

MEMORANDUM

TO: Mayor and City Council

FROM: Eric Mongan, City Planner

SUBJECT: A RESOLUTION GRANTING MULTIPLE-UNIT PROPERTY TAX EXEMPTION (MUPTE) TO PINE SPRINGS, LLC

DATE: May 17, 2023

Background

Before the City Council is an application for the MUPTE Program, submitted by the property owner Pine Springs, LLC. The 121-unit project was considered and approved by the Planning Commission via Master Planned Development application MPD 1-23 and has an approved Overlay and Concept Plan. The approved MPD includes the development of 17 buildings with 16 of them being multi-unit two-story residence structures and the 17th being the leasing office and manager's residence.

The City Council adopted Ordinance No. 3117 December 9, 2019 to "support development of all types of multi-family affordable housing, market-rate or government subsidized affordable housing through use of tools to lower development or operational costs." The adoption of the MUPTE program was seen as a tool to encourage the development of much needed multiple-unit housing within the City. The Council also determined that the lack of development of multiple-unit housing over the last 20 years demonstrates that multiple-unit housing would not occur in this market without this program.

This application, meets MUPTE eligibility criteria, specifically, location of the development site is on or within a quarter mile of a Lane Transit District route and that three or more dwellings are proposed within the development.

As a part of the MUPTE application the City Council should review the public benefit components required in order to qualify for the exemption provided in Chapter 3.10. The applicant must propose and agree to provide one or more design elements benefitting the general public but not necessarily the public at large, as stated in Subsection 3.10.050 B. The applicant has proposed the following public benefits:

PUBLIC BENEFITS MET	DESCRIPTION OF PUBLIC BENEFITS
Parks and Recreation Facilities	In excess of city requirements, project includes park and recreational amenities such as benches and walkways in attractively landscaped open spaces.

Open space	Open Space Provided: 3.82 acres Open Space Required: 1.19 acres Open Space Over Minimum: 2.63 or 221% above minimum Parking Area Trees Provided: 44 Parking Area Trees Required: 27 Parking Area Trees Over Minimum: 17 or 63% above minimum In excess of city requirements, about 120 more trees will be planted or preserved.
Pedestrian-Oriented Design Features	Project meets city pedestrian-orientation standards and exceeds sidewalk Walkways Provided: 5,741 linear feet Walkways Required: 3,726 linear feet Walkways Over Minimum: 2,015 linear feet or 42% above minimum
Supportive of Mass Transit	Site is located on LTD Route 98. Internal sidewalks connecting to Row River Road will be 6-feet wide, exceeding minimum width requirement.
Facilities for People with Disabilities	Per code, 2% of the units will be fully accessible. In excess of code, the design of the ground floor apartments allows all to be converted to fully accessible if needed. In excess of code, the ADA parking spaces are located in convenient locations throughout the site.
Special Architectural Features	In excess of city standards, special architectural features include: street facing windows, weather protection for entrances, building projections, distinct patterns for surface materials, and 2nd floor balconies providing cover for ground floor patios.
Development or Redevelopment of Underutilized or Blighted Property	A significant portion of the site was blighted due to substandard buildings and major disrepair/inadequate maintenance of the grounds.
Extra Costs Associated with Environmental Cleanup, Demolition, and Infrastructure	Property owners spent roughly \$200,000 on asbestos and demolition work so far and anticipate spending at least another \$100,000 in removal of all the concrete and bringing down the chimney. There will be extra costs for removing, relocating, and replacing existing infrastructure and for improvements to the main driveway access from Row River Road.
On-site Stormwater Retention and Treatment	City standard requires flood control through a 10-year storm event for flow volume based facilities. Project provides it through a 25-year storm event. The system also exceeds city standards by only discharging 22% of the existing on-site runoff into the public system making infiltration a key component of the design.

Notes: Property owner donations from the site include: 1) Roughly 40 hotel room beds, bed frames, TVs, nightstands, etc.; 2) wooden footbridge moved to the city golf course; 3) Numerous art objects and plants; and 4) Reclaimed lumber. Although common meeting rooms are not provided, the leasing office and mail room provide small indoor spaces for residents to socialize.

The attached Resolution has been prepared for Council adoption if the City Council wishes to approve the MUPTE application.

Recommendation

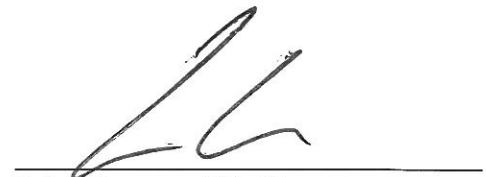
That the City Council consider whether to approve the attached application for Multiple-Unit Property Tax Exemption (MUPTE) Program submitted by Pine Springs, LLC, pursuant to Chapter 3.10 of the Cottage Grove Municipal Code. The application meets the criteria as outlined in Section(s) 3.10.020 and 3.10.050 showing location on or within a quarter mile of an LTD bus route, three or more units, and public benefits as described above.

If the City Council desires to approve the MUPTE application the attached Resolution has been prepared for possible adoption.

Cost

The cost associated with the approval of this application will be realized as revenues not received from the improvement value associated with the newly constructed 121-unit multi-family development. In previous applications for the MUPTE Program presented to Council staff has worked with Lane County Assessment and Taxation to attempt to create an estimated value of the abatement over the ten-year period. However, due to the varying mechanisms the County uses for assessment the estimates are not a reliable indicator of the true value of the project. What staff can state it that without the MUPTE Program these 121 units would likely not be constructed resulting in the loss of 121 new dwelling units in the community and the loss of \$17 million of construction jobs and services.

An application fee of \$840.00 was paid by the applicant to cover costs associated with the City Council's consideration of this application.


Richard Meyers, City Manager
Eric Mongan, City Planner

RESOLUTION NO. _____

A RESOLUTION GRANTING
A MULTIPLE-UNIT PROPERTY TAX EXEMPTION TO
PINE SPRINGS, LLC
FOR THE PINE SPRINGS MASTER PLANNED DEVELOPMENT
MAP/TL: 20-03-27-20-03701 & 3702
LOT 3 OF THE VILLAGE GREEN SUBDIVISION

WHEREAS, pursuant to Chapter 3.10 of the Cottage Grove Municipal Code the City Council exercises authority that includes the temporary abatement of property tax obligations as granted by ORS 307.600 to 307.637; and

WHEREAS, the City Council has recognized the need for additional housing and through the adoption of Ord. 3117 created the Multiple-unit Property Tax Exemption (MUPTE) Program to encourage the development of new multi-family housing in Cottage Grove; and

WHEREAS, the property tax exemption is applicable to the improvement value of multi-family development; and

WHEREAS, the City Council received an application for MUPTE for a new 121-unit multi-family development at Map & Tax Lot: 20-03-27-20-03701 & 3702 (Lot 3, Village Green Subdivision); and

WHEREAS, per Section 3.10.020 Eligible property, the proposed property shall meet specific criteria to meet minimum eligibility requirements; and

WHEREAS, per Section 3.10.050 Public benefits, in order to qualify for the exemption provided by Chapter 3.10, the applicant shall propose and agree to provide one or more design elements benefitting the general public; and

WHEREAS, the application submitted by Pine Springs, LLC meets the criteria of Section(s) 3.10.020 and 3.10.050 as shown in the attached staff report (Exhibit B).

NOW, THEREFORE, BE IT RESOLVED, that the City Council grants approval of a Multiple-unit Property Tax Exemption for the property shown in Exhibit A, attached and incorporated herein.

BE IT FURTHER RESOLVED, that this approval is subject to the proposed public benefit and the development of 121 dwellings and accessory structures, as shown in Exhibit B, attached and incorporated herein.

BE IT FURTHER RESOLVED, that the multiple-unit property tax exemption shall be for a period of ten years or until terminated per Section 3.10.080 Termination.

BE IT FURTHER RESOLVED, that the period of ten years shall begin upon the completion of the development or before January 1, 2026.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its passage.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 22ND DAY OF MAY 2023.

Candace Solesbee, Mayor
Dated: _____

ATTEST:

Richard Meyers, City Manager
Dated: _____

EXHIBIT A

A tract of land being a portion of PARCEL 1 and PARCEL 2 of Partition Plat 97-P0984, Lane County Plat Records, located in the Northwest quarter of Section 27, Township 27 South, Range 3 West, Willamette Meridian, Lane County, Oregon, more particularly described as follows:

Beginning at a PK nail with washer stamped "PLS 494" at the Northwest corner of said PARCEL 2 Being on the Southerly Right-of-Way of Row River Connector; Thence Easterly along the Northerly boundary of said PARCEL 2 and said PARCEL 1, coincident with said Southerly Right-of-Way boundary, South $71^{\circ}19'09''$ East, 107.48 feet to a 5/8-inch iron rod at the beginning of a spiral curve, concave Southerly; Thence along said spiral curve, Easterly along said Northerly boundary of said PARCEL 1, coincident with said Southerly Right-of-Way boundary, the chord of which bears South $63^{\circ}34'51''$ East, 276.80 feet, to the beginning of a curve, concave Southwesterly, having a radius of 308.10 feet; Thence along said curve, Southerly along the Easterly boundary of said PARCEL 1, coincident with the Westerly Right-of-Way boundary of said Row River Connector, an arc length of 61.00 feet, through a central angle of $11^{\circ}20'41''$, the chord of which bears South $41^{\circ}40'53''$ East, 60.91 feet to a 5/8-inch iron rod at the beginning of a spiral curve, concave Westerly; Thence along said spiral curve, Southerly along said Easterly boundary, coincident with said Westerly Right-of-Way boundary, the chord of which bears South $23^{\circ}21'10''$ West, 145.99 feet; Thence leaving said Easterly boundary and said Westerly Right-of-Way boundary, South $78^{\circ}47'42''$ West, 180.28 feet; Thence South $11^{\circ}26'08''$ East, 380.69 feet; thence South $87^{\circ}24'07''$ West, 75.17 feet; Thence North $88^{\circ}01'31''$ West, 177.92 feet; Thence South $01^{\circ}57'20''$ West, 118.68 feet; Thence North $88^{\circ}02'30''$ West, 281.00 feet to a point on the West boundary of said PARCEL 2; Thence Northerly along said West boundary North $01^{\circ}27'59''$ West, 126.52 feet; Thence North $11^{\circ}02'39''$ East, 363.58 feet to a 5/8-inch iron rod on the Easterly Right-of-Way boundary of Interstate 5; Thence continuing Northerly along said West boundary, coincident with said Easterly Right-of-Way boundary, North $18^{\circ}42'19''$ East, 388.74 to the Point of Beginning and there terminating.

PUBLIC BENEFITS MET	DESCRIPTION OF PUBLIC BENEFITS
Parks and Recreation Facilities	In excess of city requirements, project includes park and recreational amenities such as benches and walkways in attractively landscaped open spaces.
Open space	Open Space Provided: 3.82 acres Open Space Required: 1.19 acres Open Space Over Minimum: 2.63 or 221% above minimum Parking Area Trees Provided: 44 Parking Area Trees Required: 27 Parking Area Trees Over Minimum: 17 or 63% above minimum In excess of city requirements, about 120 more trees will be planted or preserved.
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Supportive of Mass Transit	Site is located on LTD Route 98. Internal sidewalks connecting to Row River Road will be 6-feet wide, exceeding minimum width requirement.
Facilities for People with Disabilities	Per code, 2% of the units will be fully accessible. In excess of code, the design of the ground floor apartments allows all to be converted to fully accessible if needed. In excess of code, the ADA parking spaces are located in convenient locations throughout the site.
Special Architectural Features	In excess of city standards, special architectural features include: street facing windows, weather protection for entrances, building projections, distinct patterns for surface materials, and 2nd floor balconies providing cover for ground floor patios.
Development or Redevelopment of Underutilized or Blighted Property	A significant portion of the site was blighted due to substandard buildings and major disrepair/inadequate maintenance of the grounds.
Extra Costs Associated with Environmental Cleanup, Demolition, and Infrastructure	Property owners spent roughly \$200,000 on asbestos and demolition work so far and anticipate spending at least another \$100,000 in removal of all the concrete and bringing down the chimney. There will be extra costs for removing, relocating, and replacing existing infrastructure and for improvements to the main driveway access from Row River Road.
On-site Stormwater Retention and Treatment	City standard requires flood control through a 10-year storm event for flow volume based facilities. Project provides it through a 25-year storm event. The system also exceeds city standards by only discharging 22% of the existing on-site runoff into the public system making infiltration a key component of the design.

Notes: Property owner donations from the site include: 1) Roughly 40 hotel room beds, bed frames, TVs, nightstands, etc.; 2) wooden footbridge moved to the city golf course; 3) Numerous art objects and plants; and 4) Reclaimed lumber. Although common meeting rooms are not provided, the leasing office and mail room provide small indoor spaces for residents to socialize.

SITE DATA

ZONING: CT COMMERCIAL TOURIST
PINE SPRINGS AT VILLAGE GREEN
AREA: 7.92 ACRES
DENSITY: 15.3 UNITS PER ACRE

VEHICLE PARKING
REQUIRED: 13 SPACES/240RM UNIT
PROPOSED: STANDARD: 227 SPACES
ADA: 8 SPACES
TOTAL: 235 = 1.9 PER UNIT

PARKING AREA LANDSCAPING
TOTAL PARKING AREA SURFACE (TPAS) = 79,805 SF
REQUIRED: 10%
10% X 79,805 SF = 7,981 SF
PROPOSED: 3,066 SF

CANOPY TREES
REQUIRED: 1 PER 3000 SF OF TPAS
79,805/3000 = 27 TREES
PROPOSED: 44 TREES

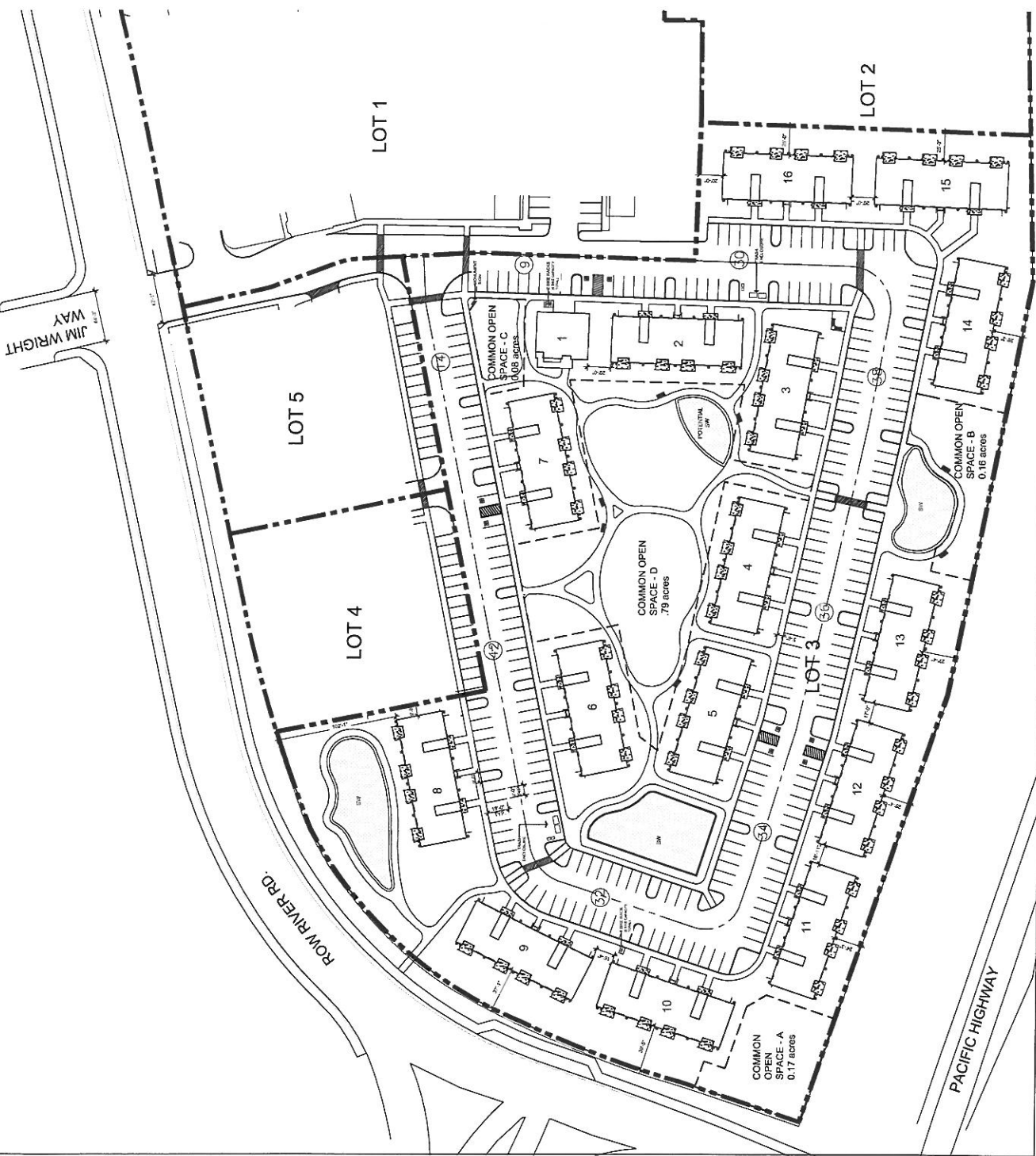
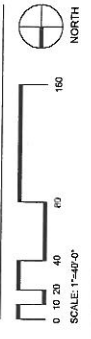
BICYCLE PARKING
REQUIRED: 1 PER 20 UNITS (LONG TERM) = 30
1 PER 20 UNITS (SHORT TERM) = 6
PROPOSED: LONG TERM = 61
(GROUND FLOOR UNITS STORAGE RM)
SHORT TERM = 6

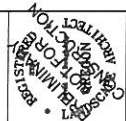
COMMON OPEN SPACE
REQUIRED: 15%
15% X 7.92 ACRES = 1.19 ACRES
PROPOSED: 1.20 ACRES

OTHER OPEN SPACE
PROPOSED: 2.82 ACRES

LOT BUILDING COVERAGE
MAXIMUM: 50%
50% X 350,075 = 175,038 SF
PROPOSED: 66,338 SF (20%)

SITE PLAN





Date: 02.20.23
Drawn By: EH
Checked By: DVD
Substation:

LA-2

PRELIMINARY NEW PLANT SCHEDULE

PRELIMINARY
LANDSCAPE MASTER PLAN

EXHIBIT B

STAFF REPORT
PINE SPRINGS MASTER PLANNED DEVELOPMENT
725 ROW RIVER ROAD
MULTIPLE-UNIT PROPERTY TAX EXEMPTION
MUPTE 1-23
May 17, 2023

PROPOSAL DESCRIPTION

<u>Date application filed:</u>	May 9, 2023
<u>Date application complete:</u>	May 9, 2023
<u>Applicant/Owner:</u>	Pine Springs, LLC 3025 W 7 th Place Eugene, OR 97402
<u>Location:</u>	Lot 3, Village Green Subdivision (tentative) MAP/TL: 20-03-27-20-3701 & 3702
<u>Present Conditions:</u>	Vacant former motel and gardens area of the Village Green Resort
<u>Comp Plan Designation:</u>	T – Tourist Commercial
<u>Zoning:</u>	CT- Commercial Tourist

PROPOSAL FROM APPLICANT

Pine Springs Apartments will provide 120 attractive 2-bedroom, 2-bath apartments and a 3-bedroom unit for an on-site manager.

The 2-bedroom apartments are 968 square feet and include air-conditioned homes featuring high-quality finishes (such as granite countertops and wood cabinets), full-size washer and dryer, and an outdoor patio or balcony. The ground floor units have a storage closet accessible from the patio offering a convenient location for bike storage.

The on-site manager's home is connected to a leasing office and interior mailboxes that offer enhanced security for residents.

Target Population:

The floor plan of the units is attractive to a variety of households. The site is located on a transit route and on a bike route making it attractive to households wanting to reduce reliance on a car. There are a mix of commercial services nearby making it an attractive housing option for employees in the area. The rental rates are expected to be comparable with other apartments in the community.

Parking and Circulation:

Available on-site parking exceeds the minimum parking required by the city code. The parking is conveniently located for residents and is attractively landscaped. The on-site motor vehicle circulation consists of a loop drive with apartment buildings and open space in the interior of the site. The pedestrian walkways penetrating open spaces are 6-feet wide and attractively meander as in a park-like setting. Both the width and general layout exceed city sidewalk requirements.

Public Benefits:

The primary public benefits include redevelopment of blighted property, attractively designed open spaces significantly exceeding city standards, pedestrian-oriented design features, and special architectural features. The property owners face a daunting task and extra costs associated with the environmental clean-up, demolition, and infrastructure replacement/expansion for the site.

The MUPTE program provides a financial benefit vital to the success of the Pine Springs Apartments.

For information regarding the full list of public benefits, see Exhibit E.

VILLAGE GREEN CONDITIONS & KEY PROBLEMS

When the current owners purchased the site, the Village Green Hotel was not operating in a sustainable manner due to:

- Substantial decline in the hotel and tourist industry
- Increased hotel competition in the region
- Insufficient modern amenities
- Several buildings were in substandard or blighted conditions.
- The 6.5-acre garden, seasonal pool and hot tub required extensive maintenance substantially impacting operational costs. Several of the trees were either hazardous or required extensive pruning due to neglect.



POTENTIAL NEW MIXED-USE DEVELOPMENT

The current property owners hope to see the Village Green Hotel and RV Park sold and improved under new ownership resulting in a vibrant, mixed-use development that supports tourism, small business growth, and housing.

The current plan is to retain the RV Park offering an affordable housing option for residents. There are no immediate plans to close the RV Park.

The Village Green Hotel main building, including the restaurant, may be retained if a new business owner is found that can economically operate a smaller scale hotel in a sustained manner. It is also possible that this portion of the site will be redeveloped for a new multi-story hotel with modern amenities.

The Village Green buildings formerly used by the hotel that were in deteriorating or substandard conditions were demolished to allow redevelopment for the Pine Springs Apartments.

Two new vacant commercial lots are being created with frontage on Row River Road. These commercial lots will be attractively designed for small businesses serving the surrounding neighborhood and region.

“We are excited about creating a vibrant, mixed-use development that supports the local economy and provides new housing,” Colin Kelley, Timberview Construction.

COMMENTS RECEIVED

No comments received.

APPROVAL CRITERIA; MUPTE 1-23

3.10.070 Review of the application.

A. The council may approve the application if it finds, in accordance with standards and guidelines adopted by resolution of the council, that:

- 1. The property is eligible as provided in Section 3.10.020;***

3.10.020 Eligible property.

To be eligible for the property tax exemption provided by this chapter, the multiple-unit housing must be a newly constructed structure(s), stories or other additions to existing structure(s) and structure(s) converted in whole or in part from other use to housing that meets the following criteria:

- A. Include three or more dwelling units that are not designed or used as transient accommodations rented for less than thirty consecutive days (including hotels and motels).***
- B. Include one or more elements benefitting the public as described in this chapter and approved by the council. From Section 3.10.050 Public Benefits:***

3.10.050 A. In order to qualify for the exemption provided by this chapter, the applicant must propose and agree to include in the proposed project one or more design elements benefitting the general public which may consist of, but not be limited to:

- 1. Commercial uses in the ground floor of the multiple-unit housing structure;***
- 2. Parks and recreation facilities (over required minimum);***
- 3. Open spaces (over required minimum);***
- 4. Common meeting rooms;***

5. Child care facilities;
6. Provision of pedestrian-oriented design features;
7. Provision of amenities and/or programs supportive of the use of mass transit;
8. Facilities for the handicapped;
9. Special architectural features;
10. Dedication of land or facilities for public use;
11. Development or redevelopment of blighted property;
12. Extra costs associated with infill or redevelopment projects, such as land assembly, environmental cleanup, demolition, and infrastructure replacement or expansion;
13. Development on existing surface parking lots;
14. Compliance with Leadership in Energy and Environmental Design (LEED) Certification requirements;
15. Seismic retrofitting;
16. On-site stormwater retention and treatment.

B. Public benefits provided by this section are not necessarily required to be available to the public at large if the council finds the design elements proposed by the applicant provide sufficient public benefit.

C. Be housing which is completed on or before the date specified in ORS 307.637 (Deadlines for actions required for exemption).

D. Be located within the designated core area, to wit: within an area zoned C-2 Central Business District or within one-quarter mile of the LTD fixed route transit service, as delineated on the date of the adoption of the ordinance codified in this chapter.

E. Be in compliance with all local plans and planning regulations applicable at the time the application is approved.

Staff Finding: The subject property at 725 Row River Road (Map/TL: 20-03-27-20-03701 & 3702) has an approved Overlay and Concept Plan via Master Planned Development application MPD 1-23 to construct 121 dwellings in the vacant area at the north end of the former Village Green Resort. The subject area for the development consists of what will be the future Lot 3 of the Village Green Subdivision, approximately 7.99 acres. The applicant has proposed several public benefits as part of this development proposal. They are:

PUBLIC BENEFITS MET	DESCRIPTION OF PUBLIC BENEFITS
Parks and Recreation Facilities	In excess of city requirements, project includes park and recreational amenities such as benches and walkways in attractively landscaped open spaces.
Open space	Open Space Provided: 3.82 acres Open Space Required: 1.19 acres Open Space Over Minimum: 2.63 or 221% above minimum Parking Area Trees Provided: 44 Parking Area Trees Required: 27 Parking Area Trees Over Minimum: 17 or 63% above minimum In excess of city requirements, about 120 more trees will be planted or preserved.

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Notes: Property owner donations from the site include: 1) Roughly 40 hotel room beds, bed frames, TVs, nightstands, etc.; 2) wooden footbridge moved to the city golf course; 3) Numerous art objects and plants; and 4) Reclaimed lumber. Although common meeting rooms are not provided, the leasing office and mail room provide small indoor spaces for residents to socialize.

The subject property is on Route #98. This use is permitted within the CT – Commercial Tourist Zone with an approved Master Planned Development. All criterion have been met.

2. The project is in conformance with the comprehensive plan and zoning regulation; and

Staff Finding: As proposed and approved thorough Master Planned Development application 1-23 this project is in conformance with the comprehensive plan and zoning regulation. This criterion is met.

3. The public benefit the property will receive pursuant to this program will be reasonable when considered in combination with other public benefits it is receiving or for which the owner plans to apply.

Staff Finding: The applicant is not applying for nor are they aware of any other available public funding benefits to facilitate the development of this project. This criterion does not apply.

B. The council shall review the application within one hundred eighty days of filing and approve, deny, or approve subject to reasonable conditions, the application. Final action by the council shall be by resolution that shall contain the owner's name and address, a description of subject multiple-unit housing, either the legal description of the property or the assessor's property account number, and the specific conditions upon which the approval of the application is based. An application not acted upon within one hundred eighty days following the date of application shall be deemed approved.

Staff Finding: This application was submitted on May 9, 2023 and deemed complete on May 9, 2023. This application will be considered on May 22, 2023. A decision must be reached to approve, deny, or approve subject to reasonable conditions by November 5, 2023.

CONCLUSION

Multiple-unit property tax exemption program **approval** pursuant to Section 3.10.070 Review of the application subject to the proposed location along an LTD bus route (#98), three or more dwellings, and the proposed public benefit(s) as shown on page(s) four (4) and five (5) of this staff report, which are supported by the findings of fact that establish compliance with the applicable state and local standards.

STAFF RECOMMENDATION

That the MUPTE 1-23 be **approved** for the property tax exemption for the area associated with the 121-unit development at 725 Row River Road (Map No. 20-03-27-20-03701 & 3702) pursuant to Section 3.10.070, which are supported by findings of fact and conditions that can establish compliance with applicable state and local standards.

CONDITIONS OF APPROVAL

1. A minimum of three dwellings shall be constructed.
2. The Public Benefits (design elements) accepted by the City Council and adopted by Resolution shall be completed as proposed prior to occupancy.

MATERIALS TO BE PART OF THE RECORD

Files: MUPTE 1-23

EXHIBITS

- A. MUPTE Application
- B. MPD 1-23

Application for Multiple-Unit Property Tax Exemption Program

City of Cottage Grove
Public Works & Development Department
400 E Main Street, Cottage Grove, OR 97424

I. Applicant Information (If the applicant is an LLC, S-Corps or similar member company, please provide legal documentation of the LLC's formation and list of members, authorized to sign on LLC's behalf)

Name: Brent Lanz

Title: Member

Company: Pine Springs, LLC

Street: 3025 West 7th Place

City, State, Zip Code: Eugene, OR, 97402

Phone: 503-929-3331

E-mail: Colin@timberviewconst.com

FAX:

II. Applicant's Representative Information (if different than above)

Name: Colin Kelley

Title: President

Company: Timberview Construction, LLC

Street: 3025 West 7th Place

City, State, Zip Code: Eugene, OR 97402

Phone:

E-mail:

FAX:

III. Property Information

Project is located within the designated program boundary: ☒ Yes ☐ No

Applicant has site control: ☒ Yes ☐ No

Address: 725 Row River Road Cottage Grove, OR 97424

Map No: 20-03-27-20

Tax Lot: 3702,3701

Note: If property is only a fraction of a platted lot, indicate this fact and provide a metes and bounds description of the portion of the lot to be used.

Current use(s) of site: RV Park, Hotel, Vacant Land

If existing housing is being removed, please explain why:

Hotel Rooms were removed but not housing.

Current zoning: CT

Assessor's property account number(s):

Parcel size: 7.99 Acres

IV. Project Information

Anticipated construction start date: 9/1/2023

Anticipated completion date: 9/1/2025

Desired effective date (tax year) for the Multi-Unit Housing Incentive Program: 2026

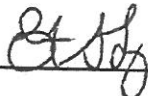
Number, size, and type of dwelling units proposed:

1 bedroom units	Square feet	Median sales price	Rental rate
120 2 bedroom units	968 Square feet	Median sales price	1,450 Rental rate
1 3 bedroom units	1267 Square feet	Median sales price	1,600 Rental rate
Other units	Square feet	Median sales price	Rental rate

Total building square footage: 117,427	Dimensions of building(s): 111'-9" X 40'
Building(s) cover: 20 % of the lot.	Commercial square footage: (if any) N/A
Amount of open space to be included: 3.82 Acres	
Method of construction: Wood Frame	
Type of materials: Wood, Luxury Vinyl Flooring, Granite Counter tops	
Is other public financial assistance being requested for the project? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If so, please attach description as Exhibit F	
V. Land Use Planning	
Site Design Review or Master Plan Obtained? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No; Application No. _____	
If No, estimated date of application?	
VI. Public Benefits (Please check all that apply)	
<input type="checkbox"/> Commercial uses in the ground floor of the multiple-unit housing structure	
<input type="checkbox"/> Parks and recreation facilities (over required minimum)	
<input checked="" type="checkbox"/> Open spaces (over required minimum)	
<input type="checkbox"/> Common meeting rooms	
<input type="checkbox"/> Child Care facilities	
<input checked="" type="checkbox"/> Provision of pedestrian-oriented design features	
<input checked="" type="checkbox"/> Facilities for the handicapped	
<input checked="" type="checkbox"/> Special architectural features	
<input checked="" type="checkbox"/> Provision of amenities and/or programs supportive of the use of mass transit	
<input type="checkbox"/> Dedication of land or facilities for public use	
<input checked="" type="checkbox"/> Development or redevelopment of underutilized or blighted property	
<input checked="" type="checkbox"/> Provision of pedestrian-oriented design features	
<input checked="" type="checkbox"/> Extra costs associated with infill or redevelopment projects, such as land assembly, environmental cleanup, demolition, and infrastructure replacement or expansion	
<input type="checkbox"/> Development on existing surface parking lots	
<input type="checkbox"/> Compliance with Leadership in Energy and Environmental Design (LEED) Certification requirements	
<input type="checkbox"/> Seismic retrofitting	
<input checked="" type="checkbox"/> On-site stormwater retention and treatment	
Please attach the following and label as Exhibits A-F	
Legal Description, labeled as Exhibit A	
Evidence of Site Control, labeled as Exhibit B	
A description of the project including information regarding the size and type of units, target population, parking and circulation plans, private and public access, and public benefits of the project, labeled as Exhibit C	
A site plan, drawn to a minimum scale of 1" = 20', which shows in detail the development plan of the entire project, labeled as Exhibit D	
Documents to explain the proposed public benefits, labeled as Exhibit E	
A description of any other public financial assistance, if any, labeled as Exhibit F	

Office Use Only	
Pre-Application date:	Fee received:
Date final application received:	Received by:
Urban Development Contact:	Pre-Application Conference Date: _____
	Meeting Summary Letter sent on: _____
Date of correspondence to abutting property owners and appropriate affected parties, city departments, etc.:	
Correspondence sent to:	
Council Hearing date:	
<input type="checkbox"/> Approved? <input type="checkbox"/> Denied? <input type="checkbox"/> Other: _____	
Comments:	

I certify that the above statements are true, accurate, and complete to the best of my knowledge and belief.

Applicant's Signature:  Date: 5/3/2023

Applicant's Name (Please print or type here): Brent Lanz

Applicant's Title (Please print or type here): Member

Fill out form with Adobe Acrobat or print out and fill-in.
After completing form print, sign, and mail or bring to:

City of Cottage Grove
Public Works & Development
400 E Main Street
Cottage Grove, OR 97424

EXHIBIT A

A tract of land being a portion of PARCEL 1 and PARCEL 2 of Partition Plat 97-P0984, Lane County Plat Records, located in the Northwest quarter of Section 27, Township 27 South, Range 3 West, Willamette Meridian, Lane County, Oregon, more particularly described as follows:

Beginning at a PK nail with washer stamped "PLS 494" at the Northwest corner of said PARCEL 2 Being on the Southerly Right-of-Way of Row River Connector; Thence Easterly along the Northerly boundary of said PARCEL 2 and said PARCEL 1, coincident with said Southerly Right-of-Way boundary, South $71^{\circ}19'09''$ East, 107.48 feet to a 5/8-inch iron rod at the beginning of a spiral curve, concave Southerly; Thence along said spiral curve, Easterly along said Northerly boundary of said PARCEL 1, coincident with said Southerly Right-of-Way boundary, the chord of which bears South $63^{\circ}34'51''$ East, 276.80 feet, to the beginning of a curve, concave Southwesterly, having a radius of 308.10 feet; Thence along said curve, Southerly along the Easterly boundary of said PARCEL 1, coincident with the Westerly Right-of-Way boundary of said Row River Connector, an arc length of 61.00 feet, through a central angle of $11^{\circ}20'41''$, the chord of which bears South $41^{\circ}40'53''$ East, 60.91 feet to a 5/8-inch iron rod at the beginning of a spiral curve, concave Westerly; Thence along said spiral curve, Southerly along said Easterly boundary, coincident with said Westerly Right-of-Way boundary, the chord of which bears South $23^{\circ}21'10''$ West, 145.99 feet; Thence leaving said Easterly boundary and said Westerly Right-of-Way boundary, South $78^{\circ}47'42''$ West, 180.28 feet; Thence South $11^{\circ}26'08''$ East, 380.69 feet; thence South $87^{\circ}24'07''$ West, 75.17 feet; Thence North $88^{\circ}01'31''$ West, 177.92 feet; Thence South $01^{\circ}57'20''$ West, 118.68 feet; Thence North $88^{\circ}02'30''$ West, 281.00 feet to a point on the West boundary of said PARCEL 2; Thence Northerly along said West boundary North $01^{\circ}27'59''$ West, 126.52 feet; Thence North $11^{\circ}02'39''$ East, 363.58 feet to a 5/8-inch iron rod on the Easterly Right-of-Way boundary of Interstate 5; Thence continuing Northerly along said West boundary, coincident with said Easterly Right-of-Way boundary, North $18^{\circ}42'19''$ East, 388.74 to the Point of Beginning and there terminating.

EXHIBIT B



TITLE NO. 0325338
ESCROW NO. EU21-0354 NRJ
TAX ACCT. NO. 1597572 / 1088507
MAP/TAX LOT NO. 20 03 27 2 0 #3701 #3702

Lane County Clerk
Lane County Deeds & Records

2021-062997

09/30/2021 11:53:03 AM

RPR-DEED Cnt=1 Stn=8 CASHIER 12 2pages
\$10.00 \$11.00 \$10.00 \$61.00

\$92.00

GRANTOR

VILLAGE GREEN RESORT LLC

GRANTEE

PINE SPRINGS, LLC

3025 W 7TH PL

EUGENE, OR 97402

Until a change is requested
all tax statements shall be
sent to the following address:
SAME AS GRANTEE

After recording return to:
CASCADE TITLE CO.
811 WILLAMETTE
EUGENE, OR 97401

WARRANTY DEED -- STATUTORY FORM

VILLAGE GREEN RESORT LLC, an Oregon Limited Liability Company, Grantor,

conveys and warrants to

PINE SPRINGS, LLC, an Oregon Limited Liability Company, Grantee,

the following described real property free of encumbrances except as specifically set forth herein:

Parcels 1 and 2, LAND PARTITION PLAT NO. 97-P0984, filed May 7, 1997, Lane County Oregon
Plat Records, in Lane County, Oregon.

The true consideration for this conveyance is \$3,600,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 (Definitions for ORS 92.010 to 92.192) OR 215.010 (Definitions), TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 (Definitions for ORS 30.930 to 30.947), AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Except the following encumbrances:

Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2021/2022.

Covenants, Conditions, Restrictions, Easements and Rights of Way of record, if any.

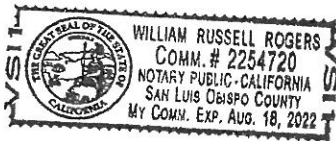
Dated this 27th day of September, 2021.

VILLAGE GREEN RESORT LLC

BY: Dirk Winter
DIRK WINTER, MANAGER

State of California
County of San Luis Obispo

This instrument was acknowledged before me on 9/27/, 2021 by DIRK WINTER,
MANAGER OF VILLAGE GREEN RESORT LLC.



William Russell Rogers
(Notary Public for California)
My commission expires 8/18/2022

EXHIBIT C

PROJECT DESCRIPTION:

Pine Springs Apartments will provide 120 attractive 2-bedroom, 2-bath apartments and a 3-bedroom unit for an on-site manager.

The 2-bedroom apartments are 968 square feet and include air-conditioned homes featuring high-quality finishes (such as granite countertops and wood cabinets), full-size washer and dryer, and an outdoor patio or balcony. The ground floor units have a storage closet accessible from the patio offering a convenient location for bike storage.

The on-site manager's home is connected to a leasing office and interior mailboxes that offer enhanced security for residents.

Target Population:

The floor plan of the units is attractive to a variety of households. The site is located on a transit route and on a bike route making it attractive to households wanting to reduce reliance on a car. There are a mix of commercial services nearby making it an attractive housing option for employees in the area. The rental rates are expected to be comparable with other apartments in the community.

Parking and Circulation:

Available on-site parking exceeds the minimum parking required by the city code. The parking is conveniently located for residents and is attractively landscaped. The on-site motor vehicle circulation consists of a loop drive with apartment buildings and open space in the interior of the site. The pedestrian walkways penetrating open spaces are 6-feet wide and attractively meander as in a park-like setting. Both the width and general layout exceed city sidewalk requirements.

Public Benefits: (Please see Exhibit E for more details.)

The primary public benefits include redevelopment of blighted property, attractively designed open spaces significantly exceeding city standards, pedestrian-oriented design features, and special architectural features. The property owners face a daunting task and extra costs associated with the environmental clean-up, demolition, and infrastructure replacement/expansion for the site.

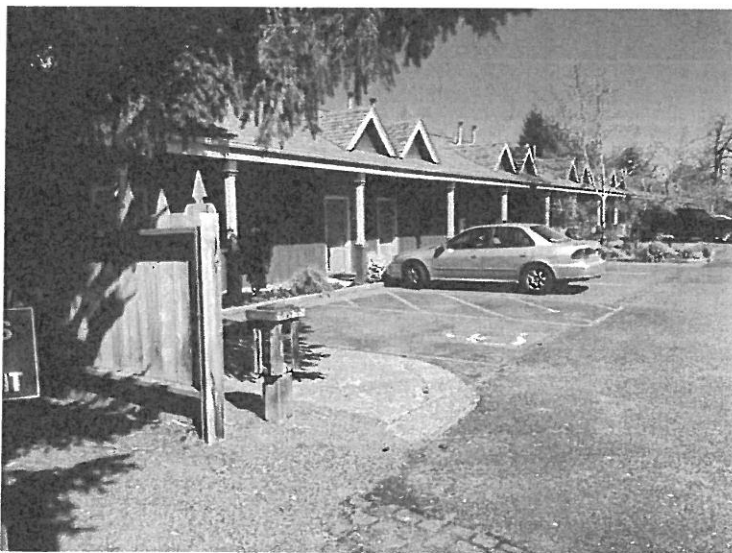
The MUPTE program provides a financial benefit vital to the success of the Pine Springs Apartments.

For information regarding the full list of public benefits, see Exhibit E.

VILLAGE GREEN CONDITIONS & KEY PROBLEMS

When the current owners purchased the site, the Village Green Hotel was not operating in a sustainable manner due to:

- Substantial decline in the hotel and tourist industry
- Increased hotel competition in the region
- Insufficient modern amenities
- Several buildings were in substandard or blighted conditions.
- The 6.5-acre garden, seasonal pool and hot tub required extensive maintenance substantially impacting operational costs. Several of the trees were either hazardous or required extensive pruning due to neglect.



View of one-story building renovated by previous owner following a fire. Until the hotel closed, the building provided hotel rooms for guests. Building is not in the area being redeveloped for the Pine Springs Apts.



View of building in substandard condition when current owner purchased property. Building was not available for hotel guests. The piles of debris were from maintenance done in garden area.

This and other substandard buildings were demolished by the current owners and is inside the area being redeveloped for the Pine Springs Apts.

POTENTIAL NEW MIXED-USE DEVELOPMENT

The current property owners hope to see the Village Green Hotel and RV Park sold and improved under new ownership resulting in a vibrant, mixed-use development that supports tourism, small business growth, and housing.

The current plan is to retain the RV Park offering an affordable housing option for residents. There are no immediate plans to close the RV Park.

The Village Green Hotel main building, including the restaurant, may be retained if a new business owner is found that can economically operate a smaller scale hotel in a sustained manner. It is also possible that this portion of the site will be redeveloped for a new multi-story hotel with modern amenities.

The Village Green buildings formerly used by the hotel that were in deteriorating or substandard conditions were demolished to allow redevelopment for the Pine Springs Apartments.

Two new vacant commercial lots are being created with frontage on Row River Road. These commercial lots will be attractively designed for small businesses serving the surrounding neighborhood and region.

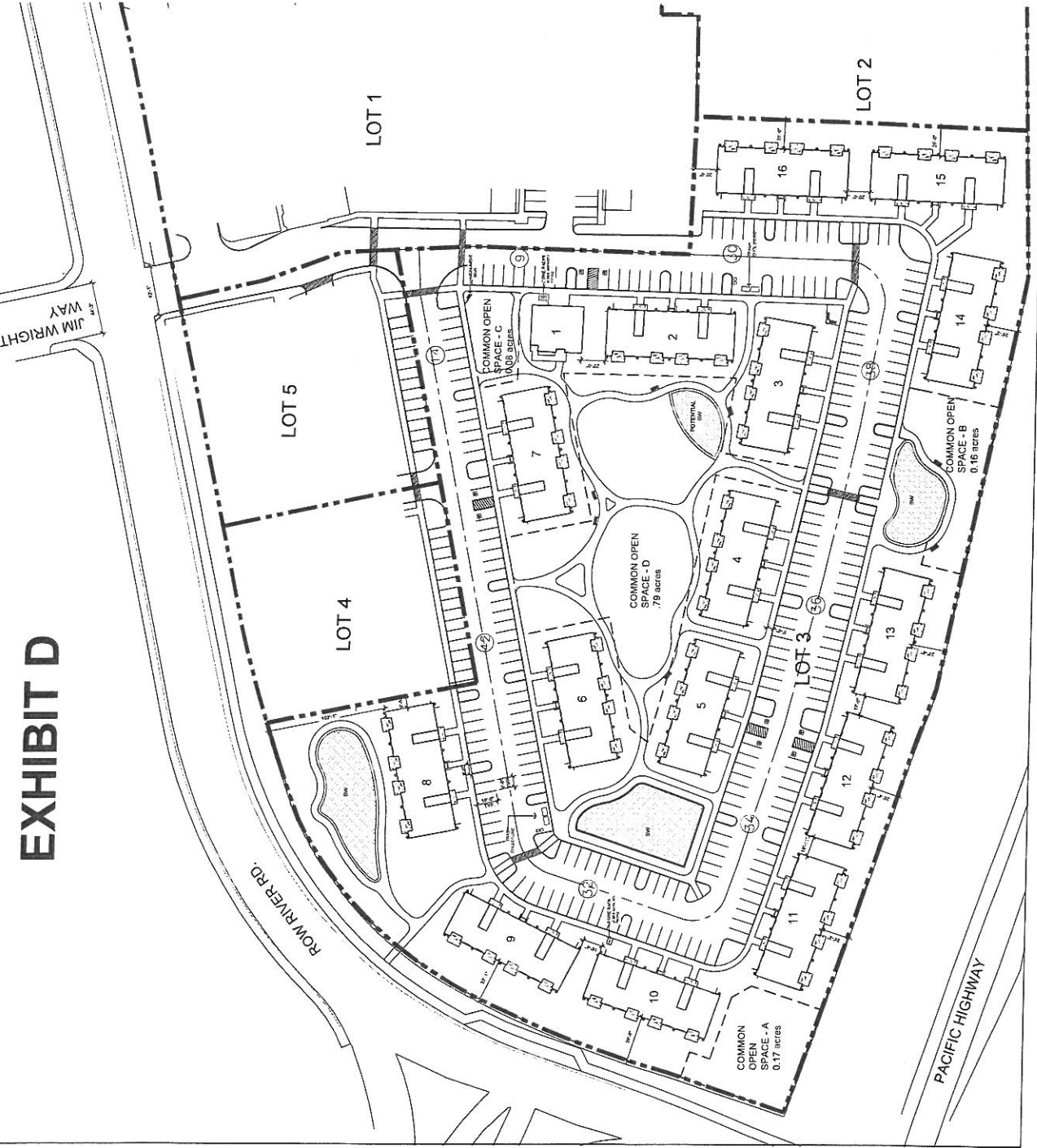
“We are excited about creating a vibrant, mixed-use development that supports the local economy and provides new housing,” Colin Kelley, Timberview Construction.

EXHIBIT E

PUBLIC BENEFITS MET	DESCRIPTION OF PUBLIC BENEFITS
Parks and Recreation Facilities	In excess of city requirements, project includes park and recreational amenities such as benches and walkways in attractively landscaped open spaces.
Open space	Open Space Provided: 3.82 acres Open Space Required: 1.19 acres Open Space Over Minimum: 2.63 or 221% above minimum Parking Area Trees Provided: 44 Parking Area Trees Required: 27 Parking Area Trees Over Minimum: 17 or 63% above minimum In excess of city requirements, about 120 more trees will be planted or preserved.
Pedestrian-Oriented Design Features	Project meets city pedestrian-orientation standards and exceeds sidewalk Walkways Provided: 5,741 linear feet Walkways Required: 3,726 linear feet Walkways Over Minimum: 2,015 linear feet or 42% above minimum
Supportive of Mass Transit	Site is located on LTD Route 98. Internal sidewalks connecting to Row River Road will be 6-feet wide, exceeding minimum width requirement.
Facilities for People with Disabilities	Per code, 2% of the units will be fully accessible. In excess of code, the design of the ground floor apartments allows all to be converted to fully accessible if needed. In excess of code, the ADA parking spaces are located in convenient locations throughout the site.
Special Architectural Features	In excess of city standards, special architectural features include: street facing windows, weather protection for entrances, building projections, distinct patterns for surface materials, and 2nd floor balconies providing cover for ground floor patios.
Development or Redevelopment of Underutilized or Blighted Property	A significant portion of the site was blighted due to substandard buildings and major disrepair/inadequate maintenance of the grounds.
Extra Costs Associated with Environmental Cleanup, Demolition, and Infrastructure	Property owners spent roughly \$200,000 on asbestos and demolition work so far and anticipate spending at least another \$100,000 in removal of all the concrete and bringing down the chimney. There will be extra costs for removing, relocating, and replacing existing infrastructure and for improvements to the main driveway access from Row River Road.
On-site Stormwater Retention and Treatment	City standard requires flood control through a 10-year storm event for flow volume based facilities. Project provides it through a 25-year storm event. The system also exceeds city standards by only discharging 22% of the existing on-site runoff into the public system making infiltration a key component of the design.

Notes: Property owner donations from the site include: 1) Roughly 40 hotel room beds, bed frames, TVs, nightstands, etc.; 2) wooden footbridge moved to the city golf course; 3) Numerous art objects and plants; and 4) Reclaimed lumber. Although common meeting rooms are not provided, the leasing office and mail room provide small indoor spaces for residents to socialize.

EXHIBIT D



SITE DATA

ZONING: CT COMMERCIAL TOURIST
 PINE SPRINGS AT VILLAGE GREEN
 AREA: 7.92 ACRES
 DENSITY: 153 UNITS PER ACRE
 VEHICLE PARKING
 REQUIRED: 1.5 SPACES/2-BDRM UNIT
 1.5 X 121 = 181.5
 PROPOSED: STANDARD - 227 SPACES
 227 X 121 = 27,467 SF
 TOTAL: 235 = 1.9 PER UNIT

PARKING AREA LANDSCAPING
 TOTAL PAVED AREA SURFACE (TPAS) = 79,005 SF
 REQUIRED: 10% X 79,005 SF = 7,901 SF
 PROPOSED: 8,008 SF

CANOPY TREES
 REQUIRED: 1 PER 3000 SF OF TPAS
 79,005/3000 = 27 TREES
 PROPOSED: 41 TREES

BICYCLE PARKING
 REQUIRED: 1 PER 4 UNITS (LONG TERM) = 30
 1 PER 20 UNITS (SHORT TERM) = 6
 PROPOSED: LONG TERM = 61
 61 X 20 = 1,220 ACRES = 1.19 ACRES
 SHORT TERM = 6

COMMON OPEN SPACE
 REQUIRED: 15% X 7.92 ACRES = 1.19 ACRES
 PROPOSED: 1.20 ACRES

OTHER OPEN SPACE
 PROPOSED: 2.62 ACRES

LOT BUILDING COVERAGE
 MAXIMUM: 50%
 50% X 350,076 = 175,038 SF
 PROPOSED: 66,358 SF (20%)

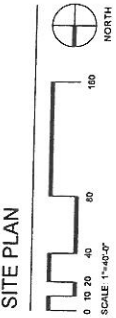
DLA
DOUGHERTY
LANDSCAPE
ARCHITECTS
 415 Millbrook Road
 Suite 202
 Eugene, Oregon 97401
 P 541.683.5003
 F 541.683.8183
 www.dlaesign.com

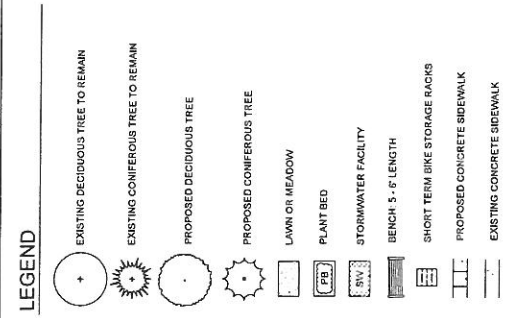
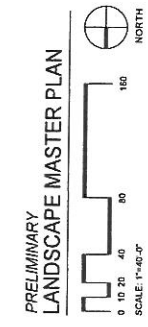
REMAINING
 FOR
 ROW RIVER ROAD, COTTAGE GROVE, OR 97424

PINE SPRINGS MASTER PLAN
 ROW RIVER ROAD, COTTAGE GROVE, OR 97424

Date: 02.20.23	Drawn by: JAF/EN	Checked by: DND	Reviewed by: PINE SPRINGS MASTER PLAN

LA-1
 (SCALE: 1"=40'-0")



[illegible]

STAFF REPORT
PINE SPRINGS MASTER PLANNED DEVELOPMENT
PINE SPRINGS, LLC
MASTER PLANNED DEVELOPMENT (MPD) 1-23
APRIL 19, 2023

PROPOSAL DESCRIPTION

Date application filed: February 23, 2023

Date application complete: February 24, 2023

Applicant/Owner: Pine Springs, LLC
3025 W 7th Place
Eugene, OR 97402

Location: Future Lot 3 of the Village Green Subdivision
Row River Road
Map/TL: 20-03-27-20 (Lot 3)

Present Conditions: Vacant/Undeveloped Area, Formerly the Village Green Motel

Comp Plan Designation: T – Tourist Commercial

Zoning: CT – Commercial Tourist

MATERIALS TO BE PART OF THE RECORD

City of Cottage Grove File(s): MPD 1-23

- Applicant's Application
- Applicant's Narrative
- Minutes and information from Community Meeting dated February 1, 2023
- Applicant's Exhibits A-I
- Applicant's Design Documents (civil, landscaping, architectural)
- City of Cottage Grove Completeness Correspondence
- Affidavit of Posting
- Affidavit of Notice
- Engineering Comments dated March 31, 2023

Proposal:

This Type III Master Planned Development application is to develop a Multi-Family Apartment complex on the future Lot 3 of the Village Green Subdivision located at 725 Row River Road (Map/TL: 20-03-27-20-*03701/2*), Cottage Grove, OR. The subject property, future Lot 3 of the Village Green Subdivision, was approved by the Cottage Grove Planning Commission on March 15, 2023. The property owner has not, as of the time this staff report was published,

submitted the Final Plat of the Village Green Subdivision. Competition of that subdivision process shall be completed prior to the issuance of Building Permits.

This property is currently zoned CT – Commercial Tourist and generally vacant in the area where the Pine Springs Development is proposed. Multi-family development is permitted in the CT Zone with the approval of a Master Planned Development per Chapter 14.45, hence this application. The Master Planned Development application process is a two-step process in that this application will consider the “overlay zone and concept plan,” which establishes the use and design of the development site and the second part is the “detailed design plan” that will show compliance with the conditions of approval from the concept overlay plan. Compliance with Section 14.45.150 is shown in the staff report attached.

The proposed Pine Springs Development includes the development of 16 eight-unit two-story apartment buildings and a live-in leasing office arranged around a central common open space area with a park/campus like feel with mature trees being retained, new trees and landscaping, stormwater detention and treatment facilities, and a connected system of ADA accessible pedestrian paths. As a condition of utilizing the Master Planned Development process the developer/property owner shall “dedicate” 15% of the development site to common open space. For the Pine Springs Development this totals 1.19 acres. The applicant has proposed a total of 3.82 acres of common open space. The common open space will be for the use of the residents and guests of the Pine Springs Development. The common open space will be maintained by a separate legal entity as is permitted by Chapter 14.45.

The design of the apartment buildings is wood frame construction with a pitched roof and dormers over the building entrances. Each unit will have a covered porch or balcony that includes storage space. The design meets the standards of the CT Zone. The 120 units will be 968 sf two-bedroom, two-bath units with a washer and dryer.

The applicant has proposed 235 total parking spaces with four van accessible ADA spaces and four ADA spaces, 61 long-term bicycle parking spaces and six short-term spaces. The proposed number of parking spaces exceeds the minimum number of parking spaces required for two-bedroom multi-family (180), but does not exceed the maximum allowed at 150% of the minimum.

The Pine Springs Development proposal largely meets the clear and objective standards of the CT Zone with the exception of building built-to line standards and building orientation to the right-of-way. Both of these standards can be modified through this Master Planned Development application as shown in 14.45.130. No other modifications to Chapter 2 and 3 of the Development Code are requested in this application.

COMMENTS RECEIVED

Comments were received from Damien Gilbert, City of Cottage Grove Engineer on March 31, 2023. These comments are addressed in the staff report in the Exhibits and included in conditions of approval.

A Neighborhood Meeting was held on February 1, 2023 in compliance with Section 14.41.800 of the Cottage Grove Municipal Code. The meeting materials are included in this staff report and shown in Exhibit G.

FINDINGS

APPROVAL CRITERIA; MPD 1-23

14.45.150 Master Planned Development - Overlay Zone & Concept Plan Approval Criteria

The City shall make findings that all of the following criteria are satisfied when approving or approving with conditions, the overlay zone and concept plan. The City shall make findings that all of the following criteria are satisfied when approving an application:

A. Comprehensive Plan. All relevant provisions of the Comprehensive Plan are met;

Staff response and findings of fact:

The Cottage Grove Comprehensive Plan (Comprehensive Plan) designates the subject property as Tourist Commercial. Cottage Grove has five commercial zones to implement the various Commercial Plan designations. The Commercial Tourist (CT) zoning applies to commercial areas adjacent to the I-5 interchange. The subject property is zoned CT consistent with the Comprehensive Plan designation. This application does not include a request to amend the Comprehensive Plan or the zoning map.

The Comprehensive Plan goals are broad statements describing the community's aspirations for Cottage Grove and include:

- To assure wise and efficient use of our urbanizable lands.
- To take advantage of our location within commuting distance of the Eugene-Springfield area by providing for residential development and commercial services for those desiring metropolitan employment but a small town living environment.
- To continue to provide for tourist-oriented development. To provide for the housing needs of present and future residents by encouraging the availability of housing units priced within the financial capabilities of area residents and allow for flexibility of housing location, type and density.

The Comprehensive Plan contains the following general policies:

The GENERAL RESIDENTIAL plan land use category will provide for the majority of future residential needs. For MEDIUM DENSITY RESIDENTIAL needs both the plan amendments to MEDIUM DENSITY RESIDENTIAL or the Planned Unit Development process for large parcels will be relied upon to assure that sufficient land, in addition to that shown on the Land Use Diagram, is made available for multiple family residential uses. Preserve tourist-commercial areas for highway-oriented tourist developments with Commercial Tourist (CT) zoning. The goals and policies listed above demonstrate the community's desire for new medium density residential development and a strong local economy. The Comprehensive Plan and the CT zone allow medium density residential development based on an approved master plan. The allowance of medium density housing helps assure sufficient land is available to meet projected population growth. The Comprehensive Plan also recognizes that, "Tourist commercial (leisure and hospitality) uses typically require direct access to I-5 but also locate in the Downtown Historic District."

As shown on Sheet LA-1 Conceptual Site Plan submitted with the Village Green subdivision application, the development site will provide a mix of uses including tourist commercial and medium density residential. The Village Green Conceptual Site Plan provides a framework for redevelopment to improve the financial stability of the hotel, allow for a few new commercial uses and provide new apartments. The proposed land uses are consistent with the Comprehensive Plan. The Cottage Grove Hillsides Map adopted as part of the Comprehensive Plan does not identify the subject property as in a hillside area. The Cottage Grove Historical Sites Map adopted as part of the Comprehensive Plan does not identify any historic resources on the subject property.

The proposed Pine Springs Master Plan aligns with the goals and objectives of the Cottage Grove Comprehensive Plan. This criterion is met.

B. Land Division Chapter. All of the requirements for land divisions, as applicable, shall be met (Chapter 14.43);

Staff response and findings of fact: The subject site for the proposed Master Planned Development will be the future Lot 3 of the Village Green Subdivision. The property owner has received approval for a tentative subdivision via Subdivision application S 1-23, which was approved by the Cottage Grove Planning Commission on March 15, 2023. There are no additional land divisions proposed with this application. This criterion does not apply.

C. Chapter 2 and Chapter 3 Standards. All of the land use, development, and design standards contained in Chapters 2 and 3 are met, except as may be modified in Section 14.45.130;

Staff response and findings of fact: Compliance with Chapters 2 & 3 of Title 14 of the Cottage Grove Municipal Code are shown below.

Chapter 14.23 – Commercial Districts

14.23.110 Commercial Districts – Allowed Land Uses

Table 14.23.110 identifies the land uses that are allowed in the Commercial Districts. The specific land use categories are described and uses are defined in Chapter 14.13 and 14.14.

TABLE 14.23.110 -- Commercial District Land Uses

USE Categories (Examples of uses are in Chapter 14.14; definitions are in Chapter 14.13)	Central Business (C-2)	Community Commercial (C-2P)	Commercial Tourist (CT)	Commercial Tourist Limited (CT/L)
Residential Categories				
Household Living				

USE Categories (Examples of uses are in Chapter 14.14; definitions are in Chapter 14.13)	Central Business (C-2)	Community Commercial (C-2P)	Commercial Tourist (CT)	Commercial Tourist Limited (CT/L)
All Residential Uses (Household Living and Group Living) allowed, if:				
-- Lawfully existing as of January 1, 2008, or	P	P	P	N
-- New dwelling(s) built in conjunction with a permitted commercial use (residential use is allowed above ground floor commercial or behind front 25' of commercial facade) in the Cottage Grove Downtown National Register Historic District overlay district	P	P	P	N
-- Multiple-family residential (outside of Cottage Grove National Register Historic District overlay district)	P	N	N	N
-- Through approved Master Plan	MP	MP	MP	MP
Group Living Uses shall conform to the provisions in Section 14.22.200.				

Staff response and findings of fact:

The proposed project, a 121-unit multi-family development, is an allowed use with an approved Master Plan, hence this application.

Chapter 14.23 Commercial District Design Standards:

Staff response and findings of fact:

The subject property is zoned CT and the proposed developments are allowed with an approved Master Plan. Chapter 2 of the Development Code includes the applicable commercial design standards, which are set forth through Section 14.23.120 through 14.23.180. The applicable standards of each are addressed below.

14.23.120 Development Standards

The development standards in Table 14.23.120 apply to all new structures, buildings, and development, and major remodels, in the Commercial Districts.

Table 14.23.120 – Development Standards for Commercial Districts

Standard	C-2	C-2P	CT	CT/L
<i>Minimum Lot Area (square feet)</i>	No standard	No standard	No standard	No standard
<i>Minimum Lot Width</i> Nonresidential Uses <i>For flag lots, width is measured at the front building line.</i>	15 ft	60 ft	50 ft	50 ft
<i>Minimum Lot Depth</i>	N/A	80 ft	80 ft	80 ft
<i>Building/Structure Height*</i> <u>Level Site (slope less than 15%), maximum height</u>	60 ft	60 ft	40 ft	40 ft
<u>Sloping Site (15% or greater), maximum height</u>	N/A	level site +5 ft	level site +5 ft	level site +5 ft
<u>Height Bonus for Residential Use in Upper Building Story, per Section 14.23.160</u>	12 ft	12 ft	N/A	N/A
<u>Building Height Transition</u> required adjacent to R/R-1 District, per Section 14.22.170 <i>*Height may be exceeded with approval of a Conditional Use Permit, per Chapter 14.44.</i>	Yes	Yes	Yes	No
<u>Fences, Retaining/Garden Walls</u> (See also Sections 14.31.200, vision clearance; 14.32.500, Fences and Walls)	7 ft	7 ft	7 ft	7 ft
<i>Building Coverage</i> (two options): 1. Max. Building Coverage 2. Coverage Bonus The allowable building coverage increases by a ratio of one-half square foot for	100% N/A	60% Yes	50% Yes	50% Yes

Table 14.23.120 – Development Standards for Commercial Districts

Standard	C-2	C-2P	CT	CT/L
every one square foot of required parking area that is paved using a city-approved porous/permeable paving material (i.e., allowing stormwater infiltration) or one-half square foot for every one square foot of city-approved water quality treatment area (e.g., vegetative swale or biofiltration) on the development site.				
<i>Min. Landscape Area (% site area)</i> , except does not apply to single-family dwellings. Landscape area may include plant areas and some non-plant areas as allowed under Section 14.32.300(D) .	0%	10%	15%	15%
<i>Minimum Setbacks (feet):</i> (See also Section 14.22.170 , R/R-1 height step-down.) <u>Front, Street, Side, and Rear</u> property lines, except garage or carport <u>Garage/Carport Entry</u> , setback from street Alley Adjacent to R/R-1 District	0 ft 0 ft 0 ft 10 ft, and per Section 14.22.170	0 ft 20 ft 3 ft 10 ft, and per Section 14.22.170	0 ft 20 ft 3 ft 10 ft, and per Section 14.22.170	0 ft 20 ft 3 ft 10 ft, and per Section 14.22.170
<i>Build-To Line (feet):</i> <u>New Buildings Only:</u> (Per Sections 14.23.130(A) , 14.23.170 .)	0 ft	60 ft, may be increased per Section 14.23.170	60 ft, may be increased per Section 14.23.170	60 ft, may be increased per Section 14.23.170

Staff response and findings of fact:

The applicant has provided a site plan and narrative (see Exhibits C) that demonstrates compliance with all of the standards listed above from Table 14.23.120, as described above.

Building Height: The applicant proposes a building height of 25' at the front façade for the eight-unit apartment buildings and 15' for the leasing office. This is well within the allowed 40' permitted within the CT zone, this standard is met.

Lot Coverage: Lot coverage maximum is 50%. The each of the proposed eight-unit apartment buildings are approximately 4,500 sf with a total of 16 buildings and the leasing office at approximately 1,800 sf bringing the building coverage number to approximately 20% of the total lot area of 7.92 acres. As the proposed buildings cover less than 50% of the total lot, this standard is met.

Minimum Landscape Area: The minimum landscaped area in the CT Zone is 15% or 1.19 acres of the 7.92 acre site. The applicant has proposed approximately 3.82 acres of landscaped areas within the site that includes common open space of 1.19 acres and 2.62 acres of other open space areas. This standard is met.

Minimum Setbacks: Minimum setbacks in the CT district are 0', or 20' to a garage entrance. The proposed buildings are arranged toward a central common area with setbacks to the Row River Road right-of-way at 39' (north end of development site), Interstate 5 right-of-way at 25' (western boundary of the site), 25' to the south where the site abuts Lot 2 (RV Park) of the Village Green Subdivision, and approximately 70' to the east. This criterion is met.

Build-to Line: The Build to Line requirement is 60'. The proposed development to create a centrally oriented multi-family development is being considered through a Master Planned Development application. This process allows the applicant to modify the development standards of Chapter 2. As proposed the orientation of the apartment buildings toward the center of the development site is appropriate given the frontage to Row River Road, Interstate 5, and the creation of two commercial pads with frontage to Row River Road, which when developed will have to meet the build-to requirement. This criterion does not apply.

14.23.130 *Zero Setbacks and Build-To Line*

- A. Build-To Line Applicability: At least one primary building entrance shall be built no farther from the street right-of-way than the build-to line; except where a greater setback is required for a Planned Street Improvement, then the build-to line increases proportionately. The build-to line may also be increased through Site Design Review when pedestrian amenities are provided between a primary building entrance and the street right-of-way.*

Staff response and findings of fact: The Build to Line requirement is 60'. The proposed development to create a centrally oriented multi-family development is being considered through a Master Planned Development application. This process allows the applicant to modify the

development standards of Chapter 2. As proposed the orientation of the apartment buildings toward the center of the development site is appropriate given the frontage to Row River Road, Interstate 5, and the creation of two commercial pads with frontage to Row River Road, which when developed will have to meet the build-to requirement. This criterion does not apply.

14.23.150 Commercial Districts – Building Orientation and Commercial Block Layout

C. Building orientation standards. *Developments subject to this Section shall have their buildings oriented to a street, as generally shown in Figure 14.23.150.C(1). This standard is met when all of the following criteria are met:*

1. *Compliance with the setback and build-to line standards in Section 14.23.120, where applicable.*

Staff response and findings of fact: The proposed locations of the apartment buildings and leasing office meet the minimum setback requirements. This criterion is met.

2. *Except as provided in subsections 14.23.150.C(4) and (5), below, all buildings shall have at least one primary building entrance (i.e., dwelling entrance, a tenant entrance, lobby entrance, or breezeway/courtyard entrance) facing an adjoining street (i.e., within 45 degrees of the street property line).*

Staff response and findings of fact: The proposed layout of the multi-family development is centrally oriented with adequate pedestrian facilities that connect each building to open spaces, parking areas, and Row River Road. This layout is meant to create a community feel specific to the Pine Springs Master Planned Development. This criterion is not applicable.

3. *In the Commercial Districts, off-street parking, driveways, and other vehicle areas shall not be placed between buildings and the street(s) to which they are oriented; except as provided under subsection 14.23.150.C(4). Off-street parking in the Commercial Districts shall be oriented internally to the site and divided by landscape areas into bays of not more than 24 parking spaces per bay, as generally shown in Figures 14.23.150.C(2).*
4. *In the C-2P, CT and CT/L Districts, the building orientation standard may be met with vehicle areas allowed between the street right-of-way and a building's primary entrance when the approval body finds that the following criteria are met:*
 - a. *Placing vehicle areas between the street right-of-way and building's primary entrance will not adversely affect pedestrian safety and convenience, based on the distance from the street sidewalk to the building entrance, projected vehicle traffic volumes, and available pedestrian walkways;*
 - b. *The proposed vehicle areas are limited to one driveway of not more than 20 feet in width with adjoining bays of not more than eight (8) consecutive parking*

spaces per bay (including ADA accessible spaces) on the side(s) of the drive aisle. (The intent is to create a drive aisle that is street-like, and break up parking into small bays with landscaping); and

- c. *The building's primary entrance is connected to an adjoining street by a pedestrian walkway that meets the standards for pedestrian walkways under Section 14.31.030.*

Staff response and findings of fact: The applicant is proposing to provide a network of pedestrian paths that connect the building entrances to the common open spaces, parking areas, adjacent commercial uses, and the public right-of-way of Row River Road. This criterion is met.

5. *Where a development contains multiple buildings and there is insufficient street frontage to which buildings can be oriented, a primary entrance may be oriented to common green, plaza, or courtyard. When oriented in this way, the primary entrance(s) and green, plaza, or courtyard shall be connected to the street by a pedestrian walkway meeting the standards in Section 14.31.030.*

Staff response and findings of fact: The applicant has proposed to layout the 17 proposed building (16, eight-unit apartment buildings and a leasing office) toward the center of the development site where a large common open space area is proposed. The central open space area includes a pedestrian walkway system that connects to adjacent uses and to Row River Road. This criterion is met.

14.23.170 Commercial Districts – Architectural Design Standards

B. Pedestrian Orientation. *The design of all buildings on a site shall support a safe and attractive pedestrian environment. This standard is met when the approval body finds that all of the criteria in 1-7, below, are met. Alternatively, the approval body may approve a different design upon finding that the design contains an equally good or superior way of achieving the above standard.*

1. *The building orientation standards under Section 14.23.150 are met; and*

Staff response and findings of fact: The building orientation standards are met as described above and detailed below. This criterion is met.

2. *Primary building entrances shall open directly to the outside and, if not abutting a street, shall have walkways connecting them to the street sidewalk; every building shall have at least one primary entrance that does not require passage through a parking lot or garage to gain access; and*

Staff response and findings of fact: Each of the proposed buildings is connected to a pedestrian walkway system that connects building entrances to common open space, parking areas, adjacent uses, and Row River Road. The walkway is unobstructed and does not have conflicts with vehicle maneuvering areas. This criterion is met.

3. *Corner buildings (i.e., buildings within 20 feet of a corner as defined by the intersecting curbs) shall have corner entrances, or shall provide at least one entrance within 20 feet of the street corner or corner plaza; and*

Staff response and findings of fact: The proposed Pine Springs development is not within 20' of a corner or intersection, therefore this standard does not apply.

4. *In the C-2P, CT/L and CT districts, at least 40 percent of the building's front façade (measured horizontally in linear feet) shall be located at the build-to line or closer to the street. In the C-2 district, 100 percent of the building's front façade shall be located at the build-to line. Build-to lines are prescribed by Section 14.23.120; and*

Staff response and findings of fact: The proposed development is in the CT district, which has a 60' build-to-line. The proposal for development of the Pine Springs Master Planned Development includes a building layout that orients the buildings toward the center of the development site. This request for modification from the adopted standards shown in 14.23.123 may be amended via 14.45.130 of the Cottage Grove Municipal Code. This criterion is met.

5. *Ground floor windows or window displays shall be provided along at least 40 percent of the building's (ground floor) street-facing elevation(s) in the C-2P, CT and CT/L districts, and along 70 percent of the building's street-facing elevation(s) in the C-2 district. Windows and display boxes shall be integral to the building design and not mounted to an exterior wall; and*

Staff response and findings of fact: The proposed eight-unit apartment buildings have windows and covered porches totaling 16' per apartment or 64 linear feet. The proposed building length is 110' provided approximately 58% of glazing and covered porches on the ground floor. This criterion is met.

6. *Primary building entrance(s) are designed with weather protection, such as awnings, canopies, overhangs, or similar features; and*

Staff response and findings of fact: The elevations show the primary entrances to each unit to be covered. This criterion is met.

C. Compatibility. *All new buildings and major remodels shall be designed consistent with the architectural context in which they are located. This standard is met when the approval body finds that all of the criteria in 1-9, below, are met.*

1. *There is continuity in building sizes between new and existing buildings;*

Staff response and findings of fact: There is not a specific dominant architectural style near the development site. The proposed stick-built two-story apartment buildings will complement the existing development of the Village Green Motel. This criterion is met.

2. *The ground floor and upper floor elevations and architectural detailing are compatible with adjacent commercial buildings;*

This criterion is met as described above.

3. *Buildings adjacent to the R/R-1 district height step-down, as required by Section 14.22.170.C;*

Staff response and findings of fact: The adjacent development and/or zoning of the proposed site is C2P – Community Commercial, therefore the step down criteria does not apply.

4. *Roof elevation is compatible with adjacent commercial buildings (roof pitch, shape, height step-down);*

Staff response and findings of fact: The roof elevation is 25' to the top of the ridge. This is comparable to the heights of adjacent structures along Row River Road, specifically the Village Green Motel, and meets the requirements of Section 14.23.120. This criterion is met.

5. *There is continuity of building sizes on the site, if more than one building is proposed;*

Staff response and findings of fact: The 16 proposed eight-unit apartment buildings will all be the same design. This criterion is met.

6. *There is continuity in the rhythm of windows and doors on the proposed building(s);*

Staff response and findings of fact: The windows and windows/door openings are places in a typical pattern and orientation to create architectural style specific to the development and what is typical for multi-family development. This criterion is met.

7. *The relationship of buildings to public spaces, such as streets, plazas, other areas, and public parking, including on-street parking, is strengthened by the proposed building(s);*

Staff response and findings of fact: The centrally-oriented layout of the 16 apartment buildings and their connected walkway system support a positive relationship between common open spaces, and adjacent uses. This criterion is met.

8. *Criteria for alterations of historic landmarks is met, as required by Chapter 14.26; and*

Staff response and findings of fact: There are no historic landmarks on the site. The provisions of Chapter 14.26 do not apply.

9. *New construction or relocations on properties adjacent to historic landmarks is compatible with the overall character of the landmark in use of exterior materials, such as roofing and siding; exterior features, such as roof pitch, eaves, window shapes, types and arrangements, doorways, porches, landscaping, etc.; and size, height, bulk, mass, scale, placement, arrangement of spaces and overall proportions.*

Staff response and findings of fact: There are no adjacent historic landmarks. This criterion does not apply.

D. Human Scale. *The design of all buildings shall be to a human-scale. This standard is met when the approval body finds that all of the criteria in 1-8, below, are met. Alternatively, the approval body may approve a different design upon finding that the design contains an equally good or superior way of achieving the above standard. Figure 14.23.170.D contrasts examples of building elevations that are consistent/inconsistent with human scale criteria.*

1. *Regularly spaced and similarly shaped windows are provided on all building stories;*

Staff response and findings of fact: The proposed two-story buildings provide regularly spaced windows doors, and patios. This criterion is met.

2. *Ground floor retail spaces have tall ceilings (i.e., 12-16 feet) with display windows on the ground floor;*

Staff response and findings of fact: The proposed buildings are multi-family buildings and retail use is not proposed. This criterion does not apply.

3. *Display windows are trimmed, recessed, or otherwise defined by wainscoting, sills, water tables, or similar architectural features;*

Staff response and findings of fact: The proposed use is multi-family housing, and there are no display windows for retail use. This criterion does not apply.

4. *On multi-story buildings, ground floors are defined and separated from upper stories by appropriate architectural features (e.g., cornices, trim, awnings, canopies, arbors, trellises, overhangs, or other features) that visually identify the transition from ground floor to upper story; such features should be compatible with the surrounding architecture;*

Staff response and findings of fact: The proposed elevations of the two-story apartment buildings includes a 10" (inch) wide horizontal band that delineates the upper and lower floors of the building. This criterion is met.

5. *The tops of flat roofs are treated with appropriate detailing (i.e., cornice, pediment, flashing, trim, or other detailing) that is compatible with the surrounding architecture;*

Staff response and findings of fact: The proposed roof is pitched. This criterion does not apply.

6. *Pitched roofs have eaves, brackets, gables with decorative vents, or other detailing that is consistent with the surrounding architecture;*

Staff response and findings of fact: The proposed pitched-roof buildings have eaves greater than 6” and decorative gable end features. This criterion is met.

7. Historic design and compatibility requirements, where applicable, are met; and

Staff response and findings of fact: There are no applicable historic design or compatibility requirements, as the property is not adjacent to any historic structure nor within a historic district. This criterion does not apply.

8. Where buildings with greater than 5,000 square feet of enclosed ground-floor space are proposed, they shall provide articulated facades on all street-facing elevations. This criterion is met when an elevation contains at least 1 of the following features for every 30 feet of building (horizontal length):

- a. Windows;*
- b. Primary entrances;*
- c. Weather protection (awnings, canopies, arbors, trellises), sheltering roofs;*
- d. Building offsets;*
- e. Projections;*
- f. Changes in elevation or horizontal direction;*
- g. Terraces;*
- h. A distinct pattern of divisions in surface materials;*
- i. Ornamentation;*
- j. Screening trees;*
- k. Small-scale lighting (e.g., wall-mounted lighting, or up-lighting);*
- l. And/or similar features as generally shown in Figure 14.23.170.D.*

Staff response and findings of fact: The proposed buildings are less than 5,000 square feet at ~4,500 sf. This criterion does not apply.

- 1. The applicant shall be required to upgrade any existing development that does not comply with the applicable land use district standards, in conformance with Chapter 14.52, Non-Conforming Uses and Development;*

Staff response and findings of fact: The application proposes new development on a lot previously used as a gardens and motel rooms, rather than a modification of a non-conforming use, and therefore this section does not apply.

Chapter 14.30 Design Standards Administration

Staff response and findings of fact: *The application complies with all of the Design Standards in Chapter 3. Design standards from Chapter 3 that are applicable to this permit are found in Chapter 14.31 Access and Circulation, Chapter 14.32 Landscaping, Significant Vegetation, Street Trees, Fences and Walls, Chapter 14.33 Parking and Loading; Chapter 14.34 Public Facilities. Other sections of Chapter 3 are not relevant to this application.*

CHAPTER 14.30 — Community Design Standards

14.30.200 Design Standards - Applicability

The standards in Chapter 14.30 are applied based on whether a project is classified as a *Major Project* or a *Minor Project*. In addition, each chapter of Chapter 14.30 contains “applicability directions.” In general, the chapters are applied as follows:

- A. **Major Project.** Major projects, including developments that require Site Design Review (Chapter 14.42), Land Division approval (Chapter 14.43), Master Planned Development (Chapter 14.45), and amendments to the Comprehensive Plan or Zoning Map (Chapter 14.47), must conform to the applicable sections of:
- Access and Circulation (Chapter 14.31)
 - Landscaping, Street Trees, Fences and Walls (Chapter 14.32)
 - Parking and Loading (Chapter 14.33)
 - Public Facilities (Chapter 14.34)
 - Surface Water Management (Chapter 14.35)
 - Signs (Chapter 14.36)
 - Sensitive Lands (Chapter 14.38)
- B. **Minor Project.** Minor projects are small developments and land use actions that require only Land Use Review or Conditional Use approval (no site design review). The following chapters generally apply; however, individual sections will not apply to some projects.
- Access and Circulation (Chapter 14.31)
 - Landscaping, Street Trees, Fences and Walls (Chapter 14.32)
 - Parking and Loading (Chapter 14.33)
 - Surface Water Management (Chapter 14.35)
 - Signs (Chapter 14.36)
 - Sensitive Lands (Chapter 14.38)
- C. **Non-Conforming Situations.** See Chapter 14.53 for provisions related to non-conforming uses and developments.

Staff response and findings of fact:

The proposed development is being reviewed via Type III Master Planned Development application, which requires compliance with Chapters 2 and 3 except where modified as allowed under 14.45.130.

Chapter 14.31 — Access and Circulation

14.31.200 Vehicular Access and Circulation

- A. **Intent and Purpose.** The intent of this Section is to manage access to land uses and on-site circulation, and to preserve the transportation system in terms of safety, capacity, and function. This Section applies to all public streets within the City of Cottage Grove,

and to all properties that abut these roadways. This Section implements the access management policies of the Cottage Grove Transportation System Plan.

- B. Applicability.** This Chapter applies to all public streets within the City and to all properties that abut these streets. The standards apply when lots are created, consolidated, or modified through a land division, partition, lot line adjustment, lot consolidation, or street vacation; and when properties are subject to Land Use Review or Site Design Review.
- C. Access Permit Required.** Access (e.g., a new curb cut or driveway approach) to a public street requires an Access Permit. An access permit may be in the form of a letter to the applicant, or it may be attached to a land use decision notice as a condition of approval. In either case, approval of an access permit shall follow the procedures and requirements of the applicable road authority (i.e. Cottage Grove, Lane County or ODOT), Permits shall be processed as Type I applications, normally at time of Land Use Review. If the developer proposes exceptions to the standards of this chapter, the permit shall be processed as a Type II application.

Staff response and findings of fact:

Vehicular access is through the existing two-way driveway approach that serves the Village Green Motel. This access onto Row River Road aligns with the intersection of Jim Wright Way to the east. Row River Road is an ODOT right-of-way and subject to ODOT jurisdiction and standards. The applicant has submitted a Traffic Impact Analysis that indicates widening of the existing approach is required to accommodate a dedicated left turn out lane. At time of development the developer/property owner shall obtain the necessary permits from ODOT.

- D. State Access Permits.** ODOT has responsibility and authority in managing access to State Highways. Projects with direct access onto a State Highway shall be required to obtain a State access permit. An approved State access permit must be submitted as part of all Type II and III land use permits. Conditions placed by the State upon these access permits shall be considered conditions of approval for all applicable development approvals.

Staff response and findings of fact:

Row River Road is an ODOT right-of-way and therefore the developer/property owner shall obtain all necessary permits from ODOT prior to doing any work in their right-of-way. This shall be a condition of approval.

- E. Traffic Study Requirements.** The City may require a traffic study prepared by a qualified professional to determine access, circulation, and other transportation requirements in conformance with Section 14.41.900, Traffic Impact Study.

Staff response and findings of fact:

Per Section 14.41.900 the following trigger a TIS requirement:

1. A change in zoning or a plan amendment designation that significantly affects a transportation facility per provisions of Section 14.47.800; or

2. Any proposed development or land use action that a road authority states may cause or be adversely impacted by operational or safety concerns along its facility(ies); or
3. Land divisions with 30 or more lots; or
4. An increase in site traffic volume generation by 300 Average Daily Trips (ADT) or more; or
5. An increase in peak hour volume of a particular movement to and from the State highway by 20 percent or more; or
6. An increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 10 vehicles or more per day; or
7. The location of the access driveway does not meet minimum sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the State highway, creating a safety hazard; or
8. A change in internal traffic patterns that may cause safety problems, such as back up onto a street or greater potential for traffic accidents.

Staff response and findings of fact:

The applicant submitted a Traffic Impact Analysis and upon review by the City Engineer it has been found to meet industry practices. Developer/property owner is to work with ODOT regarding the recommended mitigation measures of widening the access onto Row River Road to include a dedicated left-turn out lane. This criterion is met.

- F. Conditions of Approval. The City may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system.**

Staff response and findings of fact:

There are no disused driveway or access points. This criterion does not apply.

- G. Corner and Intersection Separation; Backing onto Public Streets. New and modified accesses shall conform to the following standards:**

1. Except as provided under subsection 4, below, the distance from a street intersection to a driveway or other street access shall meet the minimum spacing requirements for the street's classification in the City's Transportation System Plan. No driveway approach may be located closer to the corner than 30 feet on local streets, 50 feet on collector streets, and 75 feet on arterials;

Staff response and findings of fact:

The proposed development site has one access point. The access is aligned with Jim Wright Way such that the access point will act as a four-way intersection. The alignment and placement of the access has been reviewed and approved by the City Engineer. This criterion is met.

2. **When the above requirements cannot be met due to lack of frontage, the driveway may be located such that the driveway apron will begin at the farthest property line, but at no time shall new property access be permitted within 30 feet of an intersection. Where no other alternatives exist, the City may allow construction of an access connection at a point less than 30 feet from an intersection, provided the access is as far away from the intersection as possible (See Figure 14.31.200.G). In such cases, the City may impose turning restrictions (i.e., right in/out, right in only, or right out only);**

Staff response and findings of fact:

As stated above this criterion is met.

3. **Access to and from off-street parking areas shall not permit backing onto a public street, except for single-family and two-family dwellings;**

Staff response and findings of fact:

The proposed project complies with the criterion. The site parking areas have been designed such that backing onto a public street is not required for vehicular circulation. This criterion is met.

4. **The City may reduce required separation distance of access points where they prove impractical due to lot dimensions, existing development, other physical features, or conflicting code requirements, provided all of the following requirements are met:**
 - a. **Joint-use driveways and cross-access easements are provided in accordance with Subsection 14.31.200.H;**
 - b. **The site plan incorporates a unified access and circulation system in accordance with this Section; and**
 - c. **The property owner(s) enter in a written agreement with the City, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint-use driveway.**

Staff response and findings of fact:

The City Engineer has approved the locations of the driveway. This criterion is not applicable.

- H. **Site Circulation. New developments shall be required to provide a circulation system that accommodates expected traffic on the site. Pedestrian connections on the site, including connections through large sites, and connections between sites (as applicable) and adjacent sidewalks, must conform to the provisions in Section 14.31.300.**

Staff response and findings of fact:

Expected traffic to the site will enter and exit from/on to Row River Road. The drive aisles shall be at minimum 24' wide along the parking areas, to provide a 24' wide aisle for vehicular maneuvering. Internal sidewalks lead from the public sidewalk to the front doors of all dwellings. This criterion is met.

I. Joint and Cross Access – Requirement. The number of driveway and private street intersections with public streets should be minimized by the use of shared driveways for adjoining lots where feasible. When necessary for traffic safety and access management purposes, or to access flag lots, the City may require joint access and/or shared driveways in the following situations as follows:

1. For shared parking areas;
2. For adjacent developments, where access onto an arterial is limited;
3. For multi-tenant developments, and multi-family developments on multiple lots or parcels. Such joint accesses and shared driveways shall incorporate all of the following:
 - a. A continuous service drive or cross-access corridor that provides for driveway separation consistent with the applicable transportation authority's access management classification system and standards;
 - b. A design speed of 10 miles per hour and a maximum paved width of 20 feet, in addition to any parking alongside the driveway; additional driveway width or fire lanes may be approved when necessary to accommodate specific types of service vehicles, loading vehicles, or emergency service provider vehicles;
 - c. Driveway stubs to property lines (for future extension) and other design features to make it easy to see that the abutting properties may be required with future development to connect to the cross-access driveway;
 - d. Fire Department-approved turnaround for service drives or driveways over 150 feet long.

Staff response and findings of fact:

The applicant has proposed the use of the existing driveway approach onto Row River Road, which will serve the Pine Springs Development, the two commercial pads, and the Village Green Motel. The applicant has received an approved tentative plat for subdivision that creates the necessary access and maintenance covenants between development sites. This criterion is met.

J. Joint and Cross Access – Reduction in Required Parking Allowed. When a shared driveway is provided or required as a condition of approval, the land uses adjacent to the shared driveway may have their minimum parking standards reduced in accordance with the shared parking provisions of Section 14.33.300.C.

Staff response and findings of fact:

As described above this criterion is met.

K. Joint and Cross Access – Easement and Use and Maintenance Agreement. Pursuant to this Section, property owners shall:

1. Record an easement with the deed allowing cross-access to and from other properties served by the joint-use driveways and cross-access or service drive;
2. Record an agreement with the deed that remaining access rights along the roadway for the subject property shall be dedicated to the City and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
3. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

Staff response and findings of fact:

As described above this criterion is met.

L. Access Connections and Driveway Design. All commercial and industrial driveway connections to a public right-of-way (access) and driveways shall conform to all of the following design standards:

Staff response and findings of fact:

The access onto Row River Road shall comply with ODOT standards.

M. Fire Access and Turnarounds. When required under the Uniform Fire Code, fire access lanes with turnarounds shall be provided. Except as waived in writing by the Fire Marshal, a fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive. The drive shall contain unobstructed adequate aisle width of 20 feet with paved surface between 14-20 feet, an unobstructed vertical clearance of 13 feet 6 inches and approved turn-around area for emergency vehicles, as required by the current adopted Oregon Fire Code. The Fire Marshal may require that fire lanes be marked as “No Stopping/No Parking.” For requirements related to cul-de-sacs or dead-end streets, please refer to Section 14.34.100.N.

Staff response and findings of fact:

Fire Marshal Danny Solesbee has reviewed this proposal and determined that the proposed fire lane route through the development is adequate. The fire lane shall be kept clear and a vertical clearance of 13’6” maintained.

N. Vertical Clearances. Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13 feet 6 inches for their entire length and width.

Staff response and findings of fact:

The proposed project complies with the criterion. Vertical clearance within the driveway, aisle, and turnaround areas shall meet or exceed minimum requirement. This shall be a condition of approval.

- O. Vision Clearance.** No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) between 2 1/2 feet and 8 feet in height shall be placed in “vision clearance areas” on streets, driveways, alleys, or mid-block lanes, as shown in Figure 3.1.200.N. The minimum vision clearance area may be modified by the City Engineer upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). This standard does not apply to light standards, utility poles, trees trunks and similar objects.

Staff response and findings of fact:

The proposed project shall comply with the criterion. A 20' vision clearance triangle shall be maintained at the driveway with no obstruction between 2.5' – 8' in height as a condition of approval.

- P. Construction.** The following development and maintenance standards shall apply to all driveways, parking areas, turnarounds, alleys and private streets:

1. **Surface Options.** Driveways, parking areas, alleys, aisles, and turnarounds may be paved with asphalt, concrete, or comparable surfacing, or an approved durable non-paving or porous paving material, excluding gravel, may be used to reduce surface water runoff and protect water quality. Driveway and street materials shall be subject to review and approval by the City Engineer.

Staff response and findings of fact:

The proposed project complies with the criterion. Asphalt and concrete surface material will be used for driveways, parking areas, and sidewalks. This shall be a condition of approval.

2. **Surface Water Management.** When non-porous paving is used, all driveways, parking areas, alleys, aisles, and turnarounds shall have on-site collection of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with Chapter 14.35 and applicable engineering standards. Single-family and two-family dwellings shall be exempt from this standard.

Staff response and findings of fact:

Surface water from the driveways and parking area will be collected in catch basins. These facilities will be constructed in conformance with Chapter 14.35 and applicable engineering standards.

All storm water runoff shall be contained on the property prior to connecting to the public storm drainage system as a condition of approval.

At the time of building permit submittal, plans shall be submitted to the Public Works & Development Department that include spot elevations or enough detail to show staff that all storm water runoff from the site is captured on site before entering the public storm

drainage system. Hydraulic calculations shall be resupplied at the time of building permit submittal to support the proposed pipe sizes within the development. The design occasion shall be a 10-year storm with 60-minute duration. A professional Engineer registered in the State of Oregon shall perform the hydraulic calculations.

See Engineering Comments for more information.

3. **Driveway Aprons.** When driveway approaches or “aprons” are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing and conform to the City’s engineering design criteria and standard specifications. (See general illustrations in Section 14.31.200.L, above.)

Staff response and findings of fact:

The driveway apron will be constructed with concrete/asphaltic concrete and designed to conform with ODOT standards.

14.31.300 Pedestrian Access and Circulation

- A. **Site Layout and Design.** To ensure safe, direct, and convenient pedestrian circulation, all developments, except single-family and two-family detached housing (i.e., on individual lots), shall provide a continuous pedestrian system. The pedestrian system shall be based on the standards in subsections 1-3, below:

1. **Continuous Walkway System.** The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property with a previously reserved public access easement for this purpose, in accordance with the provisions of Section 14.31.200, Vehicular Access and Circulation, and Section 14.34.100, Transportation Standards.

Staff response and findings of fact:

The on-site walkway system extends through the development site and connects to the public sidewalk, consistent with this standard. There are no adjacent areas requiring a pedestrian connection. All walkways shall be constructed to meet ADA standards. Walkways shall be constructed as approved prior to final occupancy as a condition of approval. This shall be a condition of approval.

2. **Safe, Direct, and Convenient.** Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:
 - a. **Reasonably direct.** A route that does not involve a significant amount of out-of-direction travel for likely users.

- b. **Safe and convenient.** Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.
- c. **“Primary entrance” for commercial, industrial, mixed use, public, and institutional buildings** is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.
- d. **“Primary entrance” for residential buildings** is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the “primary entrance” may be a lobby, courtyard, or breezeway that serves as a common entrance for more than one dwelling.

Staff response and findings of fact:

The proposed walkway system is direct, safe and convenient. Walkways connect to the dwelling entrances, to each other, to the parking areas, to the garbage enclosure, open spaces, and adjacent public street. This criterion is met.

- 3. **Connections Within Development.** Connections within developments shall be provided as required in subsections a-c, below:
 - a. Walkways shall connect all building entrances to one another to the extent practicable, as generally shown in Figure 14.31.300.A(1);

Staff response and findings of fact:

The proposed project complies with the criterion. Walkways connect dwellings to one another. This criterion is met.

- b. Walkways shall connect all on-site parking areas, storage areas, recreational facilities and common areas, and shall connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections, as generally shown in Figure 3.1.300.A(1); and

Staff response and findings of fact:

The proposed project complies with the criterion. The proposed project will include walkways connecting all dwelling entrances within the development to parking areas, as well as providing links to the adjacent public streets. This criterion is met.

- c. Large parking areas shall be broken up so that no contiguous parking area exceeds 3 acres. Parking areas may be broken up with plazas, large landscape areas with pedestrian access ways (i.e., at least 20 feet total width), streets, or driveways with street-like features. Street-like features, for the purpose of this section, means a raised sidewalk of at least 4-feet in width, with 6-inch curb, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting. (See also standards in Section 14.23.150.)

Staff response and findings of fact:

The approximate area of the parking areas including maneuvering space is just under two acres, hence this criterion does not apply.

B. Walkway Design and Construction. Walkways, including those provided with pedestrian access ways, shall conform to all of the standards in subsections 1-5, as generally illustrated in Figure 14.31.300.B:

1. **Vehicle/Walkway Separation.** Except for crosswalks (subsection 2), where a walkway abuts a driveway or street, it shall be raised 6 inches and curbed along the edge of the driveway/street. Alternatively, the decision body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or concrete bollards designed for withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.

Staff response and findings of fact:

The proposal includes a walkway system that is raised 6" from the driving/parking surface where adjacent. This criterion is met.

2. **Crosswalks.** Where walkways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with striping or contrasting paving materials (e.g., light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area.

Staff response and findings of fact:

Where pedestrian crossing occur in the parking area the crossings are delineated with striping. These delineations shall be required for all pedestrian crossings of vehicle maneuvering areas.

3. **Walkway Width and Surface.** Walkway and accessway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the City Engineer, at least 5 feet wide. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt, at least 10 feet wide. (See also, Section 14.34.100 - Transportation Standards for public, multi-use pathway standard.)

Staff response and findings of fact:

The applicant is proposing 5' to 8' wide sidewalks within the development. The spurs leading from these continuous walkway system may be reduced to 4' in width, as the code does not typically apply to the walkways leading into a house. The proposed sidewalks shall be constructed as per the required code of a durable surface. This shall be a condition of approval. With these conditions, the criterion is met.

4. **Accessible routes.** Walkways shall comply with applicable Americans with Disabilities Act (ADA) requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

Staff response and findings of fact:

The proposed project will comply with the criterion provided previous conditions of approval are met. Proposed walkways will be constructed to comply with ADA requirements. Sidewalks and handicap facilities must meet the current American Disabilities Act (ADA) Standards. This criterion is met.

5. **Sidewalk construction and maintenance.** Sidewalk construction and maintenance shall be the responsibility of the abutting property owner.

Staff response and findings of fact:

Any public sidewalks constructed as part of this application shall meet ODOT standards..

Chapter 14.32 — Landscaping, Street Trees, Fences and Wall

14.32.200 Landscape Conservation

- A. **Applicability.** All development sites containing Significant Vegetation, as defined below, shall comply with the standards of this Section. The purpose of this Section is to incorporate significant native vegetation into the landscapes of development and protect vegetation that is subject to requirements for Sensitive Lands (Chapter 14.37). The use of mature, native vegetation within developments is a preferred alternative to removal of vegetation and re-planting. Mature landscaping provides summer shade and wind breaks, controls erosion, and allows for water conservation due to larger plants having established root systems.
- B. **Significant Vegetation.** “Significant vegetation” means individual trees and shrubs within designated Willamette River Greenway and/or Riparian areas, in accordance with Chapter 3.7, and trees not within a Sensitive Lands area that have a caliper of 8 inches or larger, except that protection shall not be required for plants listed as non-native, invasive plants by the Oregon State University (OSU) Extension Service in the applicable OSU bulletins for Lane County, and plants listed by the City as prohibited street trees and landscape plants. Non-native, invasive plants include, but are not limited to: purple loosestrife, leafy spurge, yellow starthistle, puncture vine, gorse, scotch broom, and non-native blackberry.
- D. **Mapping and Protection Required.** Significant vegetation shall be mapped as required by Chapter 14.42, Site Design Review, and Chapter 14.37, Sensitive Lands. Significant trees shall be mapped individually and identified by species and diameter or caliper at 4 feet above grade. A “protection” area shall be defined around the edge of all branches (drip-line) of each tree. Drip lines may overlap between trees. The City also may require an inventory, survey, or assessment prepared by a qualified professional when necessary to determine construction boundaries, building setbacks, and other protection or mitigation requirements.
- D. **Protection Standards.** Significant trees and shrubs identified as meeting the criteria in Section B, above, shall be retained to minimize the risk of erosion, landslide, and

stormwater runoff. Where protection is impracticable because it would prevent reasonable development of public streets, utilities, or land uses permitted by the applicable land use district, the City may allow removal of significant vegetation from the building envelope as defined by required yard setbacks. Where other areas must be disturbed to install streets or utilities, the applicant may be required to restore such areas after construction with landscaping or other means to prevent erosion and to protect the public health, safety, and welfare. With the owner's consent, the City may accept a land dedication or become a party to a conservation easement on private property for conservation purposes.

- E. **Construction.** All significant vegetation on a site that is not otherwise designated and approved by the City for removal shall be protected prior to, during, and after construction in accordance with a limit-of-clearing and grading plan approved by the City. The City may limit grading activities and operation of vehicles and heavy equipment in and around significant vegetation areas to prevent compaction, erosion, pollution, or landslide hazards.
- F. **Exemptions.** The protection standards in "D" and "E" shall not apply to:
1. **Dead or Diseased Vegetation.** Dead or diseased significant vegetation may be removed through a Type I Land Use Review.
 2. **Hazardous Vegetation and Other Emergencies.** Significant vegetation may be removed without land use approval pursuant to Chapter 4 when the vegetation poses an immediate threat to life or safety, or the vegetation must be removed for other reasons of emergency (e.g., fallen over road or power line, blocked drainage way, or similar circumstance), as determined by the City or emergency service provider.

Staff response and findings of fact:

The subject property is not located within the Willamette River Greenway, Riparian, or other Sensitive Lands area. The applicant has provided a tree survey with the intent to retain as many significant trees as possible in areas where development is not proposed. Protection standards for trees to be retained shall be followed.

14.32.300 Landscaping

- A. **Applicability.** This Section shall apply to all new developments requiring Site Design Review. This section is not applicable to single-family or two-family dwellings.

Staff response and findings of fact:

As a multi-family development, this standard applies to the development site.

- B. **Landscaping Plan Required.** A landscape plan is required. All landscape plans shall conform to the requirements in Chapter 14.42.500, Section B.5 (Landscape Plans).

Staff response and findings of fact:

Please refer to the Preliminary Landscape Plan included with this application (Exhibit C). Generally, the proposed planting plan includes a mix of trees and shrubs placed at regular

intervals to create a natural feel and ambiance for the tenants. A final landscaping plan shall be provided with the site development permit application for approval by the Public Works & Development Department. This criterion is met.

C. Landscape Area Standards. The minimum percentage of required landscaping equals:

1. **Commercial Districts. 15% of the site.**

Staff response and findings of fact:

The proposed project complies with the criterion. As defined above, the minimum percentage of required landscaping is 15% of the site. With common spaces and parking area buffers. The total lot square footage is ~345,000 sf and the proposed landscaped area for the site is ~157,700 sf or ~44%. This criterion is met.

D. Landscape Materials. Permitted landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, and outdoor hardscape features, as described below. "Coverage" is based on the projected size of the plants at maturity, i.e., typically 3 or more years after planting.

1. **Existing Vegetation.** Existing non-invasive vegetation may be used in meeting landscape requirements. When existing mature trees are protected on the site (e.g., within or adjacent to parking areas) the decision making body may reduce the number of new trees required depending on the number and size of existing tree(s) protected.
2. **Plant Selection.** A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions. When new vegetation is planted, soils shall be amended, as necessary, to allow for healthy plant growth.
3. **"Non-native, invasive" plants,** as per Section 3.2.200.B, shall be removed during site development and the planting of new invasive species is prohibited.
4. **Hardscape features,** i.e., patios, decks, plazas, etc., may cover up to 10 percent of the required landscape area. Swimming pools, sports courts, and similar active recreation facilities may not be counted toward fulfilling the landscape requirement.
5. **Ground Cover Standard.** All landscaped area, whether or not required, that is not planted with trees and shrubs, or covered with non-plant material (subsection 8, below), shall have ground cover plants that are sized and spaced as follows: a minimum of one plant per 12 inches on center in triangular spacing, or other planting pattern that is designed to achieve 75 percent coverage of the area not covered by shrubs and tree canopy.
6. **Tree Size.** Trees shall have a minimum diameter or caliper 4 feet above grade of 2 inches or greater at time of planting.
7. **Shrub Size.** Shrubs shall be planted from 5 gallon containers or larger.
8. **Non-plant Ground Covers.** Bark dust, chips, aggregate, or other non-plant ground covers may be used, but shall cover no more than 25 percent of the area to be landscaped and shall be confined to areas underneath plants. Non-plant ground covers cannot be a substitute for ground cover plants.

9. **Significant Vegetation.** Significant vegetation protected in accordance with Section 14.32.200 may be credited toward meeting the minimum landscape area standards. Credit shall be granted on a per square foot basis. The Street Tree standards of Section 14.32.400 may be waived by the City when existing trees protected within the front or street side yard provide the same or better shading and visual quality as would otherwise be provided by street trees.
10. **Storm Water Facilities.** Storm water treatment facilities (e.g., detention/retention ponds and swales designed for water quality treatment), when required under Section 14.34.400, shall be landscaped with water tolerant, native plants, including native grasses.

Staff response and findings of fact:

Compliance with the Landscape Materials section will be required in all landscaping areas associated with the parking lot area. Final landscaping plans submitted with building permits shall show compliance to all above standards.

- E. Landscape Design Standards.** All yards, parking lots, and required street tree planter strips that are required to meet the standards of this Section shall be landscaped to provide, as applicable, erosion control, visual interest, buffering, privacy, open space and pathway identification, shading, and wind buffering, based on the following criteria:

1. **Yard Setback Landscaping.** Landscaping in yards shall:
 - a. Provide visual screening and privacy within side and rear yards and from incompatible adjoining uses or busy streets;
 - b. Use shrubs and trees as wind breaks;
 - c. Retain natural vegetation;
 - d. Define pedestrian pathways and open space areas with landscape materials;
 - e. Provide focal points within a development, for example, by preserving large or unique trees or groves, hedges, and flowering plants;
 - f. Use trees to provide summer shading within common open space areas and within front yards when street trees cannot be provided;
 - g. Use a combination of plants for year-long color and interest;
 - h. Use landscaping to screen outdoor storage and mechanical equipment areas, and to enhance graded areas such as berms, swales, and detention/retention ponds.

Staff response and findings of fact:

The applicant shall show compliance with these standards in the final landscaping plan to be submitted with the site development permit application as a condition of approval.

2. Parking areas.

- a. A minimum of 10 percent of the total surface of all parking areas as measured around the perimeter of parking spaces and maneuvering areas shall be landscaped. Such landscaping shall consist of trees and shrubs and/or ground cover plants that conform to the criteria in Section 14.32.300.E.1.a-h above.

“Evenly distributed” means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy.

Staff response and findings of fact:

The areas around and adjacent to the parking areas are proposed to be landscaped areas. Shrubs and other landscaping will also be planted throughout the site, and a detailed landscape plan can be submitted during the building permit phase. As a condition of approval, the final landscaping plans shall show these parking areas as landscaped.

b. Parking area landscaping shall consist of at minimum:

- 1) Trees: 1 tree for every 3,000 square feet of paved vehicular use area evenly distributed throughout site;**
- 2) Landscaping between street and parking area within 50 feet of street: A landscape strip at least 7 feet in width is required between a street and parking area. It may be pierced by pedestrian and vehicular accessways. Strips shall be planted with low shrubs to form a continuous screen at least 30 inches high and maintained not to exceed 42 inches high or a masonry wall; and shall contain 1 canopy tree every 30 linear feet as measured along street lot line and living plant materials covering 75% of required landscape area within 3 years;**
- 3) Perimeter parking area landscaping: All parking areas shall provide perimeter Landscape strip at least 7 feet in width along perimeter of parking lot. Must include 100% site obscuring 6 foot fence or wall against interior lot lines of residential districts, or 50% site obscuring 6 foot fence (chain link with slats and vegetation) against interior lot lines of adjoining commercial or industrial properties; and**
- 5) Planting islands: Planting islands shall be provided at the ends of each parking row and at intervals within parking rows so that no parking stall is more than 45 feet from a planting island. Planting islands shall be at least 7 feet in width, as measured from the outside edge of a 6 inch wide curb, and a minimum area of 140 square feet. Each of these islands shall provide at least 1 canopy tree.**

Staff response and findings of fact:

The applicant proposes 44 parking area trees (1 tree per 3,000 sf of parking surface (79,000 sf total parking and maneuvering area)) of a total of 27 trees required with 44 proposed. The parking areas are oriented toward the interior of the development. The applicant has to cover the majority of the parking spaces within the development essentially meeting the intent of planting islands by shading the paved surface. As stated above the applicant proposes to plant more trees than required for the parking and drive aisle areas. These criterion are met.

3. Buffering and Screening Required. Buffering and screening are required under the following conditions:

- a. **Parking/Maneuvering Area Adjacent to Streets and Drives.** Where a parking or maneuvering area is adjacent and parallel to a street or driveway, a 7 foot wide landscape strip shall be located parallel to the street to provide visual buffering. The 7 foot wide landscape strip shall include either an evergreen hedge; decorative wall (masonry or similar quality material) with openings; arcade, trellis, or similar partially opaque structure 3-4 feet in height. The required screening shall have breaks, where necessary, to allow pedestrian access to the site. The design of the wall or screening shall also provide breaks or openings for visual surveillance of the site and security. Evergreen hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number, and spacing to provide the required screening within 1 year after planting. Any areas between the wall/hedge and the street/driveway line shall be landscaped with plants or other vegetative ground cover to provide 75% vegetative cover. All landscaping shall be irrigated.
- b. **Parking/Maneuvering Area Adjacent to Building.** Where a parking or maneuvering area, or driveway, is adjacent to a building, the area shall be separated from the building by a curb and a raised walkway, plaza, or landscaped buffer not less than 5 feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect pedestrians, landscaping, and buildings from being damaged by vehicles. Where parking areas are located adjacent to residential ground-floor living space, a 4-foot wide landscape buffer with a curbed edge may fulfill this requirement.
- c. **Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas, and Other Screening When Required.** All mechanical equipment, outdoor storage and manufacturing areas shall be screened from view from all public streets and adjacent Residential districts. Garbage areas and/or containers shall be screened on all sides regardless of their location on the property. When these or other areas are required to be screened, such screening shall be provided by:
 - 1) A decorative wall (i.e., masonry or similar quality material),
 - 2) An evergreen hedge,
 - 3) An opaque fence complying with Section 14.32.500, or
 - 4) A similar feature that provides an opaque barrier.

Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation, in accordance with Chapter 3.1, Access and Circulation. (See Section 14.32.500 for standards specific to fences and walls.)

- d. **Flag Lot Screen.** In approving a flag lot, the City may require a landscape screen and/or fence be installed along property line(s) of the flag lot, for privacy of adjoining residents, in accordance with the provisions of Section 14.43.115. A

flag lot screen shall not be required if the abutting property owner(s) indicate in writing that they do not want a screen or fence; however, the owner may install one at his or her discretion.

Staff response and findings of fact:

The applicant proposes the parking areas to be in the development site oriented in a north, south, east, and west pattern with assigned parking and connectivity between parking spaces and dwelling entrances. Planted beds will buffer parking areas from the adjacent dwellings within the site. These parking areas and the access aisle are separated from the adjacent buildings by a raised sidewalk system. Between the sidewalks and the buildings are proposed bushes and other shrubs for buffering. These criterion are met.

- F. Maintenance and Irrigation.** Irrigation is required for all required commercial, industrial or multi-family landscape areas. The use of drought-tolerant plant species is encouraged. If the plantings fail to survive, the property owner shall replace them with an equivalent specimen (i.e., evergreen shrub replaces evergreen shrub, deciduous tree replaces deciduous tree, etc.). All man-made features required by this Code shall be maintained in good condition, or otherwise replaced by the owner. Backflow devices shall be required for all irrigation systems.

Staff response and findings of fact:

The proposed project complies with the criterion. Water efficient irrigation is proposed for all landscaped areas. An approved backflow preventer will be installed as part of the system. Complete irrigation plans will be submitted with the site development permit application. These maintenance requirements shall be conditions of approval. The property owner shall be responsible for the continued maintenance of all landscaping (grass, shrubs, plants and trees) for the duration of the development. Any plants, etc., that die must be replaced with like species immediately at the property owner's expense. The density of tree coverage shall remain or expand. With these conditions, this criterion is met.

14.32.400 Street Trees

Street trees shall be planted for all developments that are subject to Subdivision, Master Plan or Site Design Review. Requirements for street tree planting strips are provided in Section 3.4.100, Transportation Standards. Planting of street trees shall generally follow construction of curbs and sidewalks; however, the City may defer tree planting until final inspection of completed dwellings to avoid damage to trees during construction. The planting and maintenance of street trees shall conform to the following standards and guidelines and any applicable road authority requirements:

- A. Growth Characteristics.** Trees shall be selected based on climate zone, growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following should guide tree selection by developers and approval by the City:
- 1. Provide a broad canopy where shade is desired and over pedestrian walkways or parking areas, except where limited by available space or except in section 4.**

2. Use low-growing trees for spaces under low utility wires.
 3. Select trees that can be “limbed-up” to comply with vision clearance requirements.
 4. Use narrow or “columnar” trees where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.
 5. Use species with similar growth characteristics on the same block for design continuity.
 6. Avoid using trees that are susceptible to insect damage and trees that produce excessive seeds or fruit.
 7. Select trees that are well-adapted to the environment, including soil, wind, sun exposure, temperature tolerance, and exhaust. Drought-resistant trees should be chosen where they suit the specific soil type.
 8. Select trees for their seasonal color if desired.
 9. Use deciduous trees for summer shade and winter sun, unless unsuited to the location due to soil, wind, sun exposure, annual precipitation, or exhaust.
 10. The diameter of the tree trunk at maturity shall not exceed the width and size of the planter strip or tree well.
- B. **Caliper Size.** The minimum diameter or caliper size at planting, as measured 4 feet above grade, shall be 2 inches.
- C. **Spacing and Location.** Street trees shall be planted within the street right-of-way within existing and proposed planting strips or in sidewalk tree wells on streets without planting strips, except when utility easements occupy these areas. Selected street tree species should be low maintenance and not interfere with public safety. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity and, at a minimum, the planting area shall contain 16 square feet, or typically, 4 feet by 4 feet. In general, trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with existing trees, retaining walls, utilities and similar physical barriers. All street trees shall be placed outside utility easements. If preexisting utility easements prohibit street trees within the sidewalk, required trees may be located in the front yard setback or within other required landscape areas as approved by the approval body.
- D. **Soil Preparation, Planting and Care.** The developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for three years after planting. The developer shall also be responsible for tree care (pruning, watering, fertilization, and replacement as necessary) during the first three years after planting, after which the adjacent property owners shall maintain the trees.
- E. **Street Tree List.** See the following list for appropriate street trees. The developer may plant a tree species not included on this list when approved by the Community Development Director.

Staff response and findings of fact:

The applicant has proposed the planting of a variety of trees, shrubs, and ground cover throughout the development site. The linear footage of the east boundary with frontage to

Row River Road is approximately 300' feet. This requires 10 street trees. The applicant has proposed to retain the existing significant trees along Row River Road as shown on Sheet LA-3. If new/replacement street trees are required they shall be Class III trees in compliance with Section 14.32.400. This shall be a condition of approval. This criterion has been met.

14.32.500 Fences and Walls

Construction of fences and walls shall conform to all of the following requirements:

- A. General Requirements.** All fences and walls shall comply with the height limitations of the respective zoning district (Chapter 2) and the standards of this Section. The City may require installation of walls and/or fences as a condition of development approval, in accordance with land division approval (e.g., flag lots), approval of a conditional use permit, or site design review approval. If a fence is approved for greater than 7 feet in height, a building permit is also required. Any wall over 4 feet in height (measured from the bottom of the footing to the top of the wall) shall require a building permit and appropriate design from a licensed engineer. Fences must be located on private property. Fences and walls proposed on public right-of-way or public easements shall be subject to land use review approval.

Staff response and findings of fact:

The applicant is not proposing to construct any fences with this project. However, they do acknowledge the allowed fence height of 7'. This criterion does not apply.

B. Dimensions.

1. Except as provided under subsections 2 and 3, below, the height of fences and walls within a front yard setback shall not exceed 4 feet as measured from the grade closest to the street right-of-way.
2. A retaining wall exceeding 4 feet in height within a front yard setback, which is necessary for site grading and development, may be approved through a land division or site development review.
3. No fence or wall may exceed 7 feet in height. Exceptions to this standard may be approved through a variance, master planned development or site design review.
4. One arbor, gate, or similar garden structures not exceeding 10 feet in height and 25 square feet in ground coverage, and has an entrance with a minimum clearance of 36 inches in width and 80 inches in height is allowed within each yard abutting a street, provided that it is not within a clear vision triangle.
5. Walls and fences to be built for required buffers shall comply with Section 14.32.300.
6. Fences, walls and hedges shall comply with the vision clearance standards of Section 14.31.200.

Staff response and findings of fact:

No fencing or walls are proposed in the front yard setback, and vision clearance standards are shown to be met. No large garden structures are proposed within street abutting yards. Trash enclosures will be either masonry walls or fences. All fences shall be a maximum of 7' in height unless otherwise approved through a Type II Variance procedure.

- C. Maintenance.** For safety and for compliance with the purpose of this Chapter, walls and fences required as a condition of development approval shall be maintained in good condition, or otherwise replaced by the property owner.

Staff response and findings of fact:

This condition shall be applicable to new or replacement fences and walls on the applicant's property.

D. Materials.

1. Permitted fence and wall materials: wood; metal; bricks, stone; concrete block; stucco, or similar masonry; and non-prohibited evergreen plants.
2. Prohibited fence and wall materials: straw bales; barbed or razor wire; scrap lumber, scrap metal, or other scrap materials; hedges higher than 8 feet. Barbed wire on top of chain link or other fencing may only be approved on industrial, commercial or institutional use categories through a Class B Variance (Chapter 5.1.400).
3. Retaining walls constructed of brick or masonry exceeding 4 feet in height (as measured from bottom of footing to top coping) shall be subject to building permit review and approval by the City Building Official. Design of such walls shall be certified by a licensed architect or engineer.

Staff response and findings of fact:

This criterion shall be met for any fences or walls constructed as part of this project.

Chapter 14.33 — Parking and Loading

14.33.200 Applicability

All developments subject to site design review (Chapter 14.42), including development of parking facilities, shall comply with the provisions of this Chapter.

14.33.300 Automobile Parking Standards

- A. Applicability.** All development within the City of Cottage Grove shall comply with the provisions of this Chapter.
- B. Vehicle Parking - Minimum Standards by Use.** The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 14.33.300.A, or alternatively, through a separate parking demand analysis prepared by the applicant and subject to a Type II Land Use Review (or Type III review if the request is part of an application that is already subject to Type III review). Where a use is not specifically listed in this table, parking requirements are determined by finding that a use is similar to one of those listed in terms of parking needs, or by estimating parking needs individually using the demand analysis option described above. Parking that counts toward the minimum requirement is parking in garages, carports, parking lots, bays along driveways, and shared parking. There is no minimum number of off-

street parking spaces required in the Central Business District (or in designated downtown historic district); however, the “maximum parking” standards of this Chapter apply.

Staff response and findings of fact:

The project must comply with the minimum parking requirement identified in Table 14.33.300A, which states that the required minimum parking for Multiple Family Residential requires: 1.5 parking spaces per two-bedroom apartment. The Applicant has proposed a total of 235 parking spaces or 1.9 per unit. Of the 235, eight of the parking spaces will be ADA accessible with four being van accessible. There are no compact spaces proposed in this development. This criterion is met.

- C. **Credit for On-Street Parking.** The amount of off-street parking required may be reduced by one off-street parking space for every on-street parking space abutting a commercial or industrial development, up to 50 percent of the requirement. On-street parking shall follow the established or approved configuration of existing on-street parking, except that angled parking may be allowed for some streets, where permitted by City, ODOT and/or County standards. Parking credit can only be granted for developments with frontage on streets that allow parking on both sides.

Staff response and findings of fact:

The applicant is not proposing parking off-site. This criterion does not apply.

D. Vehicle Parking - Minimum Accessible Parking.

1. Accessible parking shall be provided for all uses in accordance the standards in Table 14.33.300B; parking spaces used to meet the standards in Table 14.33.300.B shall be counted toward meeting off-street parking requirements in Table 14.33.300.A;
2. Such parking shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the entrance on an unobstructed path or walkway. Accessible routes should be linked to required access aisles;
3. Accessible spaces shall be grouped in pairs where possible;
4. Where covered parking is provided, covered accessible spaces shall be provided in the same ratio as covered non-accessible spaces;
5. Required accessible parking spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities; signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level. Van spaces shall be specifically identified as such.

Staff response and findings of fact:

The proposed project includes four (4) van accessible parking spaces and four (4) ADA spaces, which shall be compliant with the signage and dimension standards in Table 14.33.300B and above. This criterion is met.

- E. **Off-site parking.** Except for single-family or two-family dwellings, the vehicle parking spaces required by this Chapter may be located on another parcel of land, provided the parcel is within 400 feet of the use it serves, commercial parking is allowed in the underlying zone, and the City has approved the off-site parking through Land Use Review. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument as approved by the Community Development Director. This binding agreement may restrict future changes to the property.

Staff response and findings of fact:

No off-site parking on another parcel of land is proposed with this project. This criterion does not apply.

F. **General Parking Standards.**

1. **Location.** Vehicle parking is allowed only on streets, within garages, carports, and other structures, or on driveways or parking lots that have been developed in conformance with this code. Chapter 2, Land Use Districts, prescribes parking location for some land uses (e.g., the requirement that parking for some multiple family and commercial developments be located to side or rear of buildings), and Chapter 3.1, Access and Circulation, provides design standards for driveways. Street parking spaces shall not include space in a vehicle travel lane (including emergency or fire access lanes), public right-of-way, pedestrian accessway, landscape, or other undesignated area. Required off-street parking shall not be located in the front or street side setback.

Staff response and findings of fact:

The development is a single land use. Parking is located within the development site to meet standards. This criterion is met.

2. **Mixed uses.** If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (i.e., the uses operate on different days or at different times of the day). The City may reduce the total parking required accordingly through Land Use Review.

Staff response and findings of fact:

The project is a single land use. This criterion does not apply.

3. **Shared parking.** Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature; weekday uses versus weekend uses), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument

establishing the joint use. The City may approve owner requests for shared parking through Land Use Review.

Staff response and findings of fact:

No shared parking is proposed. This criterion does not apply.

4. **Availability of facilities.** Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers, and/or employees. Signs shall conform to the standards of Chapter 14.39.

Staff response and findings of fact:

The applicant may install a “residents only” or some other signage making the parking exclusive to the development per Chapter 14.39.

5. **Lighting.** Parking areas shall have lighting to provide at least 2 foot-candles of illumination over parking spaces and walkways. Light standards shall be directed downward only and shielded to prevent lighting spillover into any adjacent residential district or use.

Staff response and findings of fact:

The City’s standard is for 2 foot-candles of illumination. Conditions of approval will require that the proposed parking lot lighting meet the illumination standard. At time of building/site permit application lighting must be shown on the plans to provide the required 2-foot candle lighting required for parking areas. All overhead lighting shall be shielded from casting light into adjacent developments. This shall be a condition of approval.

6. **Screening of Parking Areas.** Parking spaces shall be located or screened so that headlights do not shine onto adjacent residential uses, per Section 3.2.300.E.

Staff response and findings of fact:

The proposed layout of the site has the parking oriented toward the middle of the development or toward the dwellings with planted beds at the head of the parking areas. These planted beds will prevent light spill from headlights. This criterion has been met.

G. Exceptions and Special Standards for Parking.

1. **Exceptions for required parking.**

- a. **Seasonal outdoor seating where the seating area is less than 500 square feet is exempt from the required parking standards.**

Staff response and findings of fact:

This is a multi-family development. This criterion does not apply.

- b. **The total number of required motor vehicle parking spaces for an industrial, commercial or office use may be reduced by 5 percent for each of the listed**

activities that are provided by the owners or operators, up to a maximum 15 percent reduction in the total number of motor vehicle spaces per development.

- 1) Designating at least 10% of the employee motor vehicle parking spaces as carpool/vanpool parking and placing such spaces closer to the building than other employee parking;
- 2) Providing showers and lockers for employees who commute by bicycle;
- 3) Providing twice as many covered, secured bicycle parking racks or facilities as required by this ordinance;
- 4) Providing a transit facility (e.g. bus stop) that is approved by the local transit authority, with related amenities. Related amenities include, but are not limited to, a public plaza, pedestrian sitting areas, shelter and additional landscaping;
- 5) Other incentives provided in an approved Employee Transportation Demand Management (TDM) Plan.

Staff response and findings of fact:

No reduction in parking is proposed. This criterion does not apply.

2. **Special Standards for Commercial Customer Parking.** The motor vehicle parking areas shall be located and designed to facilitate safe and convenient pedestrian and bicycle movement to and from public sidewalks, streets or transit stops. Ways to achieve this standard may include, but are not limited to:
 - a. Front facades and primary entrances of all buildings are oriented to a public street or a private internal drive or street, to minimize pedestrian and bicycle travel through a parking area and to provide safe, convenient, and direct travel routes for pedestrians;
 - b. One or more raised walkways are provided through the parking areas, meeting federal American with Disabilities Act requirements, in order to provide safe, convenient, and direct travel routes for pedestrians through the parking areas;
 - c. Walkways abutting parking spaces or maneuvering areas are protected from vehicles through either landscaping buffers, minimum 3 feet wide on each side, or curbs on both sides;
 - d. Walkways across vehicle aisles are delineated with non-asphaltic material in a different color or texture than the parking areas;
 - e. On-site pedestrian walkways and bikeways connect to existing pedestrian and bicycle circulation systems that serve adjacent commercial uses or residential areas;
 - f. Internal drives or streets are designed to City standards for local streets in regard to pavement width, sidewalks and street trees. Sidewalks comply with ADA standards. Sidewalks 10-15 feet wide abutting front building facades are strongly encouraged. Internal vehicular circulation design for the site complies with City street connectivity standards, including maximum block length and perimeter.
 - g. Internal drives or streets connect to public streets abutting the site, unless physically precluded by pre-existing buildings.

- h. Structures are located on the site to facilitate future infill and redevelopment of parking and landscape areas.
- i. For shopping centers abutting one or more transit routes, one or more transit stops are located and designed with the approval when applicable of the local transit provider;
- j. No drive-up, drive-in, or drive-through drives or lanes are located between a building and a public or private street.

Staff response and findings of fact:

No commercial parking is proposed. This criterion is met.

H. Maximum Number of Parking Spaces. The number of parking spaces provided by any particular use in ground surface parking lots shall not exceed the minimum number of spaces required for each use as provided by this Section by more than 50%. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking or under-structure parking, or in multi-level parking above or below surface lots, shall not apply toward the maximum number of allowable spaces. Parking spaces provided through “shared parking” also do not apply toward the maximum number.

Staff response and findings of fact:

As 235 spaces are proposed, and 181.5 required, the development does not exceed the maximum number of parking spaces by 50% (272). This criterion is met.

- I. Parking Stall Design and Minimum Dimensions.** All off-street parking spaces shall be improved to conform to City standards for surfacing, stormwater management, and striping. Standard parking spaces shall conform to the following standards and the dimensions in Figures 14.33.300.F(1) through (3), and Table 14.33.300.F:
- 1. Motor vehicle parking spaces shall measure minimum 9 feet wide by 18 feet long;
 - 2. For large parking lots exceeding 10 stalls, alternate rows may be designated for compact cars provided that the compact stalls do not exceed 30% of the total required stalls. A compact stall shall measure minimum 8 feet in width and 15 feet in length and shall be signed for compact car use;
 - 3. All parallel motor vehicle parking spaces shall measure 9 feet by 20 feet unless within a public right-of-way, when they shall measure a minimum of 7 to 8 feet by 20 feet;
 - 4. Parking area layout shall conform to the dimensions in Figure 14.33.300.F(1) and (2), and Table 14.33.300F, below;
 - 5. Public alley width may be included as part of dimension “D” in Figure 14.33.300.F(1), but all parking stalls must be on private property;
 - 6. Parking areas shall conform to Federal Americans With Disabilities Act (ADA) standards for parking spaces (dimensions, van accessible parking spaces, etc.). Parking structure vertical clearance, van accessible parking spaces, should refer to Federal ADA guidelines; and
 - 7. Bicycle parking shall be on a 2 feet by 6 feet minimum concrete pad per bike, or within a garage or patio of residential use.

Staff response and findings of fact:

It will be up to the applicant to show compliance with this standard at time of site development permit submittal. As a condition of approval, 90 degree parking stalls shall be 18' long by 9' wide, and access aisles shall be 24' wide behind all parking stalls for maneuvering. Bicycle parking spaces shall conform to dimensional standards. There is no compact parking proposed by the applicant. This criterion has been met.

14.33.400 Bicycle Parking Requirements

- A. Applicability.** All uses that are subject to Site Design Review shall provide bicycle parking, in conformance with the standards in Table 14.33.400, and subsections A-H, below. This section does not apply to single-family, two-family, and three-family housing (detached, attached or manufactured housing), home occupations or other developments with fewer than 3 vehicle parking spaces.
- B. Minimum Required Bicycle Parking Spaces.** A minimum of one bicycle parking space per use is required for all uses subject to Site Design Review. Table 14.33.400 lists additional standards that apply to specific types of development. Uses shall provide long- and short-term bicycle parking spaces, as designated in Table 14.33.400 and subsections C-J below. Where two options are provided (e.g., 2 spaces, or 1 per 20 units), the option resulting in more bicycle parking is used.

Staff response and findings of fact:

The applicant proposes 61 long-term spaces meeting the required 30 spaces. The applicant has also proposed to install 6 short-term bike spaces per code required 1 per 20 units. This exceeds the required number of parking spaces as per Table 14.33.400 for long term and short-term. This shall be a condition of approval.

- C. Special Standards for the Central Business District.** Within the Central Business District zone, bicycle parking for customers shall be provided in the right-of-way along the street at a rate of at least one space per building. In addition, individual uses shall provide the required bicycle parking in front along the street, either on the sidewalks or in specially constructed areas such as pedestrian curb extensions. Several businesses may combine required parking into common bicycle parking structures if desired. Common bicycle parking shall not exceed 6 bicycle areas per parking structure.

Staff response and findings of fact:

The proposed project is not located in the Central Business District. This criterion does not apply.

D. Location and Design.

- 1. Location.** Bicycle parking should be no farther from the main building entrance than the distance to the closest vehicle space, or no more than 50 feet. Long-term (i.e., covered) bicycle parking should be incorporated whenever possible into building design. Short-term bicycle parking, when allowed within a public right-of-way, should be coordinated with the design of street furniture, as applicable. Street

- furniture includes benches, street lights, planters and other pedestrian amenities.
2. **Pedestrian passage.** The location of the rack and subsequent parking shall not interfere with pedestrian passage, leaving a clear area of at least 36 inches between bicycles and other existing and potential obstructions. Walkways from bicycle parking to the main entrance shall be hard surfaced and a minimum 4 feet in width.
 3. **Parking Space Dimensions.** Bicycle parking spaces shall be at least 2 feet wide by 6 feet long and, when covered, provide a vertical clearance of 7 feet. An access aisle of at least 5 feet wide shall be provided and maintained beside or between each row of bicycle parking.
 4. **Design.** Bicycle racks shall hold bicycles securely by means of the frame. The frame must be supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels. Bicycle parking racks, shelters and lockers must be securely anchored to the ground or to the structure.

Staff response and findings of fact:

As proposed by the applicant the bicycle parking areas will meet the above criteria for dimension, cover, access, and lighting. This criterion has been met.

- E. **Visibility and Security.** Bicycle parking for customers and visitors of a use shall be visible from street sidewalks or building entrances, so that it provides sufficient security from theft and damage.

Staff response and findings of fact:

No customer or visitor parking spaces are proposed. This criterion does not apply.

- F. **Options for Storage.** Long-term bicycle parking requirements for multiple family uses and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building.

Staff response and findings of fact:

The applicant has proposed long term bicycle storage to be available for all ground floor units and the leasing office for a total of 61 spaces. This criterion is met.

- G. **Lighting.** For security, bicycle parking shall be at least as well lit as vehicle parking.

Staff response and findings of fact:

This criterion shall be met as a condition of approval.

- H. **Reserved Areas.** Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

Staff response and findings of fact:

The applicant shall install signage to designate the location of the bicycle storage areas. This shall be a condition of approval.

- I. Hazards.** Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards (Chapter 3.1, Access and Circulation).

Staff response and findings of fact:

The long-term bike parking shall comply with the criterion.

- J. Multiple Uses.** For buildings with multiple uses (such as a commercial or mixed use center), bicycle parking standards shall be calculated by using the total number of motor vehicle parking spaces required for the entire development. A minimum of one bicycle parking space for every 10 motor vehicle parking spaces is required.

Staff response and findings of fact:

The proposed project is not a multiple-use/mixed-use project. This criterion does not apply.

14.33.400 Loading Areas

- A. Purpose.** The purpose of this section of the Code is to provide standards (1) for a minimum number of off-street loading spaces that will ensure adequate loading areas for large uses and developments, and (2) to ensure that the appearance of loading areas is consistent with that of parking areas.
- B. Applicability.** Section 14.33.400 applies to residential projects with 50 or more dwelling units, and non-residential and mixed-use buildings with 20,000 square feet or more total floor area.

C. Number of Loading Spaces.

1. **Residential buildings.** Buildings where all of the floor area is in residential use shall meet the following standards:
 - a. Fewer than 20 dwelling units on a site that abuts a local street: No loading spaces are required.
 - b. All other buildings: One space.
2. **Non-residential and mixed-use buildings.** Buildings where any floor area is in non-residential uses shall meet the following standards:
 - a. Less than 20,000 square feet total floor area: No loading spaces required.
 - b. 20,000 to 50,000 square feet of total floor area: One loading space.
 - c. More than 50,000 square feet of total floor area: Two loading spaces.

Staff response and findings of fact:

No loading spaces are proposed or required. This criterion does not apply.

- D. Size of Spaces.** Required loading spaces shall be at least 35 feet long and 10 feet wide, and shall have a height clearance of at least 13 feet 6 inches.

Staff response and findings of fact:

No loading spaces are proposed, hence this criterion is not applicable.

- E. Placement, setbacks, and landscaping.** Loading areas shall conform to the setback and perimeter landscaping standards in Chapters 2 and 3. Where parking areas are prohibited between a building and the street, loading areas are also prohibited. The decision body may approve a loading area adjacent to or within the street right-of-way through Site Design Review or Conditional Use Permit review, as applicable, where it finds that loading and unloading operations are short in duration (i.e., less than 1 hour), not obstruct traffic during peak traffic hours, or interfere with emergency response services

Staff response and findings of fact:

No loading spaces are proposed, hence this criterion is not applicable.

Chapter 14.34 — Public Facilities

14.34.010 Purpose and Applicability

- A. Purpose.** The purpose of this Chapter is to provide planning and design standards for public and private transportation facilities and utilities. Streets are the most common public spaces, touching virtually every parcel of land. Therefore, one of the primary purposes of this Chapter is to provide standards for attractive and safe streets that can accommodate vehicle traffic from planned growth and provide a range of transportation options, including options for driving, walking, bus transit, and bicycling. This Chapter is also intended to implement the City's Transportation System Plan.

Staff response and findings of fact:

The applicant acknowledges the purpose of the code. This criterion is met.

- B. When Standards Apply.** Unless otherwise provided, the standard specifications for construction, reconstruction, or repair of transportation facilities, utilities, and other public improvements within the City shall occur in accordance with the standards of this Chapter. No development may occur unless the public facilities related to development comply with the public facility requirements established in this Chapter.

Staff response and findings of fact:

The public facilities related to the development are required to be constructed in accordance with this chapter or the governing agencies. City Engineer Damien Gilbert has provided comments related to Public Facility development. These comments shall be considered conditions of approval.

- C. Engineering Design Criteria, Standard Specifications and Details.** The Oregon Standard Specifications for Construction with Appendum shall be a part of the City's adopted installation standard(s); other standards may also be required upon

recommendation of the City Engineer. The design criteria, standard construction specifications and details maintained by the City Engineer, or any other road authority with jurisdiction, shall supplement the general design standards of this Development Code. The City's specifications, standards, and details are hereby incorporated into this code by reference.

Staff response and findings of fact:

The applicant acknowledges that requirements of the City's Engineering Design Criteria, Standard Specifications, and Details apply.

- D. Conditions of Development Approval.** No development may occur unless required public facilities are in place or guaranteed, in conformance with the provisions of this Code. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of the development on public facilities. Findings in the development approval shall indicate how the required improvements are directly related and roughly proportional to the impact.

Staff response and findings of fact:

Conditions of approval as apply to this project have been identified by the City Engineer and detailed in the applicable sections of this staff report (see Exhibit A).

14.34.100 Transportation Standards

- A. Development Standards.** The following standards shall be met for all new uses and developments:

Staff response and findings of fact:

The project is a new development. The standards below apply.

- B. Guarantee.** The City may accept a future improvement guarantee (e.g., owner agrees not to object to the formation of a local improvement district in the future) in lieu of street improvements if one or more of the following conditions exist:

Staff response and findings of fact:

The project is not requesting a future improvement guarantee. This criterion and the conditions below do not apply.

- C. Creation of Rights-of-Way for Streets and Related Purposes.** Streets shall be created through the approval and recording of a final subdivision or partition plat; except the City may approve the creation of a street by acceptance of a deed, provided that the street is deemed in the public interest by the City Council for the purpose of implementing the Transportation System Plan, and the deeded right-of-way conforms to the standards of this Code.

Staff response and findings of fact:

New streets and Rights-of-Way are not proposed or required with the proposed project. This criterion does not apply.

- D. Creation of Access Easements.** The City may approve an access easement when the easement is necessary to provide for access and circulation in conformance with Chapter 14.31, Access and Circulation. Access easements shall be created and maintained in accordance with the Uniform Fire Code Section 10.207.

Staff response and findings of fact:

Access easements created and shown on the final Plat of the Village Green Subdivision shall comply with Fire Code Section 10.207.

- E. Street Location, Width, and Grade.** Except as noted below, the location, width and grade of all streets shall conform to the Transportation System Plan and an approved street plan or subdivision plat. Street location, width, and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets:

Staff response and findings of fact:

New streets are not proposed or required with the proposed project. This criterion does not apply.

- F. Minimum Rights-of-Way and Street Sections.** Street rights-of-way and improvements shall be the widths in Table 14.34.100. A variance or Master Plan approval shall be required to vary the standards in Table 14.34.100. Where a range of width is indicated, the width shall be the narrower in the range unless unique and specific conditions exists as determined by the decision-making authority based upon the following factors:

1. Street classification in the Transportation System Plan;
2. Anticipated traffic generation;
3. On-street parking needs;
4. Sidewalk and bikeway requirements based on anticipated level of use;
5. Requirements for placement of utilities;
6. Street lighting;
7. Minimize drainage, slope, and sensitive lands impacts, as identified by Chapter 3.7;
8. Street tree location, as provided for in Chapter 3.2;
9. Protection of significant vegetation, as provided for in Chapter 3.2;
10. Safety and comfort for motorists, bicyclists, and pedestrians;
11. Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;
12. Access needs for emergency vehicles; and
13. Transition between different street widths (i.e., existing streets and new streets).

Staff response and findings of fact:

New streets are not proposed or required with the proposed project. This criterion does not apply.

G. Subdivision Street Connectivity. All subdivisions shall conform to all the following access and circulation design standards, as applicable:

Staff response and findings of fact:

The proposed project is not a subdivision. This criterion does not apply.

H. Traffic Signals and Traffic Calming Features.

1. Traffic signals shall be required with development when traffic signal warrants are met, in conformance with the Highway Capacity Manual and Manual of Uniform Traffic Control Devices. 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 in conformance with the road authority's requirements. The developer's cost and the timing of improvements shall be included as a condition of development approval.
2. When an intersection meets or is projected to meet traffic signal warrants, the City may accept alternative mitigation, such as a roundabout, in lieu of a traffic signal, if approved by the City Engineer and applicable road authority.
3. The City may require the installation of calming features such as traffic circles, curb extensions, reduced street width (parking on one side), medians with pedestrian crossing refuges, and/or special paving to slow traffic in neighborhoods or commercial areas with high pedestrian traffic.

Staff response and findings of fact:

Traffic signals are not proposed or required to mitigate the impact of this project/development. Pedestrian connections throughout the site are delineated as shown on the attached site plan and additional traffic calming features are not warranted. This criterion does not apply.

I. Future Street Plan and Extension of Streets.

1. A future street plan shall be filed by the applicant in conjunction with an application for a subdivision in order to facilitate orderly development of the street system. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other divisible parcels within 600 feet surrounding and adjacent to the proposed land division. The street plan is not binding; rather it is intended to show potential future street extensions with future development
2. Streets shall be extended to the boundary lines of the parcel or tract to be developed when the City determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land. The point where the streets temporarily end shall conform to a-c, below:

Staff response and findings of fact:

New streets and extension of existing streets are not proposed with the project. This criterion does not apply.

J. Street Alignment, Radii, and Connections.

1. Staggering of streets making “T” intersections at collectors and arterials shall be designed so that offsets of more than 300 feet on such streets are created, as measured from the centerline of the street.
2. Spacing between local street intersections shall have a minimum separation of 200 feet, except where more closely spaced intersections are designed to provide an open space, pocket park, common area, or similar neighborhood amenity. This standard applies to four-way and three-way (off-set) intersections.
3. All local and collector streets that stub into a development site shall be extended within the site to provide through circulation unless prevented by environmental or topographical constraints, existing development patterns, or compliance with other standards in this code. The applicant must show why the environmental or topographic constraint precludes some reasonable street connection.
4. Proposed streets or street extensions shall be located to allow continuity in street alignments and to facilitate future development of vacant or re-developable lands.
5. In order to promote efficient vehicular and pedestrian circulation throughout the city, the design of subdivisions and alignment of new streets shall conform to block length standards in Section 14.31.200.
6. Corner curb radii shall be 20 feet -30 feet based on street classification, except where smaller radii are approved by the City Engineer.

Staff response and findings of fact:

No new streets or street extensions are proposed, hence this criterion does not apply.

- K. Sidewalks, Planter Strips, Bicycle Lanes.** Sidewalks, planter strips, and bicycle lanes shall be installed in conformance with the standards in Table 3.4.100, applicable provisions of Transportation System Plan, the Comprehensive Plan, and adopted street plans. Maintenance of sidewalks and planter strips in the right-of-way is the continuing obligation of the adjacent property owner.

Staff response and findings of fact:

No new right-of-way sidewalks are proposed. Maintenance of this shall be the continuing obligation of the adjacent property owner.

- L. 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 or where a reduced angle is necessary to provide an open space, pocket park, common area or similar neighborhood amenity. In addition, the following standards shall apply:

Staff response and findings of fact:

There are no intersections proposed with this development. This criterion does not apply.

- M. Existing Rights-of-Way.** Whenever existing rights-of-way adjacent to a proposed development are less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, subject to the provision of Section 3.4.100.

Staff response and findings of fact:

No additional right-of-way is necessary for this development. This criterion does not apply.

- N. Cul-de-sacs.** A cul-de-sac street shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this code preclude street extension and through circulation.

Staff response and findings of fact:

No cul-de-sac streets are proposed with this development. This criterion does not apply.

- O. Grades and Curves.** Grades shall not exceed 6% on arterials, 10% on collector streets, or 15% on any other street (except that local or residential access streets may have segments with grades which exceed 15% for distances of no greater than 100 feet), and:

1. Centerline curve radii shall not be less than 300 feet on arterials, 200 feet on major 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 five percent or less. Landings are that portion of the street within 20 feet of the edge of the intersecting street at full improvement.

Staff response and findings of fact:

No new streets are proposed for this development site. This condition does not apply.

- P. Curbs, Curb Cuts, Ramps, and Driveway Approaches.** Concrete curbs, curb cuts, wheelchair ramps, bicycle ramps, and driveway approaches shall be constructed in accordance with standards specified in Chapter 14.31, Access and Circulation.

Staff response and findings of fact:

The access to and from Row River Road is within ODOT's jurisdiction please contact ODOT for design standards.

- Q. Streets Adjacent to Railroad Right-of-Way.** When a transportation improvement is proposed within 300 feet of a public railroad crossing, or a modification is proposed to an existing public crossing, the Oregon Department of Transportation and the rail service provider shall be notified and given an opportunity to comment, in conformance with the provisions of Chapter 4. Private crossing improvements are subject to review and licensing by the rail service provider.

Staff response and findings of fact:

No transportation improvements are proposed within 300 feet of a public railroad crossing. This criterion does not apply.

- R. Alleys, Public or Private.** Alleys shall conform to the standards in Table 14.34.100. Alley intersections and sharp changes in alignment shall be avoided. The corners of necessary alley intersections shall have a radius of not less than 12 feet.

Staff response and findings of fact:

No alleys are proposed with this project. This criterion does not apply.

- S. Private Streets.** Private streets shall conform to City standards of construction and Table 14.34.100.F and shall provide sidewalks or pathways as approved by the City. Private streets shall not be used to avoid public access connectivity required by this Chapter. Gated communities (i.e., where a gate limits access to a development from a public street) are prohibited; and

Staff response and findings of fact:

No private streets are proposed with this project. This criterion does not apply.

- T. Street Names.** No new street name shall be used which will duplicate or be confused with the names of existing streets in Lane County. Street names, signs, and numbers shall conform to the standards in Chapter 12.16 of the Cottage Grove Municipal Code, except as requested by emergency service providers.

Staff response and findings of fact:

No new streets are proposed with this project. This criterion does not apply.

- U. 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.

Staff response and findings of fact:

No new streets are proposed. This criterion does not apply.

- V. Street Signs.** The city, county, or state with jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.

Staff response and findings of fact:

No new streets are proposed. This criterion does not apply.

- W. Mail Boxes.** Plans for mail boxes shall be approved by the United States Postal Service.

Staff response and findings of fact:

New mailboxes will be required to meet the approval of the United States Postal Service. Please contact Jeff Valancy at the Cottage Grove Post Office for more information. This shall be a condition of approval.

- X. Street Light Standards.** Street lights shall be installed in accordance with City standards.

Staff response and findings of fact:

New street lights are not proposed with this project. This criterion does not apply.

Y. Street Cross Sections. Street cross sections shall be constructed to Engineering Department Standards.

Staff response and findings of fact:

New streets are not proposed with this project. This criterion does not apply.

14.34.200 Public Use Areas

A. Dedication of Public Use Areas.

1. Where a proposed park, playground, or other public use shown in a plan adopted by the City is located in whole or in part in a subdivision, the City may require the dedication or reservation of this area on the final plat for the subdivision, provided that the impact of the development on the City park system is roughly proportionate to the dedication or reservation being made.
2. The City may purchase or accept voluntary dedication or reservation of areas within the subdivision that are suitable for the development of parks and other public uses; however, the City is under no obligation to accept such areas offered for dedication or sale.

B. System Development Charge Credit. Dedication of land to the City for public use areas, voluntary or otherwise, shall be eligible as a credit toward any required system development charge for parks.

Staff response and findings of fact:

Dedication of public use areas are not proposed and System Development Charge Credit is not requested. This criterion does not apply.

14.34.300 Sanitary Sewer and Water Service Improvements

- A. Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City's Sanitary Sewer Master Plan, Water System Master Plan, and the applicable construction specifications. When streets are required to be stubbed to the edge of the subdivision, sewer and water system improvements shall also be stubbed with the streets, except as may be waived by the City Engineer.**
- B. Sewer and Water Plan Approval. Development permits for sewer and water improvements shall not be issued until the City Engineer has approved all sanitary sewer and water plans in conformance with City standards.**
- C. Over-Sizing. The City may require as a condition of development approval that sewer, water, and/or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable Water,**

Sewer, and/or Storm Drainage Master Plan, provided that the city may grant the developer credit toward any required system development charge for the same.

- D. Inadequate Facilities.** Development permits may be restricted by the City where a deficiency exists in the existing water or sewer system that cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems.

Staff response and findings of fact:

The project is considered a new development. Connections to the public water and sanitary service are proposed to serve the project. The City Engineer has supplied the following comments, which will be considered conditions of approval in regards to facilities:

General

- Development of the property will require that all cable utilities be placed underground including telephone, television and power. This requirement is inclusive of any connections to the feeder main. Separate permits from the individual private utilities will be required. Private utilities designs will be required prior to construction.
- Applicant is required to provide a copy of the entire approved 1200-C permit from the Department of Environmental Quality.
- Traffic control shall be in accordance of the Manual of Uniform Traffic Control Devices for all work performed in the public right-of-way.
- Developer will be responsible for payment of all system development charges and design review and other associated fees.
- The City of Cottage Grove requires a minimum of five feet horizontal separation from its utilities and all other utilities. This distance is measured from outside of pipe to outside of pipe. Other utility companies may have stricter standards than this. The standard with the greatest separation will apply.
- Any infrastructure improvements (streets, water, sanitary sewer and storm drainage) that is to be owned and operated by the City of Cottage Grove shall be designed and stamped by a Registered Professional Engineer in the State of Oregon. Plans shall be reviewed and approved by city staff prior to construction.
- Some of the proposed infrastructure improvements may qualify for SDC credits or reimbursements, as outlined in Chapter 15.16 of the Cottage Grove Municipal Code for costs of eligible capital improvements that are the City's fair share and for the costs of any over sizing of the public facilities.
- Upon completion of the infrastructure and any required testing, the public infrastructure improvements will be accepted by the City of Cottage Grove for maintenance and operation.

14.34.400 Storm Drainage Improvements

- A. General Provisions.** The City shall issue a development permit only where adequate provisions for storm water and flood water runoff have been made in conformance with the City's Storm Drainage Master Plan and Chapter 14.35, Surface Water Management.
- B. Accommodation of Upstream Drainage.** Culverts and other drainage facilities shall be large enough to accommodate existing and potential future runoff from the entire upstream drainage area, whether inside or outside the development. Such facilities shall be subject to review and approval by the City Engineer.
- C. Effect on Downstream Drainage.** Where it is anticipated by the City Engineer that the additional runoff resulting from the development will overload an existing drainage facility, the City shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with City standards.
- D. Over-Sizing.** The City may require as a condition of development approval that sewer, water, and/or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable Water, Sewer, and/or Storm Drainage Master Plan, provided that the city may grant the developer credit toward any required system development charge for the same.
- E. Existing Watercourse.** Where a proposed development is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance to protect the public health and safety.

Staff response and findings of fact:

The proposed project complies with these criteria. The City Engineer has provided the following comments, which will be considered conditions of approval in regards to storm drainage:

Storm Drainage

- Storm water runoff is not to adversely affect adjacent property owners; therefore no overland flow is allowed. All storm water runoff from this development shall be contained on the property prior to connecting the public storm drainage system. Building plans should include spot elevations or enough detail to show staff that all storm water runoff from site is captured on site before entering the public storm drainage system, especially from back of driveway approach. This may include a trench drain at the back of driveway approach.
- If any new on-site catch basins on site shall meet the standards as outlined by the Uniform Plumbing Code.
- The proposed storm drainage system is on-site. The proposed system is detention/soakage trench style with a discharge into the City system at the pre-

development rate. Hydraulic calculations for the on-site detention/soakage trenches have been submitted and are approved.

14.34.500 Utilities

A. Underground Utilities.

1. **Generally.** All new utility lines including, but not limited to, those required for electric, communication, lighting, and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above.

Staff response and findings of fact:

Development of the property will require that all dry utilities be placed underground including telephone, television and power. This requirement is inclusive of any connections to the feeder main. Separate permits from the individual private utilities will be required. Private utilities designs will be required prior to construction. (See Engineering Comments.)

This criterion shall be met.

2. **Subdivisions.** The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities:
 - a. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all above ground equipment does not obstruct vision clearance areas for vehicular traffic (Chapter 14.31);
 - b. The City reserves the right to approve the location of all surface-mounted facilities;
 - c. 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
 - d. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

Staff response and findings of fact:

The project is not a subdivision. This criterion does not apply.

- B. Exception to Undergrounding Requirement.** An exception to the undergrounding requirement may be granted due to physical constraints, such as steep topography, sensitive lands (Chapter 14.37), or existing development conditions.

Staff response and findings of fact:

An exception to the undergrounding requirement is not requested. This criterion does not apply.

14.34.700 Construction Plan Approval and Assurances

- A. Plan Approval and Permit.** No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the City, permit fee paid, and permit issued. The permit fee is required to defray the cost and expenses incurred by the City for construction and other services in connection with the improvement. The permit fee shall be set by City Council.
- B. Performance Guarantee.** The City may require the developer or subdivider to provide bonding or other performance guarantees to ensure completion of required public improvements. See Section 14.42.400, Site Design Review, and Section 14.43.180, Land Divisions.

Staff response and findings of fact:

Public improvements are proposed as part of this application. Development shall meet requirements of ODOT and obtain the necessary permits.

14.34.800 Installation

- A. Conformance Required.** Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this Chapter, approved construction plans, and to improvement standards and specifications adopted by the City.
- B. Adopted Installation Standards.** The Standard Specifications for Public Works Construction, Oregon Chapter A.P.W.A., shall be a part of the City's adopted installation standard(s); other standards may also be required upon recommendation of the City Engineer.
- C. Commencement.** Work shall not begin until the City has been notified in advance in writing.
- D. Resumption.** If work is discontinued for more than one month, it shall not be resumed until the City is notified in writing.
- E. City Inspection.** Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications to the approved design requested by the developer may be subject to review under Chapter 14.46, Modifications to Approved Plans and Conditions of Approval. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements.

F. Engineer's Certification and As-Built Plans. A registered civil engineer shall provide written certification in a form required by the City that all improvements, workmanship, and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to City acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide 2 sets of "as-built" plans, in conformance with the City Engineer's specifications, for permanent filing with the City.

Staff response and findings of fact:

Any new utility work or repair of utility work or connection to any utility within the ODOT right-of-way shall conform to ODOT standards.

Chapter 14.35 — Surface Water Management

Staff response and findings of fact:

Per engineering comments, the following conditions of approval apply to surface water management on this site.

Storm Drainage

- Storm water runoff is not to adversely affect adjacent property owners; therefore no overland flow is allowed. All storm water runoff from this development shall be contained on the property prior to connecting the public storm drainage system. Building plans should include spot elevations or enough detail to show staff that all storm water runoff from site is captured on site before entering the public storm drainage system, especially from back of driveway approach. This may include a trench drain at the back of driveway approach.
- If any new on-site catch basins on site shall meet the standards as outlined by the Uniform Plumbing Code.
- The proposed storm drainage system is on-site. The proposed system is detention/soakage trench style with a discharge into the City system at the pre-development rate. Hydraulic calculations for the on-site detention/soakage trenches have been submitted and are approved.

(See Engineering Comments, Exhibit A.)

This criterion is met.

D. Chapter 4 Standards. Master plans that involve the creation of new parcels shall meet the standards established in Section 14.43 Land Divisions. Conditional uses within master plans shall comply with the criteria found in Chapter 14.44.400.A.

Staff response and findings of fact: This application for Master Planned Development does not propose to create new parcels nor are there conditionally permitted uses proposed as part of the Master Plan application. This criterion does not apply.

E. Open Space. Master plans shall contain a minimum of 15 percent open space. Public open space shall be integral to the master plan. Plans shall emphasize public gathering places such as plazas, neighborhood parks, trails, and other publicly accessible spaces that integrate land use and transportation and contribute toward a sense of place. Where public or common private open space is designated, the following standards apply:

1. The open space area shall be shown on the final plan and recorded with the final plat or separate instrument; and
2. The open space shall be conveyed in accordance with one of the following methods:
 - a. By dedication to the City as publicly owned and maintained open space. Open space proposed for dedication to the City must be acceptable to the City with regard to the size, shape, location, improvement, environmental condition (i.e., the applicant may be required to provide a level one environmental assessment), and budgetary and maintenance abilities;
 - b. By leasing or conveying title (including beneficial ownership) to a corporation, home association or other legal entity, with the City retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) suitable to the City.

Staff response and findings of fact: The applicant proposes to establish a separate legal entity to manage the private open space on the Pine Springs site. Prior to occupancy the applicant shall provide copies of the recorded covenants that include provisions for maintenance, tax payments etc. this shall be a condition of approval.

3. The open space shall meet the following minimum design standards:
 - a. Master plans shall contain open space that equal or exceeding 15 percent of the site area. The site area is defined as the lot or parcel on which the development to be located, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.);
 - b. In meeting the common open space standard, the master plan shall contain one or more of the following: outdoor recreation area, protection of sensitive lands (e.g., trees preserved), play fields, outdoor playgrounds, outdoor dining areas, walking fitness courses, pedestrian amenities, or similar open space amenities for residents and/or employees. Sensitive lands such as prominent ridgelines, floodways or wetlands shall be considered of highest importance and shall be designated for protection as open space;
 - c. Historic buildings or landmarks that are open to the public may count toward meeting the open space requirements when approved by the planning commission;
 - d. To receive credit under Section 14.45.150.D, a common open space area shall have an average width that is not less than 20 feet and an average length that is not less than 20 feet.

Staff response and findings of fact: The Master Plan identifies 3.82 acres of long-term open space areas for the use and enjoyment of apartment residents and guests. These privately owned open space areas will be leased to a separate legal entity and maintained by the property owner. Upon approval of the Detailed Development Plan, the final drawings will restrict the future use of the areas designated as Common Open Space. All areas shown on the Master Plan as Common Open Space have an average width and average depth of greater than 20 feet. This criterion is met. The establishment of a minimum of 15% (1.19 acres) of the subject property shall be designated as common open space with a minimum dimension of 20' by 20'.

Chapter 14.38 Signs

14.38.400 Commercial Tourist District Signs

The following sign standards have been established for the Commercial Tourist (CT)/Commercial Tourist Limited (CT/L) Districts:

- A. Single Business. Each stand-alone business shall be permitted a maximum number of 3 wall signs totaling 200 square feet for all faces.
- B. Multiple Businesses. Multiple businesses occupying the same building and/or development site shall be permitted a maximum number of 1 wall sign for each business, totaling 2 square feet per lineal foot of business frontage facing the principal street. Maximum size of combined wall signage per business shall be 100 square feet.
- C. Free standing, Roof and Projecting Signs. In addition to wall signs permitted above, each multi-business development site may have 1 sign from this group. The total area permitted for a free standing sign, roof or projecting sign shall be 100 square feet for 1 face or 200 square feet for 2 or more faces at a maximum of 20 feet above grade.
- D. Business Identification. In addition to the signage allowed above, each business may have 1 unlighted sign not exceeding 1 square foot in area per tenant and bearing only property numbers, postbox numbers, names of occupants, or occupation of occupant of the premises.
- E. Comprehensive Signage Plan. Applicants may choose to apply for a Comprehensive Sign Plan approval to modify the above requirements.

Staff response and findings of fact:

The applicant's narrative states that a monument sign will be placed at the entrance located on Row River Road. No specific design details were included. At time of development the developer/property owner shall submit a Type I Sign Permit Application. This shall be a condition of approval.

Chapter 14.43 – Land Divisions and Property Line Adjustments

Staff response and findings of fact:

The applicant has an approved tentative subdivision, Village Green Subdivision, in which the subject development site is created (Lot 3) for the purposes of developing this project. That

subdivision shall be signed and recorded prior to occupancy. This shall be a condition of approval.

14.45.180 Master Planned Development - Detailed Development Plan Approval Criteria & Modifications

The City shall approve the detailed development plan upon finding that the final plan conforms to the concept plan and required conditions of approval. If the detailed plan request combines other land use and development applications, as provided in Section 14.45.170, those applications shall additionally be subject to the applicable approval criteria in Chapter 4. Minor changes to the approved concept plan may be approved with the detailed plan, when the approval body finds that the modification(s) is/are consistent with the criteria in A-H, below. Changes exceeding those in subsections A-H, below, must be reviewed as major modifications under Chapter 14.46.

A. Increased residential densities (overall or reallocated between development phases) by no more than 10 percent, provided such increase conforms to the underlying District;

B. Increase in lot coverage or impervious surface (overall or reallocated between development phases) by no more than 10 percent over that which is approved;

C. Reduction in open space or landscaping by no more than 10 percent of what was originally approved;

D. Increase in overall automobile parking spaces by no more than 10 percent;

E. Land use. No change in land use shall be permitted without a major modification to the concept plan;

F. Proposals to add or increase lot coverage within an environmentally sensitive areas (sensitive lands) or areas subject to a potential hazard shall require a major modification to the concept plan;

G. Major changes in the location of buildings, proposed streets, parking lot configuration, utility easements, landscaping or other site improvements shall require a Major Modification pursuant to Chapter 14.46. "Major" in this subsection means by more than 100 feet, or 15 percent, relative to setbacks; and

H. Other substantial modifications not listed in A-G, above, shall require approval of a major modification, in conformance with Chapter 14.46.

Staff response and findings of fact:

The developer/property owner shall submit a Detailed Development Plan that demonstrates compliance with the conditions of approval of MPD 1-23. This shall be a condition of approval.

CONCLUSION

Master Planned Development **approval** pursuant to Section 14.45.150 Overlay Zone and Concept Plan Approval Criteria and subject to the recommended conditions is supported by the findings of fact that establish compliance with the applicable state and local standards.

STAFF RECOMMENDATION

That the Master Planned Development, MPD 1-23 be **approved** for the proposed 121-unit Pine Springs Master Plan located on Lot 3 of the Village Green Subdivision pursuant to Section

14.45.150 Overlay Zone and Concept Plan Approval Criteria which are supported by findings of fact and conditions that can establish compliance with applicable state and local standards.

CONDITIONS OF APPROVAL

1. Major modifications to these plans shall be approved by the Planning Commission.
2. A Detailed Development Plan shall be submitted demonstrating compliance with the conditions of approval of this Master Planned Development approval.
3. New fences shall comply with Development Code standards.
4. Trash receptacles shall be oriented away from building entrances, setback at least 10 feet from any public street and adjacent residences, oriented with openings away from adjacent residences, and shall be screened with a minimum 6' high solid fence, slatted-chain-link, or wall.
5. Access permits for the access on Row River Road shall be obtained from ODOT.
6. A 20' vision clearance triangle shall be maintained at each driveway with no obstruction between 2.5' – 8' in height.
7. Proposed sidewalk system, which connects the development and entrances of dwellings (8-unit apartment buildings) to the parking lot, right-of-way, and garbage enclosure will be a minimum 5' wide (4' to individual dwellings allowed) and be constructed using concrete. All walkways shall be constructed as approved prior to final occupancy as a condition of approval.
8. Installation, striping and signage of all parking (235, standard, 4 van accessible ADA, and 4 ADA) shall be required prior to occupancy. 90 degree parking stalls shall be 18' long by 9' wide, and the access aisle behind these parking spaces shall be 24' wide.
9. Parking areas shall have lighting to provide at least 2 foot-candle of illumination over parking spaces and walkways. Light standards shall be directed downward only and shielded to prevent lighting spillover into any adjacent residential district or use.
10. 61 long-term bicycle spaces and six (6) short-term spaces are proposed and shall be installed prior to occupancy. Bicycle racks shall not interfere with pedestrian passages. Design for these bike racks shall be provided as part of the site development permit submittal. Bicycle parking areas shall be well lit.
11. Significant tree protection measures shall implemented during all phases of construction for trees that are shown to be retained.
12. A final landscaping plan shall be provided with the site development permit application for approval by the Public Works & Development Department. The final landscaping plans shall show a minimum of 15% of the as landscaped, and shall include a minimum of 27 trees around the parking lots (1 tree for 3000 square feet of paved area) (44 proposed) and 20 trees along the frontage adjacent to Row River Road. These trees shall be in the buffers adjacent to the parking areas, but are in addition to the required street trees (Class III). Trees will be selected based on growth criteria as described in this section and will be 2" in caliper at 4 feet above grade.
13. Compliance with the Landscape Materials and Landscape Design sections will be required in all landscaping areas associated with the parking lot area and common areas.
14. Irrigation is required for all multi-family landscape areas. The property owner shall be responsible for the continued maintenance of all landscaping (grass, shrubs, plants and trees) for the duration of the development. If the plantings fail to survive, the property owner shall replace them with an equivalent specimen (i.e., evergreen shrub replaces

evergreen shrub, deciduous tree replaces deciduous tree, etc.). The density of tree coverage shall remain or expand.

15. All man-made features required by this approval shall be maintained by the property owner in good condition, or otherwise replaced by the owner per this approval. Modifications to the design, materials, or features of buildings, structures, parking areas or other improvements shall require a Modification of Approval from the Planning Commission or approval of the Public Works & Development Director.
16. No external storage of materials, abandoned vehicles, appliances, metal or other debris shall be allowed on the site.
17. Backflow devices shall be required for all irrigation systems.
18. New mailboxes will be required to meet the approval of the United States Postal Service.
19. Engineering Comments (Exhibit A), March 31, 2023, shall be considered conditions of approval.
20. The developer/property owner shall provide copies of the recorded covenant regarding the legal entity established for the purpose of maintenance, tax payments, etc. of the common open space.
21. The Detailed Development Plan shall include a minimum of 15% of the development site as common open space (Lot 3, Village Green Subdivision – 7.92 acres * 0.15 (15%) = 1.19 acres).
22. A separate Sign Permit is required.
23. The Village Green Subdivision (S 1-23) shall be recorded prior to occupancy.

EXHIBITS

- A. Engineering Comments, March 31, 2023
- B. Application and Narrative
- C. Plan Sets & other submittals
- D. Applicant's Exhibits: A-D, G, & I
- E. Transportation Impact Analysis
- F. Stormwater Report
- G. Neighborhood Meeting Materials

MEMO

To: Eric Mongan, City Planner

From: Damien Gilbert, Branch Engineering, City Engineer

Subject: **MPD 1-23 Planning Comments**

Date: March 31, 2023

I have reviewed the application materials and from a Master Plan level, here are our comments:

Stormwater

Applicant shall demonstrate compliance with the city's stormwater ordinance in future applications for each phase of development.

TIA

- The TIA reports v/c ratios of the existing driveway locations on Row River Road (an urban minor arterial), which includes the intersection of Jim Wright Way (a local street)
 - The 2015 TSP reports the LOS (from 2014 PM Peak hour – Table 10) as LOS D at Jim Wright Way and Row River Road
 - The TSP forecasts the year 2035 PM peak hour to operate with LOS E
 - LOS is not reported in the Pine Springs TIA report text, as the ODOT mobility standards are referenced, which include only v/c.
 - The ODOT standard for v/c is 0.90 for the critical movements at stopped controlled approaches.
 - The TIA reports that with the build traffic, there is adequate capacity and the v/c standard is not exceeded.
 - The highest v/c reported (2024 PM build Conditions) is 0.29 at the existing Jim Wright Way intersection.
 - Row River Road at the frontage is within ODOT's jurisdiction. Jim Wright Way is the City of Cottage Grove's
 - The Pine Springs TIA SYNCHRO Outputs (Appendix E) reports LOS C for the AM and LOS E (both east and westbound approaches) for the PM peak hour build conditions in 2024 with development traffic added, and:
 - LOS C for AM and LOS D (LOS D only at the westbound) for the PM peak hour year 2024 Background conditions (no development traffic added)
 - Per the 2015 TSP Update, the City of Cottage Grove's mobility performance standard is identified as LOS E or better for stop controlled approaches
 - Per Section 14.41.900 of the development code, the City's Codified LOS performance standard is LOS D or better, with the following caveats: *"State highways shall continue to operate according to the standards in the Oregon Highway Plan."* And *"A lesser standard may be accepted for local street*

intersections or driveway access points that intersect with collector or arterial streets, if these intersections are found to operate safely.”

- The 2015 Cottage Grove TSP, Table 6 identifies a traffic signal (Low Priority) as an improvement at Jim Wright Way and Row River Road. This shall be evaluated at each future application phase.
- There is some concern regarding the offset of the existing driveway intersection proposed to remain to serve the proposed RV facilities across from the existing gas station. It appears that there could be a potential for overlapping left-turns utilizing the center two-way left-turn lane.
 - The turning movement diagrams do not include left-turning vehicles or identify the location of the existing driveway that serves the gas station
 - The turning movement diagrams provided show the design vehicle encroaching over what appears to be full height curb
 - There does not appear to be enough storage between an existing pedestrian median refuge island and the existing driveway proposed for the RV access
 - The existing driveways both appear to not be ADA compliant.

Based on the above, it is recommended the following conditions of approval be attached to this application:

A detailed stormwater design for each upcoming application phase that specifically addresses the city's stormwater ordinance shall be provided.

An operational and level of service analysis shall be provided at the site driveway/Jim Wright Way intersection at each upcoming application phase.