutz, Police Chief; Jesse VanderZanden, City Manager

MEETING DATE: January 25, 2016

PROJECT TEAM: Jon Holan; Janie Schutz; Kevin Ellingsburg

SUBJECT TITLE: Continued Work Session on possible Marijuana Regulations

ACTION REQUESTED: Ordinance Resolution Motion Informational

X all that apply

ISSUE STATEMENT: Provide further direction for possible code amendments addressing marijuana related activities.

BACKGROUND: Seven separate marijuana related activities are addressed by State law. The City approved Development and City code amendments on one of those activities: medical marijuana dispensaries. On September 14th and November 9th the City Council held work sessions to discuss further direction on the other marijuana related activities. At that time, the Council gave direction that marijuana related facilities should not be banned in the City but should be properly placed in the community. They also directed that no regulated marijuana activities should be allowed in residential districts. Further, the Council expressed the desire to allow dispensaries and retail outlets in both the Town Center zone districts as well as Community Commercial District.

At the last work session, the Council began the discussion of whether to require a separation distance between retail outlets. Currently, state law only requires a 1000 foot separation between marijuana dispensaries but does not require such separation for other marijuana related activities. At the request of the Council at the last work session, staff has attempted to find out if other jurisdictions state-wide have established such requirements. Staff contacted the League of Oregon Cities which does not have a comprehensive list at this time. However, they did indicate that to their knowledge that six jurisdictions either have or are considering separation requirements. Such cities as Bend, Medford, Ashland and Hillsboro are included in that list. In addition, several jurisdictions in Washington County with the exception of Beaverton appear to require separation between facilities as well as from schools and parks in several instances (see attached matrix).

In response to Council direction and number of marijuana related inquires staff has received; staff has prepared a set of code revisions that will be heard by the Planning Commission on Tuesday, January 19th. The amendments focus on prohibiting marijuana related activities in residential districts. In addition, it includes prohibiting establishments to allow consumption of marijuana related products such as vape lounges. It also includes establishing development and operational requirements for marijuana related activities beyond medical dispensaries.

To facilitate discussions, staff has prepared a set of potential code amendments as well as possible options. The attachment contains those possible amendments with options. To facilitate the review, the following is a summary of that attachment:

Locational Options

Prohibit marijuana activities as a home occupation. (Included in current code update being considered by the PC)

Commercial Retail Marijuana Facilities

- Propose similar location as medical marijuana dispensaries: allow in the Community Commercial zone district and prohibit in residential districts, Neighborhood Commercial and Town Center districts. (Proposed code amendment will allow dispensaries and retail outlets in the Town Center districts but prohibit retail outlets in Neighborhood Commercial district – medical dispensaries already prohibited in Neighborhood Commercial)
- Commercial Retail Options:
 - Allow commercial retail marijuana sales in all commercial zone districts including:
 - Neighborhood Commercial
 - Town Center districts (Included in current code update being considered by the PC)
 - Community Commercial (Included in current code update being considered by the PC)

Commercial Grow Sites

- Propose to prohibit grow sites (both for medical and recreational purposes) in all residential districts. They would still remain permitted in the industrial districts. (Included in current code update)
- Grow Site Options:
 - Allow all marijuana grow sites in residential districts (will be prohibited in current code update)
 - Allow medical marijuana grow sites in residential districts (will be prohibited in current code update being considered by the PC)
 - Prohibit all grow site operations in the industrial districts
 - Prohibit grow sites regulated by the OLCC in industrial districts (which would continue to allow grow sites for medical marijuana)

Marijuana Processors and Wholesale Operations

- No proposed change – allow in industrial districts – (at last work session, there was direction not to change)
- Processor and Wholesale Options:
 - Allow processors and/or warehousing in:
 - Town Center districts
 - Community Commercial district

Development Requirements

Spacing (where to start discussion)

- Propose to apply spacing requirements for dispensaries (1000 foot separation between dispensaries) to Commercial Retail (see below)
- Options
 - Reduce the distance for the spacing requirement:
 - No requirement
 - 100 feet
 - 500 feet
 - Some other specific distance
 - Apply spacing requirements to other marijuana related activities:
 - Processors
 - Wholesalers
 - Grow Operations

Other Development Requirements

- Propose to apply Marijuana Dispensaries Development Requirements to Other Marijuana Activities as follows:
 - Apply same requirements to Commercial Retail Marijuana facilities plus include 1000 foot separation between dispensaries and/or retail facilities unless on the same site
 - Apply modified requirements to other marijuana activities (processors, wholesale and grow sites) (Included in current code update before the PC except the 1000 foot separation requirement)
 - Compliance with state law
 - Entrances and off-street parking areas be well-lit and not visually obscured from public view/right-of-way
 - Located in permanent buildings with the exception of outdoor grow facilities
 - The dispensary must provide for secure disposal or render impotent marijuana remnants or by-products, or items with marijuana residue of any kind.
 - Marijuana facilities shall be separated by 1,000 feet from other marijuana related facilities unless at the same site.
 - For processing, indoor grow facilities and outdoor grow facilities involving greenhouses, require filtration on air exhaust systems to control odor.
- Options –
 - Require 100 foot setback from residential districts for processing and grow activities as part of odor control.
 - For processors, identify the type of products to be processed, a description of equipment to be used, including any solvent, gases, chemicals or other compounds use to create extracts or concentrates (from proposed OLCC Rules)
 - The exterior appearance of the structure is compatible with the exterior appearance of structures already constructed or under construction within the immediate area (from San Mateo County)

- Interior building lighting, exterior building lighting and parking area lighting will be of sufficient foot-candles and color rendition, so as to allow the ready identification of any individual committing a crime on site at a distance of no less than forty (40) feet (from San Mateo County)
- Where windows secured with bars on the windows so as to prevent unauthorized entry, the bars shall be equipped with latches that may be released quickly from the inside to allow exit in the event of emergency (from San Mateo County)
- For wholesale, processing and growing activities, absolutely no advertising of marijuana is allowed at any time; (from San Mateo County)
- For wholesale, processing and growing activities, exterior signage is limited to site addressing only; (from San Mateo County)

Operational Requirements – City Code

- Apply requirements adopted for medical marijuana dispensaries. The adopted requirements are as follows (Included in current code update being considered by the PC):
 - A. A medical marijuana dispensary must comply with all applicable requirements of State law.
 - B. A medical marijuana dispensary must obtain a City Business License pursuant to Code Sections 7.000 to 7.070 prior to opening.
 - C. A medical marijuana dispensary may not be open to the public between the hours of 10:00 p.m. and 8:00 a.m.
 - D. All products and paraphernalia must be enclosed in an opaque bag or container upon exiting the facility.
 - E. A medical marijuana dispensary must provide secure disposal or render impotent marijuana remnants or by-products, including any item with marijuana residue.
- Apply appropriate requirements to:
 - Commercial retail facilities (all of the above requirements)
 - Wholesale (Items A, B and E of the above requirements)
 - Processors (Items A, B and E of the above requirements)
 - Grow Sites (Items A, B and E of the above requirements)
 - All marijuana related facilities
- Options:
 - Require all personal and commercial grow activities indoors (from San Mateo County)

- Properties shall be maintained so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the immediate area. (from San Mateo County)
- Establish other operational requirements as yet not identified

Sales Tax

It must be at 3% and must be approved by voters in a jurisdiction before it can be imposed. It can't be applied to either early sales of recreational marijuana at medical dispensaries or to any sales generate from medical marijuana related activities (sales, processing, wholesale and grow). However, the State is imposing a 25% sales tax on early sales which will be shared with local jurisdictions initially based on population (this will be reduced to 17% after early sales). If the City is to impose a sales tax, the following modifications need to be made with previously adopted Forest Grove Sales Tax Ordinance (Ordinance Number 2014-09) as follows:

- Change tax from 10% to 3%
- Exempt taxes on all medical marijuana related activities (dispensaries, processing, wholesale and grow)
- Specifically apply the tax on all recreation marijuana related activities (retail, processing, wholesale and grow)

Once adopted, the City will need to submit the ordinance for voter approval at the appropriate general election.

ATTACHMENT(s):

Marijuana Activities - Proposed Development Code Amendments with Options

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The following table identifies additional local time, place, and manner regulations established by Washington County jurisdictions.

	Banks	Beaverton	Forest Grove	Hillsboro	Tigard	Tualatin	Wilsonville²	WaCo
Growing Operations	Not Allowed	Not Allowed					Not allowed	
<i>Zones?</i>	N/A	N/A		I-G, I-P		ML, MG, MBP	N/A	All rural zones, all urban zones
<i>Permit Type?</i>	N/A	N/A		Development Review	Type 1		N/A	Allowed by right (farm crop)
<i>Buffers?</i>	N/A	N/A		100 feet from residential, mixed use, urban center or institutional zone	500 feet from residential zone, park zone, or library	3,000 feet from residential zone, ID'd park, school, and library. 2,000 feet from another marijuana facility	N/A	None
<i>Local use restrictions?</i>	N/A	N/A	Entrance must be facing street; Must air filtration system	See NOTE 1 below	Prohib in MU-CBD; Must be inside permanent bldg.	Max 3,000 sq ft in size; no marijuana use colocation; entrances facing street; no odor at PL	N/A	None
Processing Operations	Not Allowed						Not allowed	
<i>Zones?</i>	N/A	OI and IND		I-G, I-P, SC-BP, SCI		ML, MG, MBP	N/A	All rural zones except R-COM; urban residential, industrial.
<i>Permit Type?</i>	N/A	None, permitted use		Development Review	Type 1		N/A	Home Occupation allowance or under 'processing', "research laboratory", "laboratory", or "manufacturing" code sections. State limitations apply (Type I, II, or III in AF-10 & 5; otherwise Type II).
<i>Buffers?</i>	N/A	None		100 feet from residential, mixed use, urban center or institutional zone	500 feet from residential zone, park zone, or library	3,000 feet from residential zone, ID'd park, school, and library. 2,000 feet from another marijuana facility	N/A	None
<i>Local use restrictions?</i>	N/A	None	Entrance must be facing street; Must air filtration system	See NOTE 1 below	Prohib in MU-CBD; Must be inside permanent bldg.	Max 3,000 sq ft in size; no marijuana use colocation; entrances facing street; no odor at PL; Production thru butane prohib.	N/A	None
Wholesale Operations	Not Allowed						Not allowed	
<i>Zones?</i>	N/A	OI and IND		I-G, I-P, SC-BP, SCI		ML, MG, MBP	N/A	EFU, AF-20, EFC, AF-10, AF-5, our 2 rural industrial zones, FD-20 and 10, IND, GC,TO: EMP
<i>Permit Type?</i>	N/A	None, permitted use		Development Review	Type 1		N/A	Home Occupation allowance or under 'storage' code section. (Type I, II, or III in AF-10 & 5; otherwise Type II).
<i>Buffers?</i>	N/A	None		100 feet from residential, mixed use, urban center or institutional zone	500 feet from residential zone, park zone, or library	3,000 feet from residential zone, ID'd park, school, and library. 2,000 feet from another	N/A	None

<i>Local use restrictions?</i>	N/A	None	Entrance must be facing street	See NOTE 1 below	Prohib in MU-CBD; Must be inside permanent bldg.	marijuana facility Max 3,000 sq ft in size; no marijuana use colocation; entrances facing street; no odor at PL	N/A	None
<i>Retail Sales Zones?</i>							Not allowed	
	C and I	CS, CC, GC	TC-C, TC-T, TC-S	C-G, SCC-SC, SCC-MM, I-G	Must have frontage on 99W w/ entrance visible from 99W;	ML, MG, MBP	N/A	EFU, AF-20, EFC, AF-10, AF-5, our 2 rural industrial zones, R-COM, FD-20 and 10, IND, CBD, GC, TO: RC, TO; EMP, TO: BUS, NCMUNB
<i>Permit Type?</i>	None	None, Permitted use		Development Review	Type 1		N/A	Home Occupation allowance (where state permitted) or under marijuana facility allowance. (Type I, II, or III in AF-10 & 5; otherwise Type II).
<i>Buffers?</i>	1,000 feet from school; 500 feet from public or private park or library; 1,000 feet from another marijuana facility; 400 feet from any residential zone.	1,000 feet from any marijuana sales use including dispensary use.		1,000 feet from schools (defined more expansively than OLCC); 1,000 feet from other recreational sales use; 2,000 feet from medical dispensary; 1,000 feet from public plaza or active use park	2,000 feet from any other marijuana facility 500 feet from library of park zone	3,000 feet from residential zone, ID'd park, school, and library. 2,000 feet from another marijuana facility	N/A	1,000 feet from any other retail marijuana facility or medical marijuana dispensary; 1000 feet between retail facility (& new disp.) from THPRD youth-oriented recreational facilities.
<i>Other local use restrictions?</i>	Sales 8AM - 5PM M-F	Sales 7AM - 10PM	Sales 8AM-10PM; entrances facing street; Drive thru prohib;	Sales 10AM - 8PM (M-TH) 10AM - 10PM F-SU); No Mobile or temp businesses; No drive-in / through facilities;	Sales 8AM - 10PM; Prohib in MU-CBD; drive through prohib; Comply w/odor & security lighting standards; Must be inside permanent bldg.	Max 3,000 sq ft in size; no marijuana use colocation; entrances facing street; no odor at PL Sales 10AM - 8PM drive thru prohib	N/A	Sales 8AM - 10PM. Max Floor Area in IND, GC, R-COM zones is 3,000 sf.
<i>Laboratory Testing Zones?</i>	Not Allowed						Not allowed	
	N/A	OI and IND only		I-G, I-P, SC-BP, SCI			N/A	EFU, AF-20, EFC, AF-10, AF-5, 1 rural industrial zone, FD-20 and 10, IND, CBD, TO; EMP, NC MU NB
<i>Permit Type?</i>	N/A	CUP in OI zone, permitted in IND zone		Development Review	Type 1		N/A	Home Occupation allowance or under 'laboratory' code sections. ((Type I, II, or III in AF-10 & 5; otherwise Type II)
<i>Buffers?</i>	N/A	None		100 feet from residential, mixed use, urban center or institutional zone	None		N/A	None
<i>Local use restrictions?</i>	N/A	None		See NOTE 1 below	Prohib in MU-CBD; Must be inside permanent bldg.		N/A	None
<i>Specific Prohibition in Residential Zones</i>		Yes, all marijuana uses.	Yes, all marijuana uses.	Home Occupation for recreational marijuana facilities prohibited	No	No	Not allowed	Per state law.

NOTES:

- Cornelius provided their ordinance for medical marijuana facilities. Does not appear that the city is considering an ordinance for recreational marijuana.
 - Sherwood sent materials to Beaverton but our firewall prevented my reviewing their regulations.
1. Hillsboro has extensive list of restrictions on production, processing, testing, and wholesale activities. The restrictions include no outdoor production, no public access permitted, additional security measures for landscaping, lighting, and security bars on windows, odor mitigation measures, and waste security measures.
 2. Wilsonville has adopted a ban on all aspects of production, manufacturing and sales and will place on the November ballot to affirm or overturn ban.

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Marijuana Work Session
(Continuation from 9/14/15 and 11/9/15)

City Council Work Session
January 25, 2016



Previous Work Sessions

- Decided not to ban any marijuana related activities (previous voter information confirmed)
- Avoid activities in residential areas
- Allow Dispensaries and Retail Outlets in both Community Commercial and Town Center districts
- Staff is requesting direction in four areas:
 - Location (distance requirements)
 - Development Requirements
 - Operational Requirements
 - Sales Tax

Locational Requirements

- Spacing (State law only pertains to Dispensaries)
 - Apply 1000 foot spacing to:
 - Commercial Retail
 - Grow Sites
 - Processors
 - Wholesale
 - All activities
 - Type
 - Separation from all others
 - Separation from similar activities
 - Extent
 - 100 feet
 - 500 feet
 - Some other specific distance
 - Other Cities
 - Most all other cities in Washington County has requirements as well as 5 others around the state
 - All activities
 - Also from parks (active vs passive recreational areas)

Development Requirements

- Propose to apply Marijuana Dispensaries Development Requirements to Other Marijuana Activities (retail, grow, processor, wholesale)
 - Compliance with state law
 - Entrances and off-street parking areas be well-lit and not visually obscured from public view/right-of-way
 - Located in permanent buildings with the exception of outdoor grow facilities
 - The facility must provide for secure disposal or render impotent marijuana remnants or by-products, or items with marijuana residue of any kind.
 - For processing, indoor grow facilities and outdoor grow facilities involving greenhouses, require filtration on air exhaust systems to control odor. (new)

Development Requirement Options (Continued)



- Require 100 foot setback from residential districts for processing and grow activities as part of odor control. (Hillsboro; Tigard is 500 feet)
- Filtration system for grow and processor operations.
- For processors, identify the type of products to be processed, a description of equipment to be used, including any solvent, gases, chemicals or other compounds use to create extracts or concentrates (from proposed OLCC Rules)
- The exterior appearance of the structure is compatible with the exterior appearance of structures already constructed or under construction within the immediate area (from San Mateo County)
- Interior building lighting, exterior building lighting and parking area lighting will be of sufficient foot-candles and color rendition, so as to allow the ready identification of any individual committing a crime on site at a distance of no less than forty (40) feet (from San Mateo County)
- Where windows secured with bars on the windows so as to prevent unauthorized entry, the bars shall be equipped with latches that may be released quickly from the inside to allow exit in the event of emergency (from San Mateo County)
- For wholesale, processing and growing activities, absolutely no advertising of marijuana is allowed at any time; (from San Mateo County)
- For wholesale, processing and growing activities, exterior signage is limited to site addressing only; (from San Mateo County)

Operational Requirements

- The adopted requirements for Dispensaries are as follows:
 - A. A medical marijuana dispensary must comply with all applicable requirements of State law.
 - B. A medical marijuana dispensary must obtain a City Business License pursuant to Code Sections 7.000 to 7.070 prior to opening.
 - C. A medical marijuana dispensary may not be open to the public between the hours of 10:00 p.m. and 8:00 a.m.
 - D. All products and paraphernalia must be enclosed in an opaque bag or container upon exiting the facility.
 - E. A medical marijuana dispensary must provide secure disposal or render impotent marijuana remnants or by-products, including any item with marijuana residue.
- Apply appropriate requirements to:
 - Commercial retail facilities (all of the above requirements)
 - Wholesale (Items A, B and E of the above requirements)
 - Processors (Items A, B and E of the above requirements)
 - Grow Sites (Items A, B and E of the above requirements)
 - All marijuana related facilities

Sales Tax

- Modifications needed to be made with previously adopted Forest Grove Sales Tax Ordinance (Ordinance Number 2014-09) as follows:
 - Change tax from 10% to 3%
 - Exempt taxes on all medical marijuana related activities (dispensaries, processing, wholesale and grow)
 - Specifically apply the tax on all recreation marijuana related activities (retail, processing, wholesale and grow)
- Once adopted, the City will need to submit the ordinance for voter approval at the appropriate general election.

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A place where families and businesses thrive

CITY MANAGER'S REPORT TO COUNCIL

January 22, 2016

Dates to Remember:

- Jan 30:** Annual Town Meeting, 9 am to noon, Community Auditorium
- Feb 20:** Council Goal-Setting Retreat, 8:30 am, location TBA
- Feb 22:** State of the City Address, noon, Chamber Luncheon

CITY MANAGER:

- The City of Banks has requested we write a letter supporting their grant application to study Banks' long-term water storage. No monetary commitment is involved. They are asking for limited in-kind staff participation in assessing their options. The letter is being coordinated through Public Works and JWC Commissioner Councilor Lowe.
- Clean Water Services announced this week that EPA will be conducting an audit of their MS-4 stormwater permit February 3-5. We are coordinating closely with CWS and readying personnel for the audit.
- I was fortunate to be selected as a member of the LOC Policy Committee for 2016.

ADMINISTRATIVE SERVICES:

- FY 2016-17 Budget Preparation: Process will formally commence this month as departments will be asked to prepare their projection for FY 2015-16 revenues and expenditures. Finance staff held a training session on process and document changes for the coming fiscal year that was well attended by the other departments.
- Annual Financial Audit: The auditors will present the audited financial statements to the City Council in February or March 2016.
- Retirement Activity: The Coverage Agreement with PERS will be presented to the City Council approval at this Council meeting. The PERS Board will be asked to approve the agreement at its January 30, 2016, meeting. The City will have one police officer go into PERS as soon as the coverage agreement is effective.
- Accounting/Utility Billing System Replacement Reviews: Staff has begun contract negotiations with Tyler Technologies to replace the accounting and human resources system with MUNIS but will wait on contracting to replace the utility billing system. The City of Ashland recently contracted with Tyler to replace its accounting and utility billing systems with MUNIS so staff will monitor Ashland's progress on the utility billing system.
- Police Facility: The request for proposal (RFP) for architectural and other design services from pre-design through final construction will be issued the end of January.
- Recruitments: Current recruitments underway include: Police Officer, Code Enforcement Officer, Police Reserve Officer. Recruitments will commence soon to replace: Parks Supervisor, Youth Services Librarian, Adult Services Librarian, and Building Inspector.

PARKS and AQUATICS:

- Steve Huffman has announced his retirement date. Steve will be leaving the City on April 1, 2016. A farewell reception date will be announced soon.
- Old Town Loop Trail permitting is progressing. The City of Forest Grove has received the preliminary ok from the Army Corps of Engineers. The project permits will now be submitted to Washington County for approval. Staff and the consulting team will now solicit contractors for the construction phase.

- The Recreation Commission approved the placing of the "Art in the Park" in Lincoln Park just south of the softball field along Sunset Drive. The Arts Commission is working with City staff to finalize the contract with the selected Artist.

LIBRARY:

- The library's Volunteer program continues to thrive with 40 active volunteers. In the last quarter of 2015, they provided 801 volunteer hours to the library.
- On Saturday, more than 150 Star Wars fans came to the library for a Star Wars party. Many came in costume and participated in 10 different activities and enjoyed cake and Yoda Soda. Activities included Pin the Bun on Leia; Star Wars Trivia; and light saber and Yoda paper crafts.
- Tech Sessions will return on February 1, 2016. These are 30-minute, one-on-one computer classes and technology assistance. Sign up is required.

POLICE:

- Our officer's assisted Washington County TNT and Corvallis PD with the successful apprehension of a homicide suspect.
- Detectives are making progress on the robbery investigation from Wells Fargo Bank.
- The department hosted a very successful "Coffee with a Cop" at Maggie's Buns on January 6.

LIGHT & POWER:**Engineering:**

- Continued meetings with Washington County to discuss the Verboort/Purdin HWY47 roundabout project. Temporary lighting preliminary design has been presented to Washington County for review.
- Met with ODOT and PGE to discuss the scope of work for the Quince/HWY 8 intersection redesign. FGLP may need to go underground at that location due to conflicts with traffic signals and illumination.
- Virginia Transformer Company has completed the assembly and testing of the second and third new substation transformers at Forest Grove Substation.
- Attended a pre-application meeting for Parker Concrete location on Fernhill Rd.
- A preliminary design for a Verizon cell tower on Mountain View Ave is being routed for review.

Operations:

- Ground grid installation at Thatcher Substation continues
- Crews are replacing poles that were identified during overhead lines inspections as needing replacement due to age and condition
- Continued commercial meter replacement as part of the meter upgrade project
- Removal of several hazardous trees on Maywood Drive

COMMUNITY DEVELOPMENT:

- Planning Commission: Held a public hearing on the Code Update on January 5 and code amendments on establishing a new Business Industrial Park district and marijuana related amendments on January 19. In addition, the Commission provided direction on a sign replacement for the Bowling Alley site on 19th Avenue. Next meeting is scheduled for February 15 and will include an amendment to the Transportation System Plan (TSP) to incorporate the Council Creek trail, and establish a new comprehensive plan designation for the Haworth property recently brought into the Urban Growth Boundary.
- Times Litho: There are two separate processes for this project: 1) Land Use Applications - whether the project meets applicable land use regulations and 2) Disposition and Development Agreement (DDA) – whether the Urban Renewal Agency will financially participate. The public hearing for the first process

(land use) is continuing at the January 25 meeting. The public hearing for the second process (DDA) will occur in February.

- Periodic Review/Code Update: Planning Commission held a public hearing on Tuesday, January 5, 2016, on this matter. City Council is scheduled to conduct its public hearing at its February 22, 2016, meeting.
- Westside Planning Project: Tentatively scheduled is a Planning Commission work session on the document at the Commission's February 1 meeting. There will be a review of the revised document with the Technical Advisory Committee meeting prior to PC meeting.
- Marijuana Code Update: Staff has initiated amendments to the Development Code. The first set of code amendments is to focus on direction already provided by the Council including prohibiting marijuana activities in residential areas and allowing dispensaries and retail outlets in the Town Center districts. The public hearing for those first amendments was held by the Planning Commission at their January 19 meeting. Staff is proceeding with the amendments due to the number of inquiries for marijuana grow operations which could affect districts.
- CCI: Annual Town Hall Meeting – The ATM is scheduled for Saturday, January 30 at the Community Auditorium. The topic will be "Back to the Future" and will revisit the 2010 ATM theme, Forest Grove: Complete or Bedroom Community. The focus is "what is the outlook in 2016?" Doors will be opened at 8:30 am with the program beginning at 9:00 am.
- Sustainability Commission: the Plastic Bag Ban Ordinance is scheduled for a work session at the February 22 Council meeting.
- Food Compost proposal: A draft white paper was reviewed by the City Council at a work session on October 12. The Council directed staff to continue developing the program. A work session with the Council was held on January 11 and directed staff to continue its implementation.
- Historic Landmarks Board: A community interest survey on historic preservation was released on the City's website on December 7 and placed in the December Utility Billing. Thus far, about 240 responses have been received by staff and 62 website responses. Staff will continue to accept survey responses. Project is funded by SHPO grant.
- Street Trees: Beginning process for installation of street trees. About 80 trees to be installed in new development and developing process to install about 40 trees in existing neighborhoods.

ENGINEERING / PUBLIC WORKS:

- Raymond & Willamina Sewer Extension: This project includes installation of public sewer from Sunset Drive west on Willamina and on Raymond Street. Staff obtained construction quotes based on preliminary plan (*rough plan was distributed*). The cost estimates ranged from \$38,864 to \$67,650 per 350lf (including seven laterals). Staff prepared a draft Reimbursement District proposal for approval.
- Firwood Lane Sewer Extension: Staff is working with Stuntzner Engineering to complete the site surveying services.
- Firwood Lane Drainage Improvements: Staff has identified three possible outfall locations and is in preliminary discussion with property owners. Staff is working on the CWS application to obtain a CWS Service Provider Letter.
- Hawthorne Street Drainage Improvements: Staff is developing RFP for consultant to design project. This project is required to increase the storm water conveyance capacity of the City's system.
- Leaf Pickup Program: The annual leaf pickup program is complete. Public Works crews picked up 2,624 cubic yards of leaves between October and December.
- Forest Gale Heights entrance sign: The 7' X 16' (very heavy) sign was knocked out of the support brackets when the structure was hit by a vehicle that jumped the curb. The Engineering department determined that it was unsafe and could fall at any time. Plans were made to take it down and preserve the sign part until plans could be made on what to do with it. When the Light and Power crew was there working to take it down, they decided to try to re-bolt it to the post. Their plan worked and the sign slipped back into the support bracket. The unsafe danger has been removed temporarily; however, the sign needs further investigation to determine its condition. We do not plan to take it down at this time and will take a closer look at its condition.



Activity Report
December 2015

